Mobilized by Injustice:

Criminal Justice Contact, Political Participation and Race

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Abstract

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This dissertation asks the following questions: Under what conditions are individuals mobilized by experiences with the criminal justice system and under what conditions are individuals demobilized? How do these impacts differ among whites, Blacks and Latinos? While existing literature sends the message that all types of contact with the system leads to political withdrawal, I argue that understanding the criminal justice system as systemically unjust can mobilize people to action. A sense of systemic injustice is the belief that negative experiences with the system are a result of unfair targeting by criminal justice policy due to group affiliation. Race conditions the paths by which individuals arrive at a sense of injustice, where whites understand negative experiences through the lens of class and Blacks and Latinos leverage race-based narratives. Drawing on five survey datasets I find support for the claim that when efficacy remains intact, a sense of injustice that arises from criminal justice experiences catalyzes political action. Fifty-nine in-depth interviews illustrate the process politicization resulting from contact across racial subgroups. Importantly, this dissertation expands on the racialized nature of law enforcement through a focus on Latinos, increasingly targeted for reasons related to immigration.

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DEDICATION

To my family, who are always on my side and provide refuge. Especially to my mom, my sister and Sophia, the smart, strong women who inspire me. Especially to Virgil, who steadies my every step.

Chapter 1

Mobilized by Injustice

1.1 Introduction

On August 9, 2014 in the St. Louis suburb of Ferguson, Missouri, unarmed 18-year-old Michael Brown was fatally shot in the street by a local police officer. The aftermath of the incident illuminates a community-police tension that is all too common in America cities, as a candle-light vigil for the young man turned to a days-long protest, punctuated by police violence, political posturing, and a collective cry for justice. Over the course of the next two weeks, images flooded news and social media sites of protesters met by police in riot gear, confrontations escalating such that the governor declared a state of emergency and deployed the National Guard.

While Ferguson captured national attention, every single day people in the United States face interactions with the criminal justice system that go unpublicized, even while they and their communities contend with the consequences. For example, Lana is a Black woman in Seattle whose friend was the victim of police violence. Like many of the residents in Ferguson mobilized by the death of Mike Brown the experience politicized her. She says:

> A family friend...got his a** kicked by the police in Capitol Hill, and it was ridiculous because he was pretty much just walking down the street, and they pulled him over...and he probably gave them a little bit of sass, but they put him in the hospital...it pissed me off so much that I've kind of lately been like, f*** it, I'm going to say whatever I feel...I'm not

> going to yes ma'am no ma'am, I'm not going to treat you like you're God if I didn't do anything wrong.

Lana's experience with the system made her defiant. About her distrust of law enforcement she says, "It all stems from me being black. I know that its not meant for me. I know that its not there to protect me, or to protect my rights...the government as a whole does not have my interests in mind." Lana is not hopeless, however. Like the protesters in Ferguson, mobilizing to create change is important to her, and her anger only fuels this perspective. This dissertation explores the political consequences of loss of trust in government that result from experiences with the criminal justice system and asks: *under what conditions does contact with the criminal justice system mobilize, and under what conditions does contact demobilize?*

The U.S. has nearly the highest incarceration rate in the world, and the rate of incarceration for Latinos and African Americans is three and five and half times greater that of whites, respectively (Sabol and West 2010, Hartley and Armanderiz 2011). Eight percent of the adult population and 23 percent of the adult Black population have a felony conviction (Uggen, Manza and Thompson 2006). State and local police, empowered to enforce federal immigration policy, increasingly target Latinos who consequently constitute over 50 percent of federal inmates (Meissner et al. 2013). Preemptive policing tactics routinize criminal justice contact where urban, minority communities bear the brunt of enforcement. Between 2004 and 2012 under New York's stop-and-frisk policy police seized weapons or drugs only one time for every 143 stops of Blacks, and every 99 stops of Latinos. Comparatively, the stops-per-seizure rate for whites was 27 (Serwer and Lee 2013). For every individual stopped, arrested, or convicted there is a network of people learning civic lessons by watching their loved ones navigate the system. In the 2006 General Social Survey 11 percent of white women and fully 43 percent of Black women had an incarcerated family member (Lee et al. 2015).

Criminal justice and law enforcement lie at the crux of the state and the citizen, and thus at the heart of democracy and citizenship. The government is concerned with the rule of law, insofar as states require stability to persist, and the criminal justice system is charged with maintaining the rule of law (Kastedte and LaFree 2006). Democracy prescribes a specific iteration of criminal justice, however, where in addition to upholding the law criminal justice must protect equality through due process (Karstedt 2006). The criminal justice system protects citizens from abuse by other citizens, and procedure protects citizens from abuse by the criminal justice system. Together, the fruition of safety and the protection of civil rights manifests for citizens as trust in government and faith in political institutions.

Criminal justice policy thus has the potential to undermine trust in government and state legitimacy. Enforcement tactics convey particular information regarding membership in the polity. About this Ian Loader writes:

> Every stop, every search, every arrest, every group of youths moved on, every abuse of due process, every failure to respond to call or complaint, every racist snub, every sexist remark, every homophobic joke, every diagnosis of the crime problem, every depiction of criminals? All these send small, routine, authoritative signals about society's conflicts, cleavages, and hierarchies, about whose claims are considered legitimate within it, about whose status identity is to be affirmed or denied as part of it. (2006, 211).

The connection between experiences with criminal justice and political attitudes is not merely theoretical. Research finds that the belief that law enforcement failed to uphold procedural fairness delegitimizes their authority, regardless of the eventual outcome of the case (Tyler 2009). Skogan finds that negative, personal encounters with law enforcement degrade trust in government (2006). Individuals watching their loved ones navigate the criminal justice system and frequent, casual exposure to law enforcement also convey civic lessons even when one has not personally had contact (Lee, Porter and Comfort 2014, Stoudt, Fine and Fox 2011, Rosenbaum et al. 2005).

I explore the participatory implications of loss of trust in government resulting from criminal justice contact. Research assessing the impact of interactions with the criminal justice system centralizes the material and psychological consequences of contact. With resource deprivation and negative credentialing at the center of the inquiry scholarship overwhelmingly sends the single message that interactions with the system lead to political withdrawal (Lerman and Weaver 2014a, Burch 2013, Lee, Porter and Comfort 2014).

In contrast, I argue that a pivotal factor overlooked by the literature connecting contact to political mobilization is a sense of systemic injustice. A sense of systemic injustice is the belief that one is targeted by law enforcement based on group identifiers like race, ethnicity, and class. Normative democratic theory contends failure to uphold democratic principles, civil rights, and equal treatment under the law delegitimizes the state. Thus, state legitimacy is undermined when instead of internalizing negative messaging conferred by the criminal justice system citizens reject the moral authority of the state. Loss of trust in government as a result of criminal justice policy occurs when individuals believe that the law is not there to protect them, but instead to contain and corral them because of who they are regardless of what they have done.

A sense of systemic injustice indicates low trust in government and a strong sense of internal efficacy, providing the necessary ingredients to politically mobilize. I ground the theory of a sense of systemic injustice in research on the political participation of marginalized populations. This research demonstrates that a sense of group consciousness developed out of group-based discrimination, a threatening policy environment, and solidarity with loved ones threatened by policy mobilizes people to action (Walker 2014, Sanchez 2006, Barreto and Woods 2005, Gilmore 2007, Walton 1994, Dawson 1994, Miller et al. 1981, Shingles 1981). This body of work likewise suggests that marginalized groups often act outside of electoral politics, where activities like protesting offer an immediate means of pressuring the government (Gillion

2013, Gillion 2012, Piven and Cloward 1977, McVeigh and Smith 1999). I argue that mobilization as a result of criminal justice contact manifests as non-electoral participation.

I expand conceptions of contact to include the friends, family members and social networks of those who have been arrested, convicted, or incarcerated, which I term proximal contact. Intensity of contact impacts the likelihood that one will develop a sense of systemic injustice around criminal justice contact. Incarceration, which is geared to cultivate remorse in the imprisoned, presents substantial barriers to externalizing experiences with the system. A sense of systemic injustice is most likely to mobilize those with proximal contact and with less intense personal contact (such as being stopped or questioned by the police), for whom the cost of contact is less severe. I further argue that community based organizations (CBOs) can play an important role in mobilizing people to action (Owens 2014). These organizations can develop frustration with the system into collective action through helping overcome resource and efficacy barriers and providing opportunities to participate.

Lastly, I argue that race structures the paths by which individuals arrive at a sense of injustice around the criminal justice system. Criminal justice policy is race-neutral by design and as such its impacts cross boundaries of race. The intersection of privilege and deprivation itself creates a dynamic important to the legitimacy of the regime. I explore this dynamic by juxtaposing the experiences of whites with the experiences of Blacks. Whites externalize experiences with the system through the primary lens of class, while Blacks complicate the class narrative by centralizing race. Because the system operates through actuarial assessments of potential criminality policy can be deployed against any group newly constructed as such. I explore this through a focus on Latinos, who foreground race-based targeting for reasons related to immigration in their assessments of the system.

Since the events in Ferguson in August of 2014, community responses to the targeting of minorities by law enforcement are a feature of the daily news (Taxin 2015, Pengelly 2016, Solís 2015, Linthicum 2015). From Ferguson to Phoenix, thousands of Blacks and Latinos have protested, marched, and rallied against what they see as systemic injustice. We know this is happening anecdotally, but research lacks a cohesive theory and consistent data to explain why and how contact with the criminal justice system mobilizes people to participate. The theory of a sense of systemic injustice speaks to this gap in the literature. The following paragraphs contextualize the theory of a sense of systemic injustice by first identifying the American carceral state and its social impacts. I then briefly review an historical account of the evolution of the criminal justice system in the last half of the 20th century. Historicizing the current era of preemptive policing underscores the contributions of the dissertation to the existing literature. I conclude with an overview of my research and an outline for the book.

1.2 The American Carceral State

The United States boasts nearly the highest incarceration rate in the world, second only to the island nation of Seychelles (Institute for Crime Policy Research ND). According to the Bureau of Justice Statistics, the rate of incarceration in the U.S. in 2014 was 723 per 100,000 (The Sentencing Project 2015). The incarceration rates in nations with which the U.S. is often compared, like the United Kingdom, Australia, Canada and Germany do not approach the level of imprisonment reached in the United States. For example, the rate of incarceration in the United Kingdom and Australia is 148 and 152 per 100,000 respectively (Institute for Crime Policy Research ND). Alternatively, countries like Turkmenistan, Cuba and El Salvador join the U.S. in the top 10 with incarceration rates of 538, 510 and 506 per 100,000. American

exceptionalism in the area of incarceration is a widely recognized phenomenon leading scholars to dub the criminal justice system our "peculiar institution" (Wacquant 2000).

Other peculiar features of this institution include its seismic growth over the last half of the 20th century, that it is racialized, and that its reach extends beyond the prison walls. The incarcerated population alone increased 500 percent in the last 40 years after more or less holding steady between 1925 and 1970 (Thorpe 2015, Murakawa 2014). While Black-white disparity historically characterized American criminal justice, it also dramatically rose during the same period. Between 1926 and 1976, the Black-white ratio in prison admissions hovered around three-to-one, but reached six-to-one 30 years later (Murakawa 2014). In 2014 the rate of Black incarceration in state and federal prison was 1,350 per 100,000, compared to whites that were incarcerated at a rate of 209. Latinos likewise outstripped their white counterparts at a rate of 609 (The Sentencing Project 2015).

The negative consequences of personal contact with the criminal justice system manifest in nearly every aspect of an individual's life. A criminal record confers stigma that influences one's ability to get a job, impacts overall earning power, degrades mental and physical health, and fragments families (Pager 2003, Western 2002, Pettit and Western 2004, Braman 2004, Wacquant 2009, Johnson and Easterling 2012).[1] For every individual who experiences time behind bars, there is a network of family, friends and community members watching the system in action via the experiences of their loved one. Data collected for this project suggests that over 57 percent of Blacks and 53 percent of Latinos know someone who had personal contact with the

[1] Most states allow private employers to discriminate on the basis of a criminal record, and several allow discrimination for having been arrested, even if not convicted (Alexander 2010). Discrimination by private employers impacts Blacks more significantly than whites, where one study found that the impact of a criminal record on likelihood of being called for an interview was 40 percent greater for Blacks (Pager 2003).

criminal justice system, compared to 46 percent of whites.[2] Likewise, using the 2006 General Social Survey Lee et al. estimate that, "Black women, on average, have over eleven times as many of their family members currently imprisoned as White women" (Lee et al. 2015, 274).

Punitive social welfare policy, the ability to hold spouses accountable for the payment of legal financial obligations, and the destabilizing impact of even short-term jail time on families ensnares the loved ones of those with personal contact within the carceral state (Lee, Porter and Comfort 2014, Western and Wildeman 2009, Braman 2004, Comfort 2008, Girschik 1996). In a study of legal financial obligations in Washington State researchers found that the mean legal fee for one conviction was $1,300.00, and median amount owed was $9,000.00 (Harris, Evans and Beckett 2011).[3] The inability to make payments on this debt itself triggers numerous other sanctions including loss of access to student loans, the suspension of a driver's license, and threat of deportation for non-citizens (Harris, Evans and Beckett 2010, Roberts 2011, Western 2006). Administrators are able to enforce fee payment through seizure of assets and tax refunds, and garnishing personal and spousal wages (Beckett and Murakawa 2012).

Punitive components of social welfare policy also sanction both those with a record and their families. A criminal conviction for certain crimes can lead to the loss of access to low income housing, food subsidies and higher education education (Pettit and Western 2004, Harris, Evans and Beckett 2010). Notably, the Anti-Drug Abuse Act of 1988 authorized public housing agencies to employ strict screening and eviction policies for criminal activity (Alexander 2010). Any individual found to be engaged in criminal activity associated with the leaseholder provides

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[2] These numbers come from the University of Washington Crime and Politics Survey, collected in 2013. This dataset is explored in depth in Chapter 3 and Chapter 4, and further details on the data collection effort can be found in Appendix B.

[3] Many individuals have multiple encounters with the criminal justice system, where each encounter carries with it fines and fees. Moreover, legal financial obligations accrue interest while incarcerated. Thus, the median amount owed vastly outweighs the mean fee for a single conviction (Harris, Evans and Beckett 2010).

grounds for eviction of the leaseholder (Alexander 2010). Incarceration strains familial networks through time apart, distance, and expense, complicating spousal and parental relationships (Lee, Porter and Comfort 2014, Lynch and Sabol 2001). Children of the incarcerated have a higher risk of homelessness, anxiety, depression, and attendant behavioral problems in school (Geller, Garfinkel, and Western 2011, Johnson and Easterling 2012, Wilbur et al. 2007).

The negative consequences of personal and proximal contact raise the political stakes for those targeted by the system. In the next section I briefly review the development of criminal justice policy over the last half of the 21st century. I do this to explicate the current era of preemptive policing which renders the facially neutral system a premier site of racial socialization. Racial socialization at the hands of the criminal justice system has the potential to politicize precisely because targeting by the criminal justice system constitutes a real policy threat for groups who are constructed as criminal. I therefore frame an inquiry into the mobilizing impact of contact by outlining the mechanics of the carceral machine.

1.3 The Development of Criminal Justice Policy in the 20th Century

Political economic explanations for the growth of the incarcerated population focus on penal policy as means of managing surplus labor in the post-industrial era in lieu of a social safety net. The majority of this literature focuses on penal policy as solution to urban poverty that developed out of deindustrialization (Wacquant 2009, Peck 2003, Parenti 2008, Garland 2001), and a growing body of work situates prisons as the solution to rural poverty as the agricultural sector has likewise declined (Thorpe 2015, Schlosser 1998, King et al. 2003, Gilmore 2007, Thompson 2012). Political economic explanations focusing on prisons as solutions to changes in the economy identifies the means by which community corrections, jails and prisons are grafted into the structure of American society. Correctional operations fulfill an important economic

function, simultaneously dealing with the negative consequences of joblessness, such as poverty-driven crime, addiction and homelessness, and providing jobs and tertiary industry in the communities where prisons are located (Schlosser 1998, Gilmore 2007). The business of corrections essentially functions as a public works project, creating perverse incentives for politicians to ensure that the corrections industry not only persists but also thrives (Thorpe 2015).

Yet macroeconomic forces answered by conservative politics inadequately explain the rise of the carceral state, particularly since rates of incarceration rose through the 1980's and 1990's even as crime fell (Western and Wildeman 2009, Weaver 2007). Policies scholars identify as responsible for the rise in incarceration, like mandatory minimums and truth-in-sentencing laws, developed out of the liberal law-and-order solution to anti-Black racial violence (Murakawa 2014). Post World War II race liberals located the problem of anti-Black violence in the failure of the criminal justice system to properly police white citizens in the South. Thus the solution to anti-Black violence was to correct the institution, remove judicial discretion, and increase protection from abuse by the state (Murakawa 2014).

In the post civil rights era institutional retooling once again answered racial violence, but conservative lawmakers co-opted the language of law-and-order to protect whites from the threat of Black violence, crystallized by urban uprisings across the nation (Western and Wildeman 2009, Weaver 2007). These conservative legislators found bipartisan allies in women's and victim's rights groups, producing increasingly punitive policies (Weaver 2007, Gottschalk 2006). Between 1980 and 2000 the total number of federal mandatory minimum sentences increased from 77 to 285 (Murakawa 2014, 116). In 1950 there were 38. Truth-in-sentencing, life without parole, and three strikes laws joined mandatory minimums and punitive parole guidelines to achieve the rise in incarceration in the last 50 years (Travis and Western 2014).

The liberal law-and-order narrative that the right to safety is itself the route to racial equality turns scholarly attention away from individual racist lawmakers and the punitive public to the viability of structural reform as a solution to racial violence. Liberal lawmakers hoped to sanitize criminal justice of racial inequality by removing discretion from actors within the system. By gearing the system to protect rights through adherence to protocol, state violence is legitimized as neutral, thus redirecting the search for the source of racial inequality to individuals acting within it – either racist policy actors or the moral failings of the individual. Murakawa writes, "If legitimate punishment means that the state surveils, confines, and kills with the right techniques and protocols, then liberal law-and-order specified and refined quality administration with the outcome of legitimating the carceral state." (2014, 151).

The legacy of the liberal law-and-order narrative in the making of America's carceral state manifests not only in harsher sentencing tactics, but more generally in the "increasing primacy given to the efficient control of internal system processes," over other goals like rehabilitation or retribution (Feeley and Simon 1992, 450). Writing about the administrative turn in criminal justice policy, Feeley and Simon note that:

> It considers the criminal justice *system,* and it pursues systemic rationality and efficiency. It seeks to sort and classify, to separate the less from the more dangerous, and to deploy control strategies rationally. The tools for this enterprise are 'indicators,' prediction tables, population projections, and the like. *In these methods, individualized diagnosis and response is displaced by aggregate classification systems for purposes of surveillance, confinement, and control* (1992, 452, emphasis added).

The procedural turn in criminal justice policy requires that assessments of individual motive and morality be replaced with group-based assessments of probability and risk: probability of committing an offense and risk of recidivism (Simon and Feeley 1992, Murakawa 2014, Starr 2014, Muñez 2015). The turn away from discretion is by design, where rendering outcomes systematic is the means by which the institution is race-neutralized.

The actuarial approach to criminal justice enforcement extends beyond sentencing to include the management of probation and parole. While probation and parole originally facilitated reentry and parole boards oversaw the development of a reintegration plan, the 1970's marked a shift towards heightened surveillance and punitive terms for violations (Feeley and Simon 1992, Harris, Evans and Beckett 2011, Travis and Lawrence 2002, Lynch 1998). Proceduralized methods of determining eligibility for probation and parole reliant on group-based indicators of potential recidivism marked this shift. Increased risk of recidivism carries with it stricter terms, and thus more opportunity to commit violations (Travis and Lawrence 2002, Jannetta, Breaux, Ho, and Porter 2014). Often, technical parole violations are punished with re-incarceration, feeding prison populations.[4] Community supervision is no trivial matter. While in 2014 the rate incarceration was 723 per 100,000, including individuals on probation or parole the rate of supervision is 2,217 per 100,000. The rate of Blacks and Latinos under correctional supervision is 4,881 and 2,432 respectively, compared to 1,200 per 100,000 among whites (The Sentencing Project 2015).

At the same time legislators remade America's criminal justice system through procedure and protocol, policing also underwent important changes. Law enforcement officers were at the forefront of concerns around racial violence in the late 1960's, compelling a move away from depoliticized, professional policing tactics. The early 1970's marked a move to the community-policing model, where local law enforcement theoretically adopted a community-consensus, context specific approach (Peak and Barthe 2009). An emphasis on data collection and the use of information in police problem solving accompanied the move towards integrating officers into

[4] For example, California releases all prisoners on parole, but like other states the terms of parole are strict and violation leads to re-incarceration. As a consequence the recidivism rate in California increased 30 times between 1980 and 2000 (Travis nd Lawrence 2002). In 2013 a quarter of all prison admissions were the result of a technical parole violation (Carson 2014).

the communities they policed (Peak and Barthe 2009).

The alloy of community based policing and data driven problem solving is exemplified by the *Broken Windows* theory of crime, first articulated by James Q. Wilson and George Kelling in *The Atlantic* in 1982. Broken Windows makes the argument that heavy policing and surveillance in urban communities can reduce crime rates and increase the safety of individuals living in the community (Stoudt, Fine and Fox 2011, Skogan 2006, Fagan and Davies 2000). Data driven community policing emphasizes stopping crime before it happens, which requires identifying particular groups as potentially criminal, profiling individuals accordingly, and intervening for low level offenses before they escalate to more serious crime (Muñez 2015). Moreover, data-driven policing concentrates police deployment in certain neighborhoods, routinizing criminal justice exposure and heightening the risk of recidivism. As evidence of this six of 77 communities in Chicago house over 30 percent of ex-offenders in 2000 (Travis, Keegan and Cadora 2003).[5]

New York's stop-and-frisk policy is an example of preemptive policing (Stoudt, Fine and Fox 2011, Muñez 2015). Police officers are deployed most heavily in poor, urban, minority communities and target individuals based on physical markers of potential criminality. External signs of criminal behavior are deeply raced and classed (Stoudt, Fine and Fox 2011, Muñez 2015). Increased likelihood of incurring a conviction record, especially for misdemeanors, follows from increased likelihood of contact with law enforcement (Starr 2014). Under stop-and-frisk in 2012 26,000 stops were made for alleged marijuana possession and marijuana possession constituted the largest portion of arrests overall (New York Civil Liberties Union 2013, hereafter NYCLU). Black and Latino youth between 14-24 years old accounted for 40 percent of stops,

[5] Chicago is only one example. In New Jersey, the cities of Camden and Newark accounted for a third of all ex-offenders; In 2001, Baltimore received more than half of the individuals returning from prison (Travis, Keegan and Cadora 2003). Preemptive policing tactics ensure that a handful of communities in urban centers bare the brunt of the carceral state.

though they make up only four percent of the population, and unsurprisingly the misdemeanor arrest rate among Blacks was 6,500 per 100,000, compared to only 1,200 among whites (NYCLU 2013, Chauhan et al. 2014).

Low-level offenses amplify actuarial assessments that one is at risk of recidivating, increasing the severity of the terms of one's probation or parole, and thus both the likelihood of violating those terms and being caught doing so (Roberts 2011, Starr 2014). Law enforcement targets communities because they are disadvantaged, but they become increasingly more so as individuals who would otherwise be workers are removed again and again, and families are sanctioned and destabilized (Western and Wildeman 2009).

Tactics employed by local law enforcement that attempt to stop crime before it happens begin from the premise that propensity to engage in criminal activity is not evenly distributed across the population, and that external markers of neighborhood and person are appropriate indicators of likelihood of crime. Liberal law-and-order philosophy underlies preemptive strategies, where adherence to data-informed procedure promised to race-neutralize the criminal justice system. Yet, markers of potential criminality are bound up with race and class, rendering the facially neutral system a premier site of racial socialization.

In no area is this dynamic more apparent than the current enforcement of immigration policy. Concerns over immigration have been met by increasingly polarized politics and a gridlocked legislature during Obama's executive tenure. The President has responded by targeting immigrants with criminal backgrounds for deportation and by extending temporary protection to childhood arrivals and their families via executive order (Kohli, Markowitz and Chavez 2011, Morse 2011). Immigration agents increasingly leverage existing tools to implement policy, deputizing local law enforcement to act as ICE officials through programs like 287(g), the Criminal Aliens Program (CAP) and Secure Communities (American Immigration Council 2013,

Meissner et al. 2013). Federal directives to target immigrants with criminal backgrounds are filtered through preemptive policing tactics to target Latinos more generally, where skin color, language and neighborhood are markers of potential lack of documentation. Thus, the carceral machinery is efficiently deployed to manage the nation's fastest growing racial minority.

Liberal law-and-order criminal justice narratives in the post-World War II era located persistent white violence against Blacks in a failure of the institution to contain and wrangle the predilections of racist power holders. As such, race liberals turned to institutional solutions, replacing discretion held by judges and police officers with procedure and protocol. The forces of politics and a constitutional system geared for compromise instead produced the legislative framework for the American carceral state. As criminal justice has been tooled and retooled to speak to racial violence and inequality it acquires the apparent quality of neutrality while functioning within the subtext of racial power, thus also conferring racial meaning.

1.4 The Contribution of the Dissertation

Targeting by the criminal justice system on the basis of characteristics inextricably tied up with race and class creates a dynamic relationship between the system and the groups it targets. The dynamics of that relationship should be expected to manifest in attitudes and behaviors towards the institution itself. In other words, systematic targeting should have implications for how individuals who are targeted respond to that threat. A large body of literature on the political participation of marginalized populations demonstrates that individuals mobilize in response to group threat, out of solidarity with loved ones threatened by a policy, and when discrimination catalyzes group consciousness (Barreto et al. 2009, Sanchez 2006, Barreto and Woods 2005, Walton 1994, Dawson 1994, Miller et al. 1981, Shingles 1981). I leverage this literature to argue that when individuals externalize their experiences with the criminal justice

system as a sense of injustice, criminal justice contact can likewise politically mobilize. A sense of injustice is a critical mechanism linking contact to political mobilization overlooked by existing criminal justice research, which sees little possibility for politicization as a result of contact.

The proceduralized nature of criminal justice policy concentrates criminal justice intervention among geographically and demographically determined communities. Understanding the political implications of this phenomenon requires that we expand an understanding of exposure to the criminal justice system beyond incarceration, just as policy expands punishment beyond the prison. Individuals learn civic lessons from watching the criminal justice system in action even if they have not personally been incarcerated. This project contributes to literature on the impact of the criminal justice system on political participation by expanding the focus to include less intense types of contact than conviction and incarceration. Less intense contact includes being stopped on the street by police and questioned and having a loved who has had personal contact. Those with less intense types of contact do not face the same efficacy and resource barriers to participation faced by their custodial counterparts, raising the possibility of political mobilization.

Lastly, by focusing on the targeted nature of criminal justice policy and deemphasizing the racism of individual criminal justice actors, I draw attention to a key feature of what has been termed the *New Jim Crow*. Because preemptive policing tactics operate via facially neutral mechanisms the carceral machinery is deployable against any group constructed as dangerous or threatening. This feature is unique to the criminal justice system, setting it apart from previous iterations of racial control. I therefore evaluate the impact of experiences with the criminal justice system on the political participation of Latinos, as well as Blacks and whites. While scholars often cite their hyper-incarceration alongside Blacks, they do so as they make a Black-white specific argument without interrogating the means by which Latinos are targeted by the system. By

focusing on Latinos I highlight the mechanics by which they are constructed as threatening to the social order and subsequently targeted by the carceral machinery, and answer calls to include Latinos in an analysis of racialized outcomes of the criminal justice system.

1.5 Research Design and Plan for the Book

My analytic approach includes original, large-n survey data and 59 in-depth interviews with those who have had personal and proximal contact. This project draws on two original data collection efforts and four secondary datasets. Original data collection efforts include a nationally representative survey and in-depth interviews. Secondary data are used to elaborate on the experiences of Blacks and Latinos, to explore the impact of contact on a variety of attitudes, and highlight the role of Community Based Organizations in mobilizing people to action.

I designed a battery of five questions to measure personal and proximal contact piloted in surveys of residents of Washington State in 2012. Statewide data collected in 2012 afforded the opportunity to compare the impact of proximal contact to the impact of high rates of criminal justice intervention in the community where individuals lived. To construct a measure of community criminal justice intervention I collected instances of crime by exact location in 2011 for 26 cities in Washington and aggregated them to the census tract level using GIS software, an impossible task with a national dataset. This case study of Washington supports the claim a proximal contact conceived of relationally has effects independent of neighborhood criminal justice intervention, and is a related, but ultimately distinct concept. I then fielded the battery piloted in 2012 in the University of Washington Crime and Politics Survey (WCPS 2013). The WCPS is a unique large-n dataset including measures of political participation, trust, and perceptions of discrimination. It is the first dataset to evaluate these concepts among a nationally representative sample. I rely on the WCPS throughout Chapter 3 and Chapter 4.

The second component of original data collected for this project is 59 semi-structured interviews with activists, service providers and community members who work on criminal justice issues. I conducted these interviews in three sites: Seattle, Portland, and Los Angeles. Respondents were recruited through snowball, emergent, and convenience sampling. I contacted 40 organizations that serve the immigrant population and ex-offenders and their families, soliciting interviews with organization employees and members. Six organizations in Seattle and five organizations in Los Angeles responded to requests. In Seattle, I carried out interviews with activists and advocates affiliated with the organizations I contacted, and was able to build a snowball sample starting with these interviews. The snowball sample extended to the Portland metropolitan area, where I conducted 10 additional interviews with community members impacted by the criminal justice system. The interviews are used to construct a narrative around the quantitative findings, and highlight the unique experiences of racial subgroups.[6]

The WCPS does not include a sufficient oversample of Blacks and Latinos to permit analysis on racial subgroups, nor does it include questions on contact with community-based organizations. To address these shortcomings and I draw on four secondary datasets throughout the project: the Kaiser/Washington Post/Harvard 2006 African American Men Survey (AAMS 2006), the University of New Mexico Robert Wood Johnson Center for Health Policy Immigrant Health Survey 2015 (RWJF 2015), the Pew Hispanic Center 2008 National Survey of Latinos (NLS 2008), and the University of Illinois 2014 Chicago Area Survey (CAS 2014). The AAMS 2006 allows for a comparison between Black and white respondents who have had personal and proximal contact with the system. The RWJF 2015 and the NLS 2008 allow for an analysis of the impact of contact on the Latino population. Lastly, the CAS 2014 offers preliminary support

[6] Further information on qualitative interviews can be found in Appendix A.

for the importance of contact with a community-based organization on the political participation of ex-offenders.

I begin in chapter 2 by developing the theory that a sense of systemic injustice has the potential to politically mobilize. This chapter leverages the literature on political trust, focusing in on the finding that when low political trust is paired with high internal efficacy it provides an impetus to act. I then develop the argument that a sense of systemic injustice can be mobilizing even for those who have not personally experienced discrimination. This framework reflects the externalization of experiences with the system. Rather than blaming a loved on for their own conviction or incarceration, a sense of systemic injustice locates blame in the failure of the system. Chapter 2 further identifies differences among racial subgroups. I argue that whites primarily arrive at a sense of systemic injustice through class narratives, while Blacks and Latinos develop a sense of systemic injustice through histories with racial discrimination in the U.S.

Chapter 3 establishes the plausibility of the theory that personal and proximal contact can mobilize people to action. I analyze the impacts of personal and proximal contact on political participation, finding that while contact has either a negative effect or no effect on voting, it is associated with an increase in non-electoral participation. Non-electoral participation includes activities like protesting, signing a petition, and attending political meetings for a specific cause. Importantly, I test the impact of the mechanism I posit, a sense of systemic injustice, alongside the alternative mechanism developed by existing scholarship, a sense of political efficacy. I find support for the argument that when individuals hold a sense of systemic injustice around their experiences with the criminal justice system, they are mobilized to action. I conclude by drawing on the CAS to explore the impact of contact with a CBO on mitigating the demobilizing impacts of personal contact.

Chapter 4 explores the unique impacts of the system among Blacks and whites. I use interview data to develop the argument that for whites a sense of systemic injustice around the criminal justice system is grounded in a class-based narrative. Comparatively, for Blacks a long history of conflict with law enforcement normalizes lack of trust in politics, and offers a clear narrative through which to externalize experiences with the system. I draw on the Kaiser Foundation African American Men's Survey (AAMS 2006) and the WCPS to test the claim that whites are less likely to hold a sense of systemic injustice than are Blacks. These findings highlight that the criminal justice system has been instrumental in both creating race and oppressing Blacks.

I devote Chapter 5 to the unique impacts of criminal justice contact on Latino communities. I do this because Latinos have been largely overlooked in the criminal justice literature. This oversight grows increasingly conspicuous as community police are deputized to enforce federal immigration policy through collaborative programs like 287(g) and Secure Communities. Additionally, that Latinos are increasingly targeted for the purposes of immigration enforcement raises questions around the mediating effects of documentation status on contact with the system. Chapter 5 draws on the RWJF 2015 to demonstrate the mobilizing impact of personal and proximal contact with the criminal justice system. I argue that Latinos are mobilized by criminal justice contact when they perceive they have been targeted for reasons related to immigration. I turn to the NLS 2008 to validate this claim, and offer support for the findings derived from the RWJF 2015.

I conclude the dissertation in Chapter 6 by discussing the findings and implications of a sense of systemic injustice. In sum, when taken together findings from five datasets, four of them nationally representative, and 59 in-depth interviews offer strong support for my theory. Building

on questions raised by the dissertation I identify an agenda for future research, and I discuss the next steps forward for the study of the democratic impacts of the American carceral state.

Chapter 2

The Political Consequences of Distrust:

A Theory of Criminal Justice Contact and Mobilization

2.1 Introduction

Dina volunteers with a prisoner reentry organization in Seattle that lobbies for criminal justice reform. A Latina in her mid-20's, she was raised in relative poverty by a Christian mother who instilled in her attention to community and social justice. Dina is not religious, but she retained her mother's lesson to fight for her beliefs. Dina's experiences with prison and police are largely via her family and friends who themselves became entangled within the criminal justice system. In particular, she references her brother who cycled in and out of prison. Originally sentenced for stealing a car, he returned to prison shortly after his initial release for violating the terms of his parole. Dina recounts helping him find a job at the hotel where she worked. However, because the job required him to catch the earliest bus into the city it was precarious and unsustainable. Her brother secured another, better job, but rather than quit the one she found for him, he just stopped showing up.[7]

In the meantime, he was arrested again, this time on a charge for malicious mischief that predated the charge for which he served several years in prison. He spent two weeks in jail

[7] Details on the qualitative data collection effort can be found in Appendix A.

causing him to lose his new job. He could not return to his first job due to his failure to quit in the first place. And so, Dina recalls, "he went back to doing what he knew." She identifies this as the moment when she shifted from thinking about the individual behaviors that land someone in prison to thinking about imprisonment in systematic terms, saying:

> It was one of those moments where I realized – this is in every way set up for people to recidivate. He was in there for five years, really? He couldn't have had that two weeks added to the end of his sentence? At the same time I understand that he messed up by not having quit properly. That is something that is real…it's a reflection of not having life skills that you would learn if you hadn't just spent the last five years in prison…so that example just made me feel like, no – this is fruitless to try to make these small adjustments to a system that is literally set up to function to keep people coming back to prison, to keep this industry running, to keep particular populations in a specific space.

Watching the system in action via her brother precipitated a transformative shift in Dina's thinking, and she reflects her experiences through a larger narrative of systemic injustice. Radicalized by her experience, Dina now considers herself an activist and prison abolitionist and views the criminal justice system as a force for group based inequality. In addition to her volunteer work, Dina is active in an ongoing protest against the expansion of the juvenile justice center in her neighborhood, regularly attending marches and city council meetings. She is a member of numerous grassroots political organizations in Seattle, even starting a group of her own specifically to provide families of the incarcerated a common space to share their struggles, and a political outlet for their frustrations. By almost any measure, Dina actively participates in politics. From Dina's perspective the logic of prison reform is straightforward:

> For me, and for a lot of people who come from poorer communities, communities of color, safety is not a thing that exists right now. For those of us who are impacted by prisons, we see every day our safety being taken away...for every family member I lose I'm less safe...that's a thing that's real for people whose communities are over policed, that's a thing that's real for people whose families are kidnapped by the state…there was a moment that...all the people I love were in prison, and all the people who had violated me were not...they went unpunished. Prisons are not there to protect me.

Dina's story exemplifies the mobilizing impact of experiences with the criminal justice system when individuals connect those experiences to a larger framework of systemic injustice. Dina was not mobilized merely by a sense of unfairness around what happened to her brother. Rather, when she understood his experience as an expression of a system geared towards exploiting the poor and people of color she then became committed to working for change.

Dina's experiences are recognizable to people of color in communities all across the U.S. and the politicizing effect of lessons learned at the hands of the system is equally recognizable. In a nationally representative survey conducted for this project 19 percent of respondents had been stopped, questioned, arrested or incarcerated, while fully 46 percent of respondents had a close friend or family member with personal contact (Table 2.1). Meanwhile, in months since Ferguson, individuals protesting unfair policing tactics in their own communities across the nation provide growing evidence for the theory of injustice. When a majority of Blacks and Latinos know someone with personal contact (57 and 53 percent respectively), the mobilizing impact of the criminal justice system promises to have tremendous implications for American politics.

Table 2.1: Distribution of Levels of Contact by Race in the National Crime and Politics Survey (2013)[a]

	Personal	Proximal
White	17%	46%
Black	29%	57%
Latino	17%	53%
Other	24%	30%
Total	19%	46%

[a]This is the percentage of people who said that either they or someone that they know had been arrested, charged or questioned by the police, excluding minor traffic stops. A national survey fielded in 2006 asked a similar question, but instead of arrested, charged or questioned, it asked whether or not you or someone you knew had ever been to prison or jail. Thirteen percent of respondents had personal contact, and 46% had proximal contact. Details of the quantitative data collection effort can be found in Appendix B.

This project examines civic and political participation among those who have been impacted by the criminal justice system. In particular, I explore the following: 1) the extant effects of the criminal justice system on the friends, family members and social networks of those who have been personally detained/incarcerated, which I term proximal contact, 2) the conditions under which individuals are either politically mobilized or demobilized, and 3) the unique impacts for Blacks, Latinos and their white counterparts. I argue that experiencing the criminal justice system as unfair and as an expression of systemic injustice mobilizes people to take political action.

Research examining the impact of the criminal justice system on participation sends the message that contact with the system politically demobilizes (Lerman and Weaver 2014a, Burch 2013, Lee, Porter and Comfort 2014). However, a close read of this body of work reveals mixed findings. While scholarship consistently demonstrates that all levels of contact erode trust in government, lowering the likelihood of voting, evidence that contact also leads to withdrawal from non-electoral participation is inconsistent. Scholars theorize that political demobilization results from resource deprivation, diminished trust in government, and low internal efficacy. However, evidence that contact unilaterally depresses internal efficacy is limited, particularly among those who have not personally been incarcerated. This invites an evaluation of the conditions under which contact mobilizes, since when paired with high internal efficacy low trust in government can spur political action.

This project therefore leverages the targeted nature of the criminal justice system, which many have argued is facially unjust, to develop a pivotal mechanism leading to either mobilization or demobilization, across both electoral and non-electoral activities: *a sense of systemic injustice*. I theorize that personal and proximal contact, when understood as systemically unjust, mobilizes people to participate in politics, and that the effect is greater for people of color. I argue

that individuals develop a sense of systemic injustice when they are able to externalize their experiences with the criminal justice system. Rather than interpreting frustrating experiences with the system as a product of personal failure resulting in alienation, many individuals see their experiences as a product of the failure of the system, where they are targeted because of their group affiliation. Externalization makes political mobilization a real possibility.

Community based organizations (CBOs) and service providers who work with ex-offenders and their families are a key institutional factor contributing to the ability to externalize contact with the system (Owens 2014). These organizations offer much needed services to individuals impacted by the system, such as job placement and legal advising. However, they end up playing a much larger role. Individuals may come to these organizations out of need, without yet being politicized. CBOs then have the opportunity to cultivate a sense of systemic injustice by offering a narrative around experiences that are intuitively unfair. At the same time, service providers often engage in political activities as an expression of their organizational goals, and are natural contacts for those who are already politicized and want to become involved. They frequently engage in the important task of actively reaching out to marginalized populations and invite them to participate in local politics. Therefore, while contact with a CBO is not a prerequisite to mobilization, they play an important role in facilitating participation. Building on this, I turn the participatory focus to forms of civic engagement other than voting. I argue that individuals who mobilize to resist, to advocate for themselves, their loved ones, and their communities should be expected to engage in a wide range of social and political activities.

Race conditions the likelihood and trajectory by which one arrives at a sense of systemic injustice around criminal justice contact. For Blacks and Latinos a sense of systemic injustice develops out of group-based explanations for racial inequality. Blacks in particular have a well-developed narrative around the role of the criminal justice system in perpetuating racial

inequality that facilitates understanding interactions with the system as fundamentally unjust. I further argue that recent increased targeting by police for immigration enforcement heightens the salience of race-based narratives around systemic injustice for the Latino community. While whites lack a racial narrative through which to understand their experiences, class narratives around criminal justice contact may lead to a sense of systemic injustice.

Communities across the U.S. have undeniably witnessed a grassroots response to law enforcement and immigration policy that targets minorities (Taxin 2015, Pengelly 2015, Solís 2015, Linthicum 2015). Mobilization against what is increasingly recognized as an unjust system is growing. While this project does not examine a developing movement I take on the task of developing a cohesive theory to explain what is becoming undeniable: experiences with the criminal justice system politicize, and under certain circumstances catalyze participation. The following paragraphs identify and elaborate on experiences of personal and proximal contact, develop a sense of systemic injustice as a causal mechanism, and discuss the role of community-based organizations in mobilizing marginalized communities. I conclude with a discussion of how race shapes perceptions of injustice.

2.2 Identifying Personal and Proximal Contact

I define personal contact with the criminal justice system as having involuntary contact with police or other criminal justice officials that may lead to a civil or criminal conviction. The focus of this project, however, is on people like Dina: the extended familial and social networks of those who have had personal contact, in order to understand the extant effects of the system. Thus, I define proximal contact as knowing one or multiple people who have had personal contact, but not having had personal contact with the criminal justice system. For every person who has personal contact with the system there is a network of additional people who by virtue of

their relational connection witness the criminal justice policy in action. Survey data collected for this project finds that nearly half the general population has a close friend or family member who has had personal contact with the system.

The impact of personal or proximal contact on political participation centers on the substantive consequences that result from having been criminalized, or from having a relationship with someone who is criminalized. Involuntary contact with the system lowers trust in government, particularly for individuals who see the interaction as unjust (Weaver and Lerman 2010, Wortley, Hagan and MacMillan 1997, Skogan 2006). Negative interactions with police are more likely to lead to reevaluations of law enforcement than are positive ones, and the perception that police violated procedure also their delegitimizes authority (Skogan 2006, Tyler 2009, Tyler and Blader 2003). Lastly, individuals use negative interactions with the police to assess public institutions more broadly, where lower trust in law enforcement leads to lower trust in government overall. Scholars find that all levels of personal contact, from as minor as being stopped by the police to as major as serving a lengthy prison sentence, reduce trust in government (Weaver and Lerman 2010).

That negative interactions with the criminal justice system erode trust in government is unsurprising given the deeply negative impacts of personal contact. Incarceration and a criminal record impacts wages, employment, access to certain social welfare goods such as low-income housing, fragments families, and degrades health outcomes (Western 2002, Pager 2003, Pettit and Western 2004, Harris, Evans and Beckett 2010, Braman 2004, Wacquant 2009, Johnson and Easterling 2012). Criminal justice contact has particularly negative consequences for people of color, for whom the stigma associated with a criminal record is greater than for whites (Western 2002, Pager 2003).

The racialized nature of the criminal justice system itself is reason for diminished trust in government among the minorities it impacts, and likewise leads scholars to identify the institution as key to perpetuating racialized inequality in the U.S. (Harris, Evans and Beckett 2010, Western 2007, Murakawa and Beckett 2010). These scholars argue that, "the U.S. penal system is implicated in the accumulation of disadvantage and the reproduction of inequality… transform[ing] punishment from a temporally limited experience to a long-term status" (Harris, Evans and Beckett 2010, 1754). The negative credentialing of the criminal justice system is an expected life event for many young men of color living in poor, urban communities (Pettit and Western 2004, Western and Wildeman 2009).

Likewise, proximal contact can generate a cynical view of the criminal justice system and government. Examining attitudes of children and spouses of the incarcerated, Lee, Porter and Comfort find that half of their interview respondents reported having no respect for criminal justice officials, and believed many individuals were wrongly convicted (2014). Children of the incarcerated experience behavioral issues, problems in school, risk of homelessness, anxiety and depression (Geller, Garfinkel, and Western 2011, Johnson and Easterling 2012, Wilbur et al. 2007). Incarceration destabilizes families who then face economic hardship, reduced access to welfare services, and resource constraints as they support their loved one from afar (Lee, Porter and Comfort 2014, Western and Wildeman 2009, Braman 2004, Comfort 2008, Girschik 1996). Those with proximal contact thus also experience resource deprivation as a result of the criminal justice system, providing ample reason for them to develop animosity and cynicism towards the government.

Proximal experiences with the criminal justice system extend beyond the children of the incarcerated. In an era of preemptive and predictive policing strategies, police presence saturates certain geographic communities with the consequence of increasingly routinized, low level

interactions with law enforcement (Lerman and Weaver 2014b, Fagan and Davies 2000, Stoudt, Fine and Fox 2011, Skogan 2006). Proximal contact with police in these communities unequivocally diminishes trust in the criminal justice system, even when the interactions witnessed have nothing to do with incarceration. Authors of a study that qualitatively examines youth in highly policed neighborhoods note that among those interviewed perceptions of the police were just as often reflected through proximal experiences as personal ones (Stoudt, Fine and Fox 2011). Additionally, Rosenbaum et al.'s work finds that proximal contact is more likely to generate negative reevaluations of government than personal contact, and this impact is substantively larger for Blacks than for whites (2005). This difference stems from the avenues through which whites and Blacks come by new information: Blacks acquire new information through lived experience, while whites acquire it through the media.

Again, deep cynicism towards government and the criminal justice system is a predictable response to the substantive impacts of over-policing in poor, minority neighborhoods. Criminal justice intervention further disadvantages communities targeted by police as individuals who would otherwise contribute to the economic survival of their families and neighborhoods are removed (Baer et al. 2006, Western and Wildeman 2009). Police in these neighborhoods are more likely to use force and to racially profile minorities, and members are less likely to contact police when victimized by crime (Lerman and Weaver 2014b, Fagan and Davies 2000, Stoudt, Fine and Fox 2011).

Conflict between local police and Black communities as a result of preemptive police tactics has a long and well-documented history (Skolnick and Fyfe 1993, Parambo 1971, Gilmore 2007, Wickham 2008, The Kerner Commission Report 1968). Latino and immigrant communities are increasingly subject to these methods. The rise in immigration since the late 1980's compelled the establishment of programs like 287(g), Secure Communities and the

Criminal Alien Program (CAP) that enlist local police to enforce federal immigration policy (Fandl 2008, Meissner et al. 2013). In the post 9/11 era lawmakers have reconstructed immigration as a matter of national security consequently ramping up these programs (Meissner et al. 2013). At the same time the failure of Congress to pass any immigration reform prompted states and localities to take matters into their own hands. In 2007, 46 states enacted punitive immigration legislation (Fandl 2008, Vidales, Day and Powe 2009). In extreme cases, such as Arizona's SB 1070, state and local laws call for the use of racial profiling for immigration, obliging those who look or sound undocumented regardless of their status to carry proof of their legality. Like African Americans, Latinos impacted by these tactics are less likely to call the police when victimized by crime, develop an increased perception of racial tension, and experience fear and anger when subjected to racial profiling (McCluskey, McCluskey and Enriquez 2008, Menjivar and Bajerano 2010, Flores 2014).

In sum, among nearly all individuals, from those with long-term incarceration to the friends and family members of those unnecessarily stopped on the street, negative interactions with the system diminish trust in law enforcement and often, the government more broadly. Personal and proximal contact create resource deficit, the need to navigate a foreign, complex administrative system, and the need for protection against what is seen as a predatory system. The substantive consequences of personal and proximal contact are tremendous, and increased cynicism towards the institutions central to creating these consequences is unsurprising. The next section introduces the argument that negative interactions with the criminal justice system, when understood as systemically unjust, can mobilize individuals to action. I leverage research on political distrust, group consciousness and group solidarity in order to develop the concept of a sense of systemic injustice.

2.3 The Political Consequences of Distrust

The dominant argument in the literature on the impact of criminal justice contact on participation is that contact demobilizes individuals and the wider communities of which they are apart. This scholarship leverages eroded trust in government and resource deprivation generated by the contact with the system to connect it to decreased participation. However, under the right circumstances low trust in government can mobilize. When accompanied by low internal efficacy, low trust leads to alienation and withdrawal, but when paired with high internal efficacy it can catalyze action. I argue that a pivotal factor overlooked in the literature is a sense of systemic injustice. A sense of systemic injustice is the belief that negative experiences with the system result from unfair targeting by criminal justice policy due to group affiliation. Rather than internalizing such interactions as personal failure, individuals externalize their experiences as a failure of the institution. The ability to externalize experiences with the criminal justice system indicates high internal efficacy, providing the necessary ingredients to politically mobilize.

A careful review of the existing research uncovers some support for the theory that personal and proximal contact can mobilize. In a study of voter turnout in 2008, Burch finds that ex-prisoners vote at higher levels than individuals similarly situated who had not served time (2011). In one dataset, Weaver and Lerman find that being questioned by the police is statistically related to higher levels of non-electoral participation (2010). Owens argues that CBOs serving ex-felons play a central role in mobilizing and empowering this population (2014). These pieces of evidence, though seemingly anomalous to the larger body of research, point to the possibility that under the right circumstances experiences with the criminal justice system can mobilize. This, together with the potentially mobilizing effects of political trust and group consciousness form the basis for the theory that a sense of systemic injustice increases political participation.

The emergence of the activist organization Mothers Reclaiming Our Children (Mothers ROC) in South Central Los Angeles in the early 1990's offers a clear example of the mobilizing impact of a sense of systemic injustice around the system (Gilmore 2007). Mothers ROC developed in direct response to the controversial death of George Noyes, an unarmed Black youth (2007). Noyes' aunt organized community members and local gangs to protest police brutality. Her efforts led to a days-long gang truce, and the beginning of Mothers ROC, which grew exponentially as families sought support, information, and a venue for collective action.

The pages of Gilmore's account are filled with stories of women – mothers, aunties, grandmothers – who came to the realization that the criminal justice system was *not* just, as they watched it sweep away their loved ones. Gilmore quotes one such woman whose son was wrongly arrested: "'I believed I had constitutional rights. I mean, I really thought I had constitutional rights. But I found out…in the courtroom…that I am a second-class citizen. The constitution does not apply to me,'" (214, 2007). Here, the sense of disillusionment faced by individuals as they learn about their ostensibly democratic government and their relationship to it through criminal justice contact is astoundingly clear.

For the women in Mothers ROC mobilization resulted from the realization that they, as minorities, were part of a group systematically treated differently than whites. Moreover, rather than withdraw political engagement, watching a family member become caught up in the criminal justice system created the impetus for action. Women came to Mothers ROC in pursuit of resources to address the *need* to defend their loved ones – the need to help them navigate the

system, and the need to support them and stay connected to them while in prison – which translated into political participation to change the system.[8]

The broader scholarship on political alienation, trust and participation supports the idea that low trust in government is itself a potential catalyst to action. Political alienation, theorized to result from contact with the criminal justice system, is "an amorphous concept" considered to encompass several related constructs (Pantoja and Segura 2003, 442). The first is disaffection or distrust, described as the feeling that that the political system violates the values that it purports to protect, functioning instead to serve a few key interests. The second is lack of political efficacy, or the feeling one has no say in politics (Finifter 1970).[9] The last is the belief that voting is ineffective and conformist (Finifter 1970). As it influences political behavior, low trust in government is bidirectional. When combined with low political efficacy, low trust leads to withdrawal. Yet when combined with high political efficacy, low trust can mobilize (Gamson 1968, Finifter 1970, Shingles 1981, Bennett et al. 2013).

Criminal justice scholars theorize that contact with the system diminishes both trust and political efficacy. While evidence that contact degrades trust in government abounds, findings

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[8]Additional research the insight that though they lose faith in government, navigating the system on behalf of a loved one is itself a political act (Lee, Porter and Comfort 2014). Drawing on qualitative interviews with family members of the incarcerated, Lee, Porter and Comfort write: "These experiences…lead to engagement in alternative forms of political behaviors. Our ethnographic work indicates that some women see maintaining contact with their incarcerated partner as a political act" (2014, 57). Importantly, the politicizing effects of experiencing the criminal justice system in action are not limited to family members of the incarcerated. Miller (2008) finds that in high-crime communities in Philadelphia and Pittsburg, members mobilize locally around criminal justice issues, attending city council meetings and petitioning local officials. In Miller's account, community organizations provide avenues for participation, and local government is the target. Thus, Gilmore's work is not an isolated account of the mobilizing effects of criminal justice contact.

[9]Political efficacy is defined as two, interrelated concepts: internal efficacy and external efficacy. Internal efficacy is understood to be the belief in one's own ability to participate. It is a psychological evaluation of the self (Southwell 2012, Morrell 2005, Harder 2008). External efficacy is the belief that the government will be responsive to citizen engagement (Southwell 2012, Shingles 1981). The conceptualization and measurement of political efficacy is contested and muddled, and as a consequence, tests of the relationship between efficacy and participation are inconclusive. This is perhaps in large part due to the recognition by Shingles that "political trust and external political efficacy are related by definition" (1981, 80). He therefore elects to focus on the construct of internal efficacy alongside that of political trust.

that contact erodes political efficacy are lacking. Lerman and Weaver persuasively argue that negative interactions with public institutions can teach individuals about themselves as citizens and their relationship to the state (2010, 2014, Soss 1999, Mettler and Welch 2004). Long-term incarceration in particular can confer such thoroughly negative consequences that individuals who internalize these interactions think of themselves as either incapable of navigating politics or as having nothing worthwhile to say. However, findings from a survey of Black youth in Chicago suggest that levels of contact have no impact on whether or not one feels they have the skills to participate (Lerman and Weaver 2014a).[10] The impact of proximal contact on political efficacy is similarly unclear. Only one study tests the theory that secondary contact erodes efficacy, and that study finds no relationship between the two (Burch 2013). Importantly, as demonstrated by Gilmore's account of Mothers ROC, individuals may feel disaffected from American politics and elections without relinquishing their desire or agency to create change. Low trust provides the motivation to act and efficacy provides the wherewithal to do so (Gamson 1968, Shingles 1981, Pantoja and Segura 2003).

The third component of alienation, lack of belief in the value of voting, interacts with political trust to shape *how* one participates. If one believes that elections are an effective way of making change and is both frustrated with government and has high political efficacy then one is likely to vote. Alternatively, if electoral participation is seen as a waste of time, the desire to make change will be channeled into non-electoral activities. Bennett et al. capture the dynamic whereby low trust in government and low faith in voting nevertheless combines with political efficacy to compel action outside electoral politics, writing:

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[10]They do find that those who have been stopped, arrested or convicted are statistically less likely to believe they can make a difference by participating in politics, and statistically more likely to agree that leaders in government do not care about people like them (Lerman and Weaver 2014a). However, these are more traditionally measures of external efficacy, of less relevance to participation outcomes than the primary measure of political efficacy here, internal efficacy.

> Citizens employ a cultural idiom that we call 'the disavowal of politics.' They use this 'political disavowal' to resolve the tensions between the polluted politics they believe actually exist and the democratic political world they aspire to create. Disavowal sounds like a chorus of 'I am not political' but looks like political action (2013, 520).

Connecting criminal justice contact to political behavior thus requires that we operate from the assumption that electoral participation is one potential method of expressing political preference, and under certain circumstances an ineffective and undesirable means.

The body of work examining the participatory effects of the criminal justice system offers definitive evidence that those with all levels of contact withdraw from voting.[11] However, it finds almost no evidence that withdrawal extends to non-electoral participation, and tentative support for the claim that contact can mobilize. For example, Burch finds that ex-offenders vote at lower levels than the general population (2011). However, referencing the finding that ex-prisoners voted at *higher* levels than similarly situated individuals who had not served time, she invokes Angela Davis, writing, "The negative consequences offenders experience because of convictions could *increase* their political activity…Punishment that is perceived to be harsh or unfair, for instance, could hasten the 'transformation of convicts into political militants'" (Burch 2011, 723). Likewise, Lerman and Weaver find that even those with low levels of personal contact, such as being stopped or questioned, withdraw from voting compared to those with no contact, where having been stopped by police decreased the probability of voting 10 percentage points (2014a). Yet, they do not find strong evidence that individuals withdraw from non-electoral activities (Weaver and Lerman 2010).

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[11]This work necessarily begins with felon disenfranchisement. Approximately 2.5 percent of the voting age population is disenfranchised due to a felony, however this number is much higher in certain states, and accounts for a substantial portion of the African American population (Manza and Uggen 2006, Ochs 2006, Bowers and Preuhs 2009). In several states more than 15 percent of the African American population is disenfranchised due to a felony conviction, and in a few states more than a quarter of African American male population is barred from electoral participation (Manza and Uggen 2004, Uggen and Manza 2006).

Empirical tests of the impact of proximal contact on participation are much more limited, but the finding that contact decreases electoral participation without impacting non-electoral participation holds. For example, the only study outside of the present project that quantitatively captures the impact of proximal contact on political participation finds that having an incarcerated spouse or parent decreases voting (Lee, Porter and Comfort 2014). This analysis find no effects on non-electoral participation, and the authors ultimately conclude that, "these experiences do not necessarily lead to a total retreat from civic engagement but rather lead to engagement in alternative forms of political behaviors" (57, 2014).

Other research uses neighborhood measures of criminal justice intervention instead of relational ones to capture secondary impacts of the criminal justice system. Burch finds that prisoners-per-square mile and homicide rate drive down voter turnout (2013). She also finds that prisoners-per-square degrades levels of non-electoral participation in one community. However, homicide rate is not associated with non-electoral participation, and is actually predictive of high levels of neighborhood trust. Similarly, examining the impact of instances of stop-and-frisk on a unique measure of engagement, calls for non-emergency assistance (311 calls), Lerman and Weaver find that high levels of neighborhood policing increase requests for assistance (2014b).

In sum, all types of contact with the criminal justice system drive down trust in government. However, the connection between contact and efficacy is much less clear, where only intense interactions with the system, such as long-term incarceration, are convincingly connected to low efficacy. Accordingly, individuals with all levels of contact withdraw from voting, but the impact of the system on non-electoral participation is unclear. To fill this gap in the literature, I argue that a sense of systemic injustice can mobilize people to action. A sense of systemic injustice is the ability to externalize negative experiences with the criminal justice system, seeing them as products of targeted policy that is a force for group-based inequality. The

process of externalization requires and is indicative of a certain level of political efficacy. Group-based narratives facilitate the ability to connect experiences to a larger understanding of the system as unjust. Therefore, the next section leverages the group consciousness and group solidarity literatures to further develop the concept of a sense of systemic injustice.

2.4 The Political Consequences of Injustice

Group consciousness scholarship offers several useful ideas concerning how the criminal justice system affects political participation outcomes. This body of research suggests a means by which marginalized groups overcome resource deprivation and low political efficacy politically mobilize: group-based ideologies that locate the source of negative life experiences in the system instead of the individual themselves improve internal efficacy, and these ideologies can further encourage group-based collective action to affect change. I argue targeting by the criminal justice system functions as a threatening policy environment, where personal/proximal contact make that threat salient to those it targets.

Group consciousness and linked fate scholarship begins by explaining the political attitudes and behaviors of the Black population. This work contends that due to the long, shared history of discrimination Black Americans developed a collective identity in which the outcomes in their own lives were tied to the outcomes of the group. Further, this shared ideology included the idea that racial oppression could be challenged via group-based mobilization (Dawson 1994, Miller et al. 1981, Sanchez 2005, Masuaoka 2006, Mclain et al. 2009). Shingles argues that group consciousness itself provides the key ingredients needed to spur participation, writing: "The primary reason black consciousness has such a dramatic effect on political participation is that it contributes to the combination of a sense of political efficacy and political mistrust which in turn induces political involvement" (1981, 77). Group consciousness *includes* diminished trust in

government through the recognition that you are part of a group that is deprived in society due to institutional factors. The act of externalizing deprivation itself indicates a sense of internal efficacy. One effectively says *the pain that I am experiencing is not about my personal failure, but is instead due to a failure by society.*

Of relevance to the study of the impact of criminal justice contact on participation, research on Latino group consciousness suggests that the salience of the pan-ethnic identifier *Latino* is context dependent (Sanchez 2008, Sanchez and Masuoka 2010, Stokes 2003). Rather than a fixed identity durable in its ability to predict attitudes as it is for Blacks, identifying as Latino influences attitudes and behaviors around issues of special import to the Latino community. Factors such as co-ethnic mobilization or a threatening policy environment targeted at the community can trigger Latino identity (Sanchez 2006a, Barreto 2010, Barreto and Woods 2005, Barreto and Nuño 2011, Barreto 2007).[12] In addition to identifying an externalizing narrative, group consciousness literature suggests that such narratives can be made relevant by experiencing a threatening policy environment.

The nature of the criminal justice system raises barriers to externalizing experiences through group consciousness, particularly for those with personal contact. Criminal justice policy is neither explicitly nor solely targeted at any specific group. Further, its core task to protect society from those who violate the social contract goes unquestioned, even as reformers draw attention to its many failings. Because it is defined in racially neutral legal language, that individuals become caught up in the system because they did something wrong is a strong narrative, even if punishment is excessive and distributed unequally across groups. Prison is

[12] The mobilizing impact of a threatening policy environment is not limited to Latinos. For example, Latinos and Asian Americans in California mobilized against a series of anti-immigrant legislation that would do things like ban Spanish from public schools and bar access to social services for non-citizens (Barreto and Woods 2005, Barreto et al. 2009, Pantoja, Ramirez and Segura 2001). Likewise, Arab Americans mobilized in response to a discriminatory policy environment that emerged post 9/11 (Cho, Gimpel and Wu 2006).

additionally designed to deter future wrongdoing and to generate remorse in the wrongdoer. Rather than becoming politicized by contact, particularly acute negative, personal experiences with the system may lead one to internalize the experience. This dynamic compels Lerman and Weaver to argue "the racial socialization of the criminal justice system holds little potential for resistance because it regularly conveys to its wards that their fates were due to their choices alone" (2014a, 198).

Group consciousness is further not sufficient to explain how proximal contact might mobilize people to action. Within the construct of group consciousness personal connection to a group is necessary to trigger group consciousness -- one must be Black to have linked fate with other Blacks. For those with proximal contact, experiences with the criminal justice system may not lead to feeling personally threatened by criminal justice policy, though one might think what is happening is unjust. Within the group consciousness framework, there is no explanation for mobilization under these circumstances.

The concept of ethnic solidarity speaks to this dilemma. Barreto et al. (2009) use the concept to explain why so many non-immigrant Latinos joined the 2006 immigration rallies across the nation. The authors write, "Unlike linked fate or group consciousness, solidarity assumes that individuals have multiple identities that may be salient in varied contexts. Ethnic solidarity is rooted in social conditions that trigger heightened ethnic awareness across other identities" (Barreto et al. 2009, 738). Group solidarity creates intellectual space to consider how proximal contact with the criminal justice system impacts participation. Just as group consciousness provides a way for those with personal contact to externalize their experiences, group solidarity provides a mechanism by which the indirect experience of proximal contact can mobilize.

A sense of systemic injustice reflects the ideological component of group consciousness scholars link to mobilization. Increased participation results from a system-opposed viewpoint derived from experiences with discrimination. Building on Lerman and Weaver's insight that the nature of the institution itself actively communicates to those with personal contact that their experiences are due to their own poor choices, I argue that a sense of systemic injustice is harder to develop for those who have been imprisoned. However, those with low levels of personal contact not leading to incarceration, and those with proximal contact have fewer barriers to developing a sense of systemic injustice with which to contend. Moreover, building on group solidarity, experiences with discrimination need not be direct in order to be salient. Proximal experiences with injustice, where a loved one is negatively impacted by the system, have equal potential to mobilize. Finally, drawing on the concepts of political distrust and political disavowal, those who hold a sense of systemic injustice turn to local politics and non-electoral activities that generate group solidarity and resistance, rather than to voting.

2.5 Community Based Organizations and Political Participation

I argue that service agencies and community-based organizations play a significant role in mobilizing those with personal or proximal contact (Owens 2014). Dina's own experience outlined at the start of this chapter reflects the role of CBOs as does Gilmore's account of Mothers ROC. The women who joined Mothers ROC did so because they were seeking help navigating the system on behalf of a loved one and an outlet for their frustration, a set of needs met by Mothers ROC. Likewise, Dina channeled her own desire to create change into volunteering at a prisoner reentry organization, joining groups that routinely protest the system, and starting a support group for families of the incarcerated. CBOs therefore facilitate the participation of those with personal and proximal contact in two ways: 1) they offer services that

speak to needs resulting from personal or proximal contact, and can help individuals connect their experiences to larger narratives of injustice, and 2) they are a natural point of contact for those who are already mobilized and are looking for a way to participate.

The argument that contact can lead to a sense of systemic injustice and can mobilize people to action is most tenuous among marginalized populations. However, political engagement is not beyond the reach of these communities nor do I see it as a slim possibility. Instead, the extant literature on participation among the poor establishes two related findings that point to the key role played by CBOs. The first is that collective resources within the community can overcome individual socioeconomic deficits. The role of the Black church in bolstering African American participation during the civil rights movement is a classic example (Harris 1994, Verba, Schlozman and Brady 1995). The second is that being asked to participate has the greatest impact on participation, setting aside socio-economic status (Verba, Schlozman and Brady 1995, Wong 2006, Rosenstone and Hansen 1993). When political parties, interest groups, and other civic organizations reach out, campaign on their behalf and ask for their support, participation among the poor increases (LeRoux and Krawczyk 2014).

I see the relationship between CBOs/service providers and the mobilization of their members/clients as functioning in the following way: Individuals have a need as a result of personal or proximal contact, and they go somewhere to get that need filled, such as a service organization, a church, or a school. Examples of needs that arise from personal or proximal contact are the need to get a job, to get a form of state ID, to apply for documentation, to acquire stable housing, to learn English, or to navigate the courts on behalf of a loved one. That organization has the opportunity to help individuals develop both internal and external efficacy through the services they offer. For example, ex-prisoners and their families in California cited

mentorship provided through the Anti-Recidivism Coalition as key to overcoming issues related to self-confidence and ultimately political efficacy.

Importantly, these organizations can use political successes at both the local and state levels to help build belief in the possibility for change through collective action. CARACEN was able to build political consciousness in their immigrant clientele by pointing to policy successes in Los Angeles preventing police officers from profiling them for immigration enforcement. These organizations also have the opportunity to help their members understand their personal experiences through a larger framework, offering a narrative for the injustice that they likely already understand intuitively.

Lastly, community based organizations/service providers offer lots of opportunities to participate in politics. For example, Casa Latina is a day worker center in Seattle that connects laborers with jobs. Casa Latina often participates in marches and other political campaigns and regularly travels to protest the Northwest Detention Center in Tacoma. They invite their members to participate. They thus offer opportunities to become engaged, and members participate not only because they wish to be politically active, but also because they see it as an opportunity to give back to an organization that has developed a community around their experiences. A number of organizations that serve the needs of immigrants, ex-offenders and their families explicitly follow this model. For these groups political organizing is a natural expression of service to their populations, and their membership is their most effective tool.

2.6 Race as a Mediating Factor

A sense of systemic injustice is defined as the intuition that one's experiences with the criminal justice system are unfair or unjust, which is then connected to a larger analysis of the criminal justice system as a force for group-based inequality. Conceptually, a sense of systemic

injustice borrows from group consciousness, where group-based explanations for one's social experience develop out of "a common and specific history and a set of shared experiences" (McClain et al. 2009, 477). Thus, I expect race to mediate a sense of systemic injustice and subsequent participation outcomes by shaping the larger narratives available to individuals within which to situate their experiences.

2.6.1 Whites

When Caitlyn was 18 she met and fell in love with Eddie. Caitlyn is from a middle class family in a predominately white suburb, while Eddie is a child of the foster care system and deals with alcohol addiction. A series of unfortunate circumstances stemming from his addiction led to his arrest, conviction and imprisonment just after his high school graduation. Caitlyn decided to stay with him and support him through his imprisonment. Of the many lessons proximal contact with the system taught her, she centralizes the role of inequality:

> I didn't see equality in the justice system...there was a class where we talked about equal opportunity, and I just felt like, yeah we have an equal opportunity but we don't all start at the same spot, so how is that equal?...Someone like my partner who's given wine at the age of one to get him to stop crying as a baby with parents who neglected him and ending up in foster care...I just saw a lot of inequality, when we are supposed to hear that it is equal and you pull yourself up by the bootstraps, but -- they make those bootstraps really tight!! People are just set up to fail.

Caitlyn detailed the impact of helping Eddie through the reentry process on her life, noting that she often had to scramble for money to bail him out of jail when he failed to make payments on his legal financial obligations; having to live in an apartment complex managed by a friend so that Eddie did not have to go through a background check; and the strain of Eddie's own struggles with education and getting and holding a job with a criminal background. Her story hits familiar themes, and her connection of Eddie's experience to larger systemic inequality

makes her a prime candidate for political mobilization. Yet, Caitlyn and Eddie are no longer together, and she cites the struggles she faced as a result of his record as the key reason why. She speaks about Eddie's struggle with great empathy, saying she hopes one day to help change what she sees as an unfair system, but for now she is focused on her own life and family.

Caitlyn's story identifies some features of the white experience that shape paths to mobilization. While Caitlyn recognized experiences with the criminal justice system as unequal, as a person of privilege in relationship to both the criminal justice system and her partner she had a choice to remove herself from the pervasive impacts of the system. The disconnect between Eddie's personal experience and Caitlyn's proximal experience is characteristic of how whites respond to the system, and differs from that of people of color.

Whites are less likely to connect their experiences with the criminal justice system to a coherent narrative of group-based injustice than are their nonwhite counterparts, due to fact that the racial category *white* is objectively privileged. Roediger's seminal work on white racial identity explains the development of whiteness as reflexive to an emergent Black working class, where whites carved out social privilege by defining themselves as *not Black* (1991). Roediger writes: "Status and privileges conferred by race could be used to make up for alienating and exploitative class relationships, North and South. White workers could, and did, define and accept their class positions by fashioning identities as 'not slaves' and as 'not blacks" (1991, 13). Whiteness defined in the negative space around Blackness thus established itself as the backdrop against which Black deviated, entangling race with class privilege as "a central value, founded, in Du Bois's phrase, not just on 'economic exploitation' but on 'racial folklore'" (1991, 14).

Rather than leave a strong legacy of white pride, the working-class origins of *white* as a group-based identifier persists through the ideologies of individual responsibility, cultural superiority and anti-statism (Walker and Bennett 2015, Rabinowitz 2009, Lowndes 2012). In an

era where explicit racism and white pride are socially taboo, white identity/anti-black affect are coded in terms of the deserving/undeserving poor, and are legally codified in social welfare, crime, and immigration policy (Mink 1998, Hancock 2004, Bensonsmith 2005, Gilens 1999). Moreover, rather than offering an externalizing narrative around one's experience with institutions, the experience of white privilege compels one to internalize success.

For whites, the race-neutral language of the law facilitates reference to the individual-responsibility narrative. The experiences whites have with the criminal justice system confirm this narrative, where they are neither targeted for surveillance nor they themselves constructed as criminal (Green, Staerkle and Sears 2006, Fagan and Davies 2000, Stoudt, Fine and Fox 2011). In fact, some race-based policing tactics are designed by policy makers with the express interest of protecting gentrifying communities host to an influx of whites from their poor, nonwhite neighbors (Muñiz 2015).[13] Many whites uncritically accept the criminal justice system's claims to justice as a result. For example, in a series of survey experiments exposing individuals to images of black and white civilians interacting with police officers, Hurwitz and Peffley find that whites are more likely to interpret interactions with the law enforcement as fair regardless of race, and to assume that race has no bearing on criminal justice outcomes (2005).

However, I do not suggest that all whites experience the criminal justice system equally. As noted by scholars, poor whites are increasingly likely to experience time behind bars, where,

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[13]In her book *Police, Power and the Production of Racial Boundaries* (2015), Muñiz explores the use of gang injunctions, designed to discouraging gang members from engaging in certain activities like congregating in public, to protect neighborhoods afflicted by crime from gang violence. Muñiz focuses in on the issuance of gang injunctions on the neighborhoods of Echo Park and Silver Lake in Los Angeles. For Muñiz, this is notable due to the fact that neither community was particularly afflicted by crime; instead at the time the injunctions were ordered, the neighborhoods were rapidly gentrifying and had experienced an influx of wealthy white residents. Part of how gang injunctions operate is through identifying individuals associated with gangs, where the injunction allows for greater police discretion in stopping and interrogating individuals thought to be gang affiliates. Her detailed analysis of gang injunctions reveals the fact that they are a means by which to profile and control urban, minority populations while sidestepping due process. Thus, she highlights the use of raced policing practices to protect white, wealthy gentrifiers from the populations they displace.

to quote Marie Gottschalk, "the United States would still have an incarceration crisis even if African Americans were sent to prison and jail at 'only' the rate at which whites in the United States are currently locked up" (2014, 4). Gottschalk's argument suggests that for poor whites, the criminal justice system is a force for group-based inequality on the basis of class. It may be that those with class-consciousness are mobilized if they see their experiences as a reflection of class oppression. However, extant research indicates class-consciousness in U.S. politics is a weak predictor of attitudes and behavior when compared to class in other countries, and race in the U.S. (Gerteis and Savage 1998, Verba and Schlozman 1977). Additionally, class conflict-narratives compete with the ideology of class fluidity, which says that poverty can be escaped through hard work, rendering class less reliably mobilizing than race. The strength of the belief in class fluidity undermines the possible mobilizing impact of experiencing the system as unjust on the basis of class conflict. Even so, when whites arrive at a sense of injustice around their experiences with the system they will do so via a class-based narrative.

2.6.2 Blacks

Understanding the intersection of Black racial identity and experiences with the criminal justice system is comparatively straightforward. The injustice of the criminal justice system towards the Black community is already part of the Black group-based narrative. I therefore argue that personal or proximal contact may tap group consciousness/linked fate for Blacks, but for those who have a sense of injustice around the system contact itself will have a substantively smaller impact on political participation outcomes.

For instance, Whitney is a mother in her early 30's. The father of Whitney's child is incarcerated, and while they are no longer together she supports him and aims to maintain the connection between him and her child. Reflecting on her experiences with the system she says:

> To be honest as a person of color, coming from a family of color, there is always this mistrust of the government, especially police, just because of my experience all the way from when I was young until now reaffirmed that. What I learned growing up, tied in with my experience, now tied in with my education -- it all adds up to what I believed from when I was young...there were times when I was like, this just doesn't make any sense...the way that the judges and others would treat my family members, as just some example to be made or something. And the amount of time they would give them, it just didn't make sense. And as I learned more about it…it tied into my suspicions. Ok, I'm not crazy, this is an unfair system.

For Whitney, proximal contact was a learning experience, making issues related to the criminal justice system salient, but her understanding of the system as unjust for herself and her family as people of color predated contact.

Black group identity developed out of a shared history of racial exclusion, and the mobilizing impact of this group-based identity is well documented in the political science literature (Omi and Winant 1994, Klinker and Smith 1999, Dawson 1994, Tate 1993). The most linear accounts of the connection between Black political identity and the criminal justice system conceptualize the American Carceral state as the inheritor of institutional racial oppression in the tradition of slavery, Jim Crow and the Northern Ghetto (Davis 2003, Alexander 2010).[14] For these scholars the driving force underlying this narrative is the extreme disparity in imprisonment between Black men and their white counterparts (Gottschalk 2014).[15] As a consequence of this close relationship between racial inequality and the criminal justice system, Blacks are less likely

[14]Others writing in the same vein see the prison system as a new form of social control aimed at managing surplus labor and as a catchall institution for problems arising from urban decay in the post-industrial era, where policies targeted at communities of color are rooted in this aim (Wacquant 2009, Tonry 2011). Other notable works link the rise of the carceral state to the rise of the policy agenda of law-and-order politics among both liberals and conservatives in the 1970's (Murakawa 2014, Weaver 2007, Gottschalk 2006). My task here is not to locate the empirical origins of the carceral state, but instead to identify the close, historical relationship between racial inequality and criminal justice practices, as well as the extent to which this informs Black narratives around the sources of continuing inequality.

[15]At 708 per 100,000, white men in the U.S. are still more highly incarcerated than the entire country of Russia, which has an overall incarceration rate of 568 per 100,000 (Gottschalk 2014, 5).

to have faith in the fairness of the system, and are more likely to see interactions with the law as unjust (Peffley and Hurwitz 2010).

Moreover, the contentious relationship between Black communities and local law enforcement has a history of sparking protest. The years between 1967 and 1970 are replete with urban uprisings ignited by police brutality (Parambo 1971). This legacy can be traced to community responses to the 1992 beating of Rodney King in South LA, and to the emergence of the Black Lives Matter movement in response to the failure to indict Darren Wilson in the killing of Michael Brown in Ferguson (Skolnick and Fyfe 1993, Martinez 2015, Moyer 2015). In sum, targeting and abuse by local law enforcement is one form of institutional racism the Black community has long recognized as a force for race-based inequality. Distrust of law enforcement is part of the Black narrative explaining persistent group-based disadvantage.

Thus, I argue that being Black increases one's likelihood of interpreting criminal justice experiences as systemically unjust because the shared narrative around the source of disadvantage within the Black community already incorporates the criminal justice system. Personal or proximal contact may tap group consciousness/Black identity, but the independent, mobilizing effects of personal and proximal contact will be less pronounced than for Whites and Latinos. Personal or proximal contact with the criminal justice system and a sense of systemic injustice will have an additive effect for Blacks, where contact may magnify participation compared to those without contact; however, those without contact who see the system as unjust for Blacks as a group will also participate at higher levels than those without a sense of injustice around the system.

2.6.3 Latinos

The criminal justice system is a site for race-based discrimination of Latinos just as it is for Blacks. However, for Latinos the importance of criminal justice contact for political participation is perhaps even greater than for Blacks because it has become the primary location through which *Latino* is made increasingly relevant across ethnicities and national origin. Work on racial group identity notes that affinity with other members of one's racial group arises primarily out of the fact that social and legal institutions treat individuals as group members on the basis of ascriptive variables (McClain et al. 2009). This is especially salient for Latinos who trace their heritage to a multiplicity of nations, cultures, and family histories of immigration and citizenship status. Scholarship consistently points to immigration policy as an institutional feature uniting the diverse Latino community (Sanchez 2006, Valdez 2011, Sanchez et al. 2015). Indiscriminate targeting of Latinos by local police for immigration enforcement is increasingly important for forging a sense of unity across ethnicities, national origin and citizenship status.

The language of illegality and the punishment of detention and deportation functionally criminalize immigrants (Gottschalk 2014). Even as Americans call for an end to the drug war, a web of policies particularly to blame for the over-incarceration of Blacks, policies increasingly sanction immigrants as appropriate targets for the carceral machinery.[16] This is crystallized in revised guidelines for police profiling issued by the Obama administration. These guidelines are

[16]Race-based targeting towards Latinos has increased in the post 9/11 era. For example, between fiscal year 2004 and fiscal year 2011, funding for such programs increased from about $25 million to nearly $700 million (Meissner et al. 2013). Between 2006 and 2011, requests to appear for an immigration hearing issued through the CAP program increased three fold, and detainers issued under Secure Communities went from around 20,000 to over 100,000 from 2010-2011 alone (Meissner et a. 2013). Although Secure Communities was officially discontinued by the Obama administration in the fall of 2014, it was immediately replaced by the Priority Enforcement Program (PEP) (Linthicum 2015, Johnson 2014, Department of Homeland Security memorandum to Thomas Winkowski). PEP targets undocumented immigrants with a criminal background, rather than the undocumented more broadly. However, Secure Communities included a focus on those with criminal backgrounds as well where broad targeting occurred via street level implementation of the policy. Thus, whether PEP differs substantially from Secure Communities remains in question.

lauded for the inclusion of gender identity, religion, national origin and sexual orientation (Apuzzo and Schmidt 2014, Horwitz and Markon 2014). Yet, in the same breath that these guidelines expand identifiers for which one *cannot* be profiled, they except profiling for immigration enforcement, within 100 miles of the border, at ports-of-entry, and at immigration check-points (Apuzzo and Schmidt 2014, Horwitz and Markon 2014).

Because contact often comes as a result of being specifically profiled as undocumented, and being undocumented itself is only a civil offense, Latinos will be highly likely to 1) interpret interactions with the criminal justice system as unfair, 2) to connect unfairness to a larger sense of injustice, and in turn 3) to be mobilized. In certain respects, Latinos targeted by the criminal justice system because they are suspected to be undocumented is the clearest case where contact itself catalyzes political mobilization. Whites have a harder task because narratives of group-based injustice are less readily available and tractable; for Blacks, criminal justice contact is normalized, and narratives of injustice are already powerfully at work to compel participation; but for Latinos, whose group-based identity forged by shared experiences with institutional racism is in the throes of maturation, criminal justice contact itself has the potential to politicize.

The issue of documentation introduces complexity around criminal justice interactions. For immigrants and their families there several possible experiences: 1) not being undocumented, but knowing someone who is undocumented and has either been detained or has not been detained, 2) not being undocumented, but having been detained because one has been constructed as undocumented, 3) being undocumented and not having been detained, and 4) being undocumented and having been detained. I argue that whether or not you or someone that you know has been detained is still highly relevant to whether or not you will mobilize. Moreover, if you personally have not been detained but know someone who has, you have proximal contact regardless of your documented status. However, your position in reference to

the institution as documented or undocumented may influence how contact shapes a sense of systemic injustice, efficacy and the potential for mobilization.

A growing body of literature suggests that individuals living in the U.S. without documentation withdraw into the shadows, away from activities that could expose them to the government. For example, they are less likely to call the police when victimized; less likely to drive their family to the airport; less likely to drive, period (McCluskey, McCluskey and Enriquez 2008, Menjivar and Bajerano 2010, Sabo et al. 2013, Flores 2014). Others who arrived in the U.S. as children and have lived most of their lives undocumented naturally interpret the threat of deportation as unjust. This perspective is embodied in student activism around the DREAM Act. Daniel, a student activist in Los Angeles, comments about his own activism:

> We felt that if we as individuals are contributing to this country by going through the education system there should be something for us as the end of the road...we are getting educated and in a way we are the future, and are going to end up being the lawyers the teachers and the engineers...what good is an education if we can't obtain a job?

Daniel's experience as undocumented led him to participate in an act of civil disobedience for which he was subsequently arrested. He remains mobilized, however, saying about his community activism, "there is a lot of work to be done…I feel that if I have a strong community by my side, a community is able to do much more than an individual by himself." For those with personal contact, documentation status and age of arrival in the U.S. condition mobilization. Personal contact among those who arrived in the U.S. as an adult and who are undocumented will lead to demobilization and withdrawal. For these people, a clear narrative around the injustice of their experience will be further out of reach, and fear of deportation will likely drive them away from political and civic engagement. For those who arrived in the U.S. as children and are undocumented, I expect a narrative of injustice will be more readily available, insofar as they likely did not make the personal decision to come the U.S. Lastly, for those who

are documented but have been detained because they are suspected to be undocumented due to appearance or accent, contact is expected to mobilize.

Among those with proximal contact, documentation status has the potential to increase a sense of urgency around issues related to immigration and criminal justice. For those who are either undocumented or who come from mixed-status families where parents or siblings may be undocumented, knowing someone who has been detained is likely to mobilize. Force of circumstance and desperation, together with a clear sense of injustice around the fear and threat their families contend with on a daily basis is predicted to compel people to take action. Documented children of undocumented parents provide an example: this person hits adulthood early; they drive because their parents do not have licenses; their name is on the lease of the family apartment; they get an education and work on behalf of their families, who from their perspective have done nothing wrong. For them, efficacy remains intact, and a sense of urgency and injustice accompanies proximal contact with the criminal justice system, suggesting that they will mobilize. For those who are undocumented and have proximal contact but arrived in the U.S. as adults, the potential for mobilization is more complex, but the questions are the same: do they have a sense of injustice around their experiences with criminal justice system? Do they have a robust sense of political efficacy? If both are true, they are predicted to mobilize.

2.7 Conclusion

I argue that contact with the criminal justice system, whether personal or proximal, has the potential to mobilize people to action. Dina's account of her own politicized identity with which I opened this chapter centers on watching her brother try and fail again and again to avoid the system. In addition to highlighting the importance of including proximal experiences in

an understanding of the impacts of the system, her story clearly identifies the mobilizing effect of realizing that the source of her brother's struggle resided in the system, not in his person.

When individuals perceive their experiences as unfair and they connect that experience to knowledge of the criminal justice system as force for group-based inequality that disadvantages a group with which they identify, they experience a sense of systemic injustice. As Dina's story illustrates, a sense of systemic injustice is the mechanism by which individuals are mobilized to participate. Alternatively, when individuals internalize the experience out of low internal efficacy or the inability to connect their experiences to a coherent group based narrative they will be demobilized. Community based organizations play a key role in facilitating the mobilization of those impacted by the system. They are natural points of entry to politics for those seeking their services, as well as for those who are already politicized and are looking for a way to participate.

Lastly, I argue that race-based experiences with discrimination shape paths to understanding criminal justice outcomes as a systematically unjust. Whites come to this space via class, where they connect their experiences to a narrative of profit and barren social services. Blacks come to the space via a narrative of the legacy of slavery and Jim Crow, and Latinos via racial profiling for the enforcement of unjust immigration policy. From this perspective, the criminal justice system creates a space for cross-ethnic solidarity.

This is not to say that that the criminal justice system is not raced, that its damaging effects for poor whites equal those for Blacks and Latinos, or that it is not a force for racial hierarchy. The criminal justice system unequivocally perpetuates American white supremacy. However, it is also a unique force, different from previous systems of racial control, and perhaps is more insidious in its ability to accomplish racially disparate outcomes by leveraging ostensibly "color-blind" rhetoric (Lerman and Weaver 2014). By purporting to be color blind, it evades uncontested labeling as an institution of racial apartheid. By slipping out of the grasp of racial

moral admonishment, it creates room for the narrative of personal responsibility. You go to prison because you did something wrong, because you broke the law, and the state holds the moral upper-hand by locking up violent criminals, by criminalizing immigration, by vilifying mental illness as drug addiction. The institution is particularly effective because at the same moment that this moral construction of the carceral state banishes the imprisoned outside of the hearts, minds and physical presence of Americans, the methods it employs to punish are effective at breaking the spirit of the incarcerated such they risk internalizing their own oppression.

The illusion that the institution is colorblind is made credible by the sheer numbers of whites who are caught in its machinery. I am not suggesting that the all the white people who are imprisoned are mere casualties of a racist institution. Rather, ensnaring poor whites within the carceral state serves the purpose of pushing the moral authority of racial indictment just beyond the reach of political tractability (Alexander 2010). However, I am also suggesting, in the tradition of Audre Lorde, that this widens the scope of conflict around criminal justice issues, creating opportunity for solidarity on the level required to challenge the criminal justice system.[17] Group affinity, whether it is based in class, race or ethnicity, provides the narrative by which individuals arrive at a sense of systemic injustice around the system, but when all have arrived at the conclusion that it is unjust, we have arrived at the same place.

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[17]Lorde's perspective on intersectionality and resistance is one that requires the recognition of multiple forms of oppression in order to root out sources of inequality. For her, however, the recognition overlapping sources of inequality is a source of strength, knowledge, and expansion of interests. In reference to feminism and resistance to gendered oppression, she writes: "Difference must be not merely tolerated, but seen as a fund of necessary polarities between which our creativity can spark like a dialectic…As women, we have been taught either to ignore our differences, or to view them as causes for separation and suspicion rather than as forces for change. Without community there is no liberation, only the most vulnerable and temporary armistice between an individual and her oppression. But community must not mean a shedding of our differences, nor the pathetic pretense that these differences do not exist…in a world of possibility for us all, our personal visions help lay the groundwork for political action" (2007, 111-112).

Chapter 3

The Political Logic of Injustice:

Externalizing Criminal Justice Contact

3.1 Introduction

Dina's story, recounted in part in the introduction to Chapter 2, identifies a clear path from proximal contact to political mobilization. Her process began with the experiences of her brother. He spent several years in prison for stealing a car and after he was released was rearrested on an old charge. She watched his life spiral out of control as he struggled with a system "in every way set up for people to recidivate." She began pursuing her interest in social justice as a substance abuse counselor, but as she witnessed the impact of the system on her brother's life her perspective shifted to a larger critique. She explains this shift, saying:

> Why so many people? Oh, why only the people I know? And so it seemed it needed to be both...it needed to be a larger analysis in order to begin to even address it. I could help people figure out what sobriety looks like to them, or how to live in a way that you wouldn't be at risk for going to prison. But if there is still this larger system, it doesn't feel like it's doing much.

I define a sense of systemic injustice as the perception that negative interactions with the criminal justice system result from being targeted by the system on the basis of race, class, gender, etc. Dina's process of politicization is characterized by her realization that her brother struggled with a system seemingly designed to ensnare him.

Nick is a Black man in his late 20's who spent a short time in state prison. His experiences in prison politicized him and upon release he became active first in Occupy Wall Street, and now in the Black Lives Matter movement. Unlike Dina he faced resource and efficacy barriers to politicization as a result of his time in prison, saying, "It took me a long time to realize that I'm not an evil person." Like Dina, however, his politicization process began with the recognition that he was targeted by the system, where he says:

> When I was in the state prison, it was actually really notable that it was a high school reunion pretty much...that is what really started politicizing me…my question is, if that's not something that is an attack on community, how come its my community, and all my high school friends that were in there with me? How come that's who I see when I go in there, do you really think that we're like, worse than everybody?

I argue that group-based narratives help individuals externalize their experiences with the system (Miller et al. 1981, Walton 1994, Dawson 1994, Ardery 1994, Parker 2009). As Nick goes on to explain his politicization process he foregrounds the importance of group based narratives in externalizing his experiences, saying:

> I started reading some of the Panthers' writings and I was like, wait this actually is f*** up. Maybe selling drugs was f**** up too, but its f*** up based on the circumstances and the choice I had, the options I had to make choices from, where it might not have been the right choice, but the fact is the choices I had were so narrow, the options I had were so few was what made that seem like it was the right choice.

Nick and Dina's narratives exemplify the idea that when individuals externalize their experiences with the criminal justice system through a sense of systemic injustice, the belief that they have been targeted on the basis of race, place and class itself provides catalyst to act.

Contrast this with Debbie. Debbie's son was sentenced to several years in prison for murder. She maintains his innocence and recounts a tale of small-town police corruption leading to his accusation, trial and conviction. Like Nick and Dina, it is clear that her son's ordeal remade her perspective around the criminal justice system, where she says, "I used to be one of

those people. I believed in it. I believed in our justice system." Yet importantly, unlike Dina and Nick, Debbie attributes the unfair experience of her son to indiscriminately corrupt police, not to the belief that he was targeted on the basis of group affiliation. Rather than becoming mobilized by the experience she is alienated and withdrawn, saying:

> I don't trust anyone anymore…I wouldn't call the cops if my life depended on it...I make sure that I am not noticed...I've heard through the grapevine that not everybody buys this in the police department, it just makes me really sad the code of silence, and I think that's what has given cops such a bad name lately. Because you've got corrupt cops and nobody is turning in. They are all turning a blind eye.

Likewise, Sandy is a white woman in her early 20's. Sandy was assaulted by the police and ultimately charged with obstructing an officer. She argues that the police filed charges against her in order to cover up the fact that they physically harmed her. Sandy clearly feels that her experience was unjust, and it had a dramatic impact on her ideas about the criminal justice system, saying the following:

> We have these grandiose ideas. Our nation is fair, and our nation is just, and liberty and justice for all, and that is what you are told all the time and growing up in public school. And so you assume that for the most part that's true...sure maybe some people get falsely accused of something from time to time but that's not common. That's what you assume. And then, after going through the criminal justice system myself I realized its kind of just like any other institution in the way that there are other things behind it, like social interactions between legal actors...they kind of have to play a game.

Like Debbie, Sandy attributes the injustices in the system to indiscriminate system failure, where "legal actors…have to play a game" and police officers are corrupt. While Sandy sees need for reform, she is neither politicized nor mobilized.

To be politicized by interactions with the system one must not only believe that what happened to them was unfair, as Sandy and Debbie believed. One must also believe that they were targeted on the basis of race, place or class, as Nick and Dina articulated. A sense of systemic injustice is conceptually grounded in group consciousness. The mobilizing power of

group consciousness for Blacks resides in the recognition that their negative experiences result from a history of oppression, born out by an ongoing struggle for substantive citizenship, political power and liberation (Miller et al. 1981, Shingles 1981, Barker and McCorry 1976, Nelson and Merranto 1977, Walton 1994, Dawson 1994, Walton and Orr 2005, Parker 2009). Yet, criminal justice policy politically impacts whole communities, many members of which have not themselves had contact, and enforcement targets individuals on the basis of place, class, ethnicity, and race. A sense of systemic injustice provides a narrative thread across racial and class boundaries, and speaks to the specific context of the criminal justice system in a color-blind era.

As a mechanism for mobilization, a sense of systemic injustice is positioned in opposition to the impact of criminal justice contact on internal and external efficacy, which other scholarship situates as the key mechanism leading to political withdrawal (Lerman and Weaver 2014a, Lee, Porter and Comfort 2014, Burch 2013). I build on this literature to suggest that when efficacy remains intact, a sense of injustice around the system mobilizes people to action. Lastly, I argue that community based organizations to play an important role in political mobilization. Contact with a CBO is particularly important for individuals who have very intense experiences with the system like long-term incarceration. CBO contact is thus an institutional mechanism leading to politicization among ex-prisoners, their families and communities.

The chief aim of this chapter is to offer evidence for the claim that a sense of systemic injustice links personal and proximal contact to political mobilization. I draw on the nationally representative University of Washington Crime and Politics Survey (WCPs), to explore the relationship between contact, injustice and participation. I collected the WCPS specifically for this project in the fall of 2013, and it includes a nonwhite oversample. Findings from the WCPS empirically establish the mobilizing impact of criminal justice contact and show, crucially, that a sense of injustice arising from contact can mediate the demobilizing effects of low efficacy.

The second aim of this chapter is to offer empirical evidence for the claim that contact with a CBO is an institutional mechanism leading to increased political participation. While I do not view contact with a CBO as necessary to increased participation, these organizations are well positioned to help cultivate discontent among those negatively impacted by the system into active resistance. The importance of CBO contact to participation increases with the intensity of contact with the criminal justice system. To support this view I draw on the Chicago Area Survey collected in 2014 (CAS), and demonstrate that CBO contact plays a critical role in mobilizing custodial citizens. I conclude the chapter with a brief comment on the differences between whites, Blacks and Latinos, to be taken up in-depth in Chapter 4 and Chapter 5. Qualitative interviews contextualize the findings.[18]

3.2 Externalizing Contact as a Sense of Injustice

I argue that when individuals externalize their experiences with the system via a sense of injustice contact leads to political action. I ground this argument in a large body of research on the political participation of minorities and the poor. This work demonstrates that group-based narratives, a threatening policy environment, and belief in power of collective action politically mobilize (Miller et al. 1981, Shingles 1981, Walton 1994, Pantoja, Ramirez and Segura 2001, Barreto and Woods 2005, Sanchez 2006, McClain et al. 2009, Ramirez 2013). Dina and Nick's narratives demonstrate the process by which contact with the system politicize people, catalyzing increased participation. For them, politicization developed out of the recognition that they and their loved ones were targeted by law enforcement on the basis of group affiliation.

Group-based targeting by law enforcement happens, at least in part, through race and

[18]Details qualitative data collection effort can be found in Appendix A.

class coded preemptive policing tactics (Skogan 2006, Fagan and Davies 2000, Jannetta et al. 2014, Muñez 2015). Maria, an activist in Los Angeles, frames race coding this way:

> The whole idea of institutional racism is that its not explicit, but that we use things as codes for other things. So we use hairstyle as a code for race, we use clothing as a code for race…I think a perfect example of this is why no gang injunctions are brought against white gangs…the gang injunctions work on territorially based gangs, and they say Asian gangs, white gangs, not territorially based. So they somehow think that means the policy is not racist, but that is the definition of a race based policy -- you are saying that this policy is going to target territorially based gangs, territorially based gangs are Black and Latino -- so that is a race-based policy, that is a policy about race, you are just transferring it into this language of territory.

A sense of systemic injustice, then, is the act of decoding neutral policies and adopting the mindset that negative experiences with the criminal justice system, whether personal or proximal, are due to policies and tactics derived from and reinforcing existing lines of exclusion. Dina and Nick exemplify the politicizing process of decoding neutral policies when they begin an explanation of systemic injustice by asking *why my community, why so many people I know?*

Dina and Nick's analyses are inflected with race and class filtered through the practical application of criminal justice policy, where law enforcement target certain neighborhoods as high crime. The amalgamation of race and class targeting through community policing tactics is reflected in the impact of personal and proximal contact with the criminal justice system on evaluations of local police in the WCPS. Respondents were asked to reflect on the types of activities police officers who patrol their neighborhood may or may not do. Specifically, they were asked how often local police 1) stop people in their cars or public places without good reason, 2) use excessive force or verbally abusive language, and 3) treat people like them fairly and respectfully.[19] The first two measures amount to a loss of trust in community police and a

[19]The question measuring evaluations of community policing was worded in the following way: *Thinking about some things that police officers who patrol your neighborhood may or may not do…please indicate how often you think the police who patrol your*

critical evaluation of the tactics they use, and the third component is the belief that those tactics are targeted to you.

Within the WCPS, slightly less than half the sample said they had proximal contact, and one fifth reported personal contact (43 percent and 19 percent respectively).[20] Blacks were more likely to have both personal and proximal contact than were whites, where 57 percent have a close friend or family member who had been arrested, charged or questioned by the police. Fully 29 percent of Blacks report that they personally had some type of criminal justice contact. Latinos were less likely than whites to have no contact at all. Among all respondents with no contact, 22 percent said that they thought the police frequently stop people without good reason, and proximal and personal contact increase this belief by over 20 percent (Table 3.1). Likewise, 33 percent of those with personal contact say that police frequently verbally harass people in their neighborhoods, compared to only 16 percent of those without contact who say so. Lastly, only 15 percent of those without contact say that the police hardly ever treat people like them fairly, which increases 20 and 30 percentage points among those with proximal and personal contact.

All three measures are needed to fully capture a sense of systemic injustice around interactions with the criminal justice system, and in order to maximize the variation on this variable I add these measures together to comprise the injustice index. Responses to each

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neighborhood do each of the following: 1) Stop people in their cars or public places without good reason, 2) use excessive physical force or verbally abusive language, and 3) treat people like me fairly and respectfully. Is it – very often, somewhat often, not that often, or almost never?

[20] The distribution of personal and proximal contact in the WCPS are introduced in Table 1 of Chapter 2. To measure personal and proximal contact the survey included the following questions: *Have you ever been arrested, charged or questioned by the police, even if you weren't guilty, excluding minor traffic stops such as speeding? And what about someone you know, such as a close friend or family member? Do you know someone who has been arrested, charged or questioned by the police, even if they weren't guilty, excluding minor traffic stops such as speeding?* About 17 percent of whites and Latinos have personal contact with the system, compared to 29 percent of Blacks, and 46 percent of whites, 57 percent of Blacks and 53 percent of Latinos have proximal contact. Further details of the survey can be found in Appendix B.

question range from zero to three, where zero represents approval of community policing, and three represents maximum disapproval of community policing.[21] The index ranges from zero to nine. Scoring a nine indicates maximum dissatisfaction with community police, having said that they very often stop people without good reason, use excessive physical or verbal force, and almost never treat people like them fairly. The injustice index has an alpha score of .74, indicating reasonable reliability, and a mean of 2.8 and a standard deviation of 2.4.

Table 3.1: Percent Who Believe that Neighborhood Police Act Unjustly by Level of Contact, WCPS (2013)

	None	Proximal	Personal
Somewhat or very often *stop people without good reason*	22	46	53
Somewhat or very often *use excessive force/are verbally abusive*	16	26	33
Not that often or almost never *treat people like them fairly*	15	35	47
Total N	356	346	143

At the bivariate level personal and proximal contact are statistically associated with an increased score on the injustice index, compared to those with no contact. Both personal and proximal contact have a large impact on score on the index, where 38 and 39 percent of those with personal and proximal contact score above a six on the scale compared to only eight percent of those with no contact. I subjected this relationship to more rigorous analysis, controlling for relevant covariates.[22] The results are displayed in Table 3.2. Substantively speaking, those with no contact have an expected score on the injustice index of about 2, which increases to 2.8 and

[21]For example, if the respondent indicated that police who patrol their neighborhoods *almost never* stop people in their cars or on the street without good reason, they scored a 0. In contrast, if they said that this happens *very often* they scored a 3 (Table 5).

[22]Across all models I include the following controls: age, education, income, political knowledge, frequency of church attendance, and party identification. Age is expected to have a curvilinear relationship with participation, where the very young and the very old are less likely to participate than are their middle-aged counterparts. Thus, I include dummy variables for these categories. Education is coded as a scale ranging from having less than a high school degree, to having a post graduate degree. I include dummy variables for identifying as Republican and Independent, where Democrat is the comparison category. Income is a particularly sensitive survey question, with a large number of respondents who opt not to answer. Rather than drop respondents who failed to answer this question, income categories are treated as dummy variables, with a dummy variable for those with missing income information. This allows us to control for income effects while preserving the cases for which income is not reported.

3.5 for those with proximal and personal contact. The only other variables in the model with equal or greater impact are being young and Black, where being young increases your score by about one point on the scale, and being Black increases your score by about 1.5 points. These conditions are overlapping and intersectional, and all point to an increased sense of systemic injustice as a result of contact with the criminal justice system, which I argue should mobilize individuals to action.

Table 3.2: The Impact of Criminal Justice Contact on a Sense of Systemic Injustice[a]
WCPS (2013)

	Injustice
Personal Contact	0.289*** (0.058)
Proximal Contact	0.268*** (0.053)
Black	0.546*** (0.063)
Latino	0.255*** (0.072)
Female	-0.067 (0.053)
Age: 18-34	0.312*** (0.059)
Age: 65+	-0.184* (0.073)
Education	-0.005 (0.032)
20k-40k	-0.022 (0.085)
40k-60k	0.096 (0.085)
60k-80k	-0.056 (0.100)
80k-100k	-0.048 (0.110)
100k+	-0.237* (0.106)
Missing Income	-0.289** (0.104)
Political Knowledge	-0.059* (0.025)
Church Attendance	0.003 (0.054)
Republican	-0.254** (0.083)
Independent	0.002 (0.061)
Constant	0.752*** (0.134)
Observations	601
Log Likelihood	-1,270.76

Standard errors in parentheses; .p<0.10; *p<0.05; **p<0.01; ***p<0.001;
[a]The injustice index is a count variable with a mean of 2.7 and a standard deviation of 2.5, and is therefore modeled using a Poisson regression.

3.2.1 The Demobilizing Impact of Political Efficacy

Much existing research on the political impacts of experiences with the criminal justice system focuses on demobilization. Scholars have argued that because the system is designed to elicit remorse from wrongdoers, individuals may internalize negative interactions as a low sense

of internal efficacy leading to political withdrawal (Lerman and Weaver 2014a). This research is most convincing when considering long-term incarceration. For example, Mark is an ex-prisoner who now advocates for prison reform in California and mentors newly released prisoners navigating reintegration. He is an activist, and when asked about the difference between someone like himself and his demobilized counterparts, he says:

> Prisoners have a dignity deficit. They feel that they're not worthy. Even those of us who know better still feel that we're not worthy in some way. We're always amazed that someone is willing to do us something or to allow us to do something or to employ us or to hug us or whatever it is. Its just a little amazing that there is humanity involved. Because where we come from there isn't any.

Mark's comments support the idea that those subjected to particularly harsh treatment by the system are at risk of internalizing that treatment as personal failure.

Research documenting the demobilizing impacts of negative experiences with the system likewise emphasize that involuntary interactions with the police often diminish trust in government, leading to demobilization and withdrawal. Debbie and Sandy's responses to their own unfair experiences that led to alienation exemplify this idea. The impact of personal and proximal contact on attitudes towards police and the government are well documented. Involuntary interactions with the criminal justice system degrade trust in law enforcement, and certain studies suggest that proximal contact has a substantively larger impact on evaluations of police than does personal contact (Weaver and Lerman 2010, Wortley, Hagan and MacMillan 1997, Skogan 2006, Tyler 2009, Lee, Porter and Comfort 2014, Stoudt, Fine and Fox 2011, Rosenbaum et al. 2005). For example, one study found that the likelihood of perceiving discrimination in one's daily life is 27 percent higher for those with an incarcerated parent than for those without (Lee, Porter and Comfort 2014). Likewise, a longitudinal study tracking attitudes towards policing before and after contact found that proximal contact had impact on

negative perceptions of police equal to that of personal contact, and greater impact among Blacks (Rosenbaum et al. 2005).

The negative impact of personal and proximal contact on trust in government and increased perceptions of discrimination is demonstrated by the WCPS (2013). The survey asked respondents whether or not they thought representatives from the city or other organizations would reach out and offer help if they needed it.[23] While 19 percent of those without contact have low trust, this increases to 33 and 39 percent among those with proximal and personal contact. WCPS respondents were also asked about their experiences with discrimination. Proximal contact increases group-based discrimination by 10 percentage points, and personal contact increases this experience by 16 percentage points, compared to those with no contact of whom only six percent reported experiencing high levels of discrimination.

While political withdrawal might be accompanied by low trust in government and increased perceived discrimination, they are not always indicative of political alienation. Instead, when paired with high levels of internal efficacy low trust can provide a catalyst to act. For example, writing about the political participation of low income women of color Ardery argues that a positive relationship between distrust and participation should be expected among disadvantaged communities:

> Research into the political behavior of middle-class whites has suggested that feelings of cynicism and distrust are highly related to nonparticipation. Yet among our sample…these 'negative' feelings co-exist with continued participation and support for the political system. Such feelings among minority and disadvantaged groups who have not much reason to trust decision-makers to do what is best for them are understandable. And it also makes sense that they should be the groups most active in the political process in order to protect their own interests (1994, 223).

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[23]The question asked the following: Which of these two statements come closer to how you feel about your local community even if neither is exactly right? (1)The city officials responsible for my community don't really care much what happens to me. (2) The city officials and organizations in my community would reach out to me if I needed help of some kind.

The mobilizing impact of discrimination is well documented, and group based narratives can preserve and increase internal political efficacy (Miller et al. 1981, Shingles 1981, Barker and McCorry 1976, Nelson and Merranto 1977, Walton 1994, Dawson 1994, Walton and Orr 2005, Parker 2009).

In keeping with this, among respondents in the WCPS contact has no impact on political efficacy, yet decreases trust and increases perceived discrimination. The efficacy battery included in the survey asked respondents how much they agreed with each of the following: 1) Sometimes, politics and government seems so complicated that a person like me can't really understand what is going on, 2) Public officials don't care much what people like me think, and 3) People like me don't have any say about what the government does.[24] Respondents with personal contact were slightly more likely to have a high sense of internal efficacy, where 46 percent agreed that politics seems to complicated, compared to 60 percent of those without contact (Table 3.3). However, contact has no impact on external efficacy.

Table 3.3: Percent Who Have a High Sense of Political Efficacy[a] by Level of Contact, WCPS (2013)

	None	Proximal	Personal
Politics seems to complicated	60	57	46
Public officials don't care	76	82	82
I don't have a say in what government does	57	60	58
Total N	356	346	143

[a]Percentages reflect those who somewhat or strongly agreed with the statement.

To maximize variation on the independent variable I combined the three measures to create an efficacy index ranging from zero to nine. Scoring a zero on the scale indicates the lowest possible value of political efficacy, and scoring a nine indicates the highest possible value of

[24]Response options include *strongly agree, somewhat agree, somewhat disagree,* and *strongly disagree;* The efficacy measures included in the survey are standard in the literature, routinely asked by the American National Election Survey (ANES 2012, Harder 2008, Morell 2005, Southwell 2012).

political efficacy. The efficacy index has an alpha score of .60, a mean of 3.6, and a standard deviation of 2.3.[25] Testing the impact of contact on score on the efficacy index including controls for relevant covariates confirms that contact has no impact on political efficacy (Table 3.4). Having demonstrated that contact decreases trust, increases discrimination and injustice without impacting internal efficacy, I turn to testing the impact of a sense of injustice on political participation outcomes.

3.3 Criminal Justice Contact Leads to Non-Electoral Participation

I argue that when individuals understand their interactions with the criminal justice system as systemically unjust they will be mobilized to action. I further argue that when experiences with the criminal justice system mobilize people to action, it should manifest as non-electoral participation. Non-electoral participation has the possibility of speaking to needs that arise from interactions with the system and offer an immediate outlet for frustrations around community policing (Gillion 2013). Explaining why individuals might favor non-electoral participation over voting Gillion writes, "At times, a single issue inspires gradients of sentiment, from passionate discontent to complete acceptance. More to the point, citizens are sometimes moved by events and tragedies in ways that cannot be…delayed for an election cycle. In such

[25]The alpha score of the injustice index (.74) falls within the accepted norms of social science (George and Mallory 2003), but the reliability of the efficacy index is less robust. I therefore conduct a confirmatory factor analysis to further test whether or not injustice and efficacy load on the two latent factors I posit (Ullman and Bentler 2004). The goodness-of-fit measures derived from this test confirm the plausibility of the hypothesized model, where the $p > \chi^2$ is .293, the RMSEA is .017, the CFI is .998, and the SRMR is .013 (Kline 2005). Following the model fitting process suggested by Ullman and Bentler (2004), I made adjustments to the original model based on the modification indices. The original model generated a $p > \chi^2$ of .035, an RMSEA of .038, a CFI of .991, and an SRMR .027. All of the goodness-of-fit measures from the original model aside from the χ^2 suggested that the model was fairly good fit for the data. Based on the modification indices I freed the standard errors to covary between two of the efficacy measures (public officials don't care, and no say in what government does). This improved the $p > \chi^2$ to well above the acceptable cutoff of .05. Because it is theoretically reasonable that the two measures of efficacy would covary within the data, I proceed with the analysis using the injustice and efficacy indices as described above.

events, people are compelled to act," (2013, 13). Researchers elsewhere have noted minorities who have historically struggled to gain political power through voting benefit more from non-electoral participation (Gillion 2012, Swain 2010, Martinez 2008, Piven and Cloward 1977).

Table 3.4: The Impact of Criminal Justice Contact on Political Efficacy,[a] WCPS (2013)

	Efficacy
Personal Contact	0.075 (0.054)
Proximal Contact	-0.050 (0.043)
Black	0.039 (0.053)
Latino	0.239*** (0.057)
Female	0.044 (0.043)
Age: 18-34	-0.046 (0.057)
Age: 65+	-0.061 (0.051)
Education	0.175*** (0.029)
20k-40k	-0.025 (0.082)
40k-60k	0.024 (0.080)
60k-80k	0.059 (0.089)
80k-100k	-0.003 (0.093)
100k+	0.150. (0.087)
Missing Income	0.013 (0.087)
Political Knowledge	0.108*** (0.020)
Church Attendance	-0.081. (0.045)
Republican	-0.054 (0.059)
Independent	-0.086. (0.049)
Constant	0.527*** (0.119)
Observations	696
Log Likelihood	-1,519.77

Standard errors in parentheses; .p<0.10; *p<0.05; **p<0.01; ***p<0.001;
[a]The efficacy index is a count variable with a mean of 3.6 and a standard deviation of 2.3, and is modeled using a Poisson regression.

In sum, individuals may lose trust in government and along with it traditional means of participation like voting, without relinquishing desire to create change (Swain 2010, Piven and Cloward 2000). This is reflected in the findings presented above that contact increases a sense of injustice, even as it has no impact on political efficacy. Ian is a working class Black man in his late 20's with several friends who have had contact with the criminal justice system, and although he has not had intense personal contact he recounts stories of being followed by police while driving and walking around Portland. Politically, he frequently attends protests, was active in Occupy

Wall Street, attends city council meetings, and once even submitted his name to run for a seat on the council. He explains how watching his friends go through the system and knowing he is marked as a young man of color compels him to participate rather than withdraw:

> The way it's shaping up in America these days is justice only goes to the highest bidder. Those who basically can grease the pockets of the politicians and the police chiefs…the prison industrial complex -- it is just private companies capitalizing on imprisoning people…I got into politics because I want to know that my children…won't grow up in full on slavery...I don't want my children to grow up as captives on their native soil, I don't want them to grow up as refugees in their homeland.

Similarly, Nick, who spent time in state prison and is currently active in the Black Lives Matter movement, articulates the idea that loss of trust in government and a sense of injustice mobilize, but manifests non-electorally:

> I was out for about a year and half and I caught a violation, and with the violation I was down for like three months. And I just read, and read and read. I was reading before when I was in the first time, but this time I was intense and I just wouldn't stop reading. And then I came out and that's when me and my sister...we started doing Seattle Cop Watch.

I begin by testing the impact of contact on electoral participation. The WCPS includes voter registration and whether or not one voted in the last 12 months.[26] The results of the analysis are displayed in Table 3.5. Neither personal nor proximal contact impacts the likelihood of being registered to vote or on the likelihood of having voted. Previous research suggests contact should depress voting. The findings presented here are perhaps due to method, where self-reported voting is plagued by social desirability bias (Holbrook and Krosnick 2009).

[26]The survey asked whether or not one had voted in the last 12 months as part of a battery of questions measuring political participation. This diverges from traditional measures of voting, which might ask respondents whether or not they voted in the last general election. However, the survey was fielded within 12 months of the 2012 presidential election, so the measure effectively captures the same information. Thirteen percent of the sample is unregistered. Among whites, nine percent are unregistered, compared to 14 percent of nonwhites. Among registered voters, 85 percent indicate they have voted in the last 12 months. Among the voting age population (all respondents) 77 percent reported having voted.

Suggesting that respondents over-reported their voting behavior, 77 percent of the sample said they voted in the last 12 months, yet national turnout in the 2012 general election was 58 percent (McDonald 2013). Other types of self-reported participation are not similarly impacted.[27] I therefore proceed with the analysis without ascribing too much importance to the findings around voting.

I next test the impact of personal and proximal contact on non-electoral participation. The WCPS included the following measures included a battery of the following eight items to measure non-electoral participation, generating an index ranging from 0-8: 1) Signed a petition, 2) Helped out in an election campaign, 3) Attended a community event or meeting with people of your same race or ethnicity, 4) Attended a political meeting, 5) Joined an organization in support of a particular cause, 6) Took part in a demonstration or protest, 7) Written a letter or email to a politician or civil servant, and 8) Donated money or raised funds for a social or political activity.[28] Twenty percent of respondents indicated that they had engaged in none of the activities on the scale in the last 12 months, where only two percent indicated they had taken part in all eight activities.[29]

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[27] In addition, a pilot study of this topic fielded in 2012 in the state of Washington incorporated validated vote history. Using identical measures of contact demonstrated that it was negatively associated with voting, even as it was positively associated with non-electoral participation (Walker 2014).

[28] The question was asked as follows: *Now we would like to know, in general, how politically and socially active you have been. Please indicate whether or not you've done any of the following activities in the last 12 months.* Respondents were then asked the list of possible activities. The distribution of the political participation battery has a right skew, with a mean of 2.6 acts and a standard deviation of 2.2. The alpha score of the non-electoral participation index is .76.

[29] I model the non-electoral participation index using a Poisson regression, given that the battery is scaled and treated like count data. Poisson regression is appropriate in this case because the participation data are scaled, and treated like count data, but conceptually have no upper bound. The survey asked whether or not an individual participated in a series of activities over the last 12 months, where "yes" was counted as one item on the scale. However the battery of items was not exhaustive, and does not fully capture the exact number of activities that were either possible or engaged in. Thus, it amounts to a count with no upper bound. With count data where frequency of events is not normally dispersed, one may wish to model the data using negative binomial regression to avoid over or under confident standard errors. In particular, counts of political activities are often over dispersed. However, the participation index has a mean of 2.6 and a standard deviation of 2.2, indicating that the data are normally dispersed, and confirming the appropriateness of Poisson regression.

Table 3.5: The Impact of Criminal Justice Contact on Electoral and Non-Electoral Participation, WCPS (2013)

	Registered to Vote[a]	Voted	Non-Electoral Participation[b]
Personal Contact	0.324 (0.433)	0.501 (0.330)	0.154* (0.067)
Proximal Contact	0.109 (0.315)	0.365 (0.247)	0.189*** (0.055)
Injustice Index	0.039 (0.072)	0.036 (0.056)	0.050*** (0.012)
Efficacy Index	0.119 (0.075)	0.109. (0.058)	0.048*** (0.012)
Black	0.742. (0.445)	-0.002 (0.325)	-0.212** (0.070)
Latino	-0.277 (0.394)	-0.165 (0.327)	-0.056 (0.076)
Female	0.296 (0.323)	0.424. (0.251)	0.043 (0.055)
Age: 18-34	-0.953** (0.344)	-0.912*** (0.275)	0.162* (0.070)
Age: 65+	0.960. (0.529)	1.156** (0.390)	-0.010 (0.067)
Education	-0.051 (0.184)	0.282. (0.147)	0.109** (0.036)
20k-40k	0.256 (0.456)	-0.351 (0.389)	0.027 (0.107)
40k-60k	1.347* (0.543)	0.440 (0.419)	0.059 (0.103)
60k-80k	1.341* (0.631)	0.040 (0.466)	0.196. (0.115)
80k-100k	1.874* (0.856)	0.848 (0.571)	0.051 (0.121)
100k+	1.497* (0.687)	1.460* (0.604)	0.309** (0.110)
Missing Income	0.839 (0.563)	0.697 (0.491)	0.167 (0.112)
Political Knowledge	0.428* (0.172)	0.292* (0.123)	0.094*** (0.026)
Church Attendance	-0.053 (0.337)	0.569* (0.267)	0.307*** (0.055)
Republican	0.316 (0.488)	0.032 (0.359)	-0.218** (0.076)
Independent	-0.137 (0.359)	-0.227 (0.287)	-0.139* (0.063)
Constant	0.315 (0.801)	-1.131. (0.640)	-0.124 (0.158)
Observations	581	581	581
Log Likelihood	-155.789	-233.321	-1,193.52

Standard errors in parentheses; .p<0.10; *p<0.05; **p<0.01; ***p<0.001; [a]Registered to vote and having voted are coded dichotomously, and the data are modeled using a logistic regression. [b]The non-electoral participation index is a count variable ranging from 0-8, and is modeled using Poisson regression.

Both personal and proximal contact are positively and statistically associated with increased participation in non-electoral activities (Table 3.5). The injustice index is also associated with increased participation, which is encouraging for the argument that contact increases participation via a sense of injustice since contact itself increases one's score on the index. As the literature suggests it should, high levels of political efficacy increase participation in non-electoral activities. Figure 3.1 displays the marginal effects of personal and proximal contact on non-electoral participation compared to other covariates in the model. The substantive impact of personal contact is not very large, increasing participation by about .5 items on the index. However, it is comparable to other variables one would expect to have a substantive

impact on participation, such as income. Among the battery of controls only education, very high income, injustice and efficacy have a larger impact on participation than contact. I therefore turn my attention to teasing out the relationship between contact, injustice, efficacy and political mobilization.

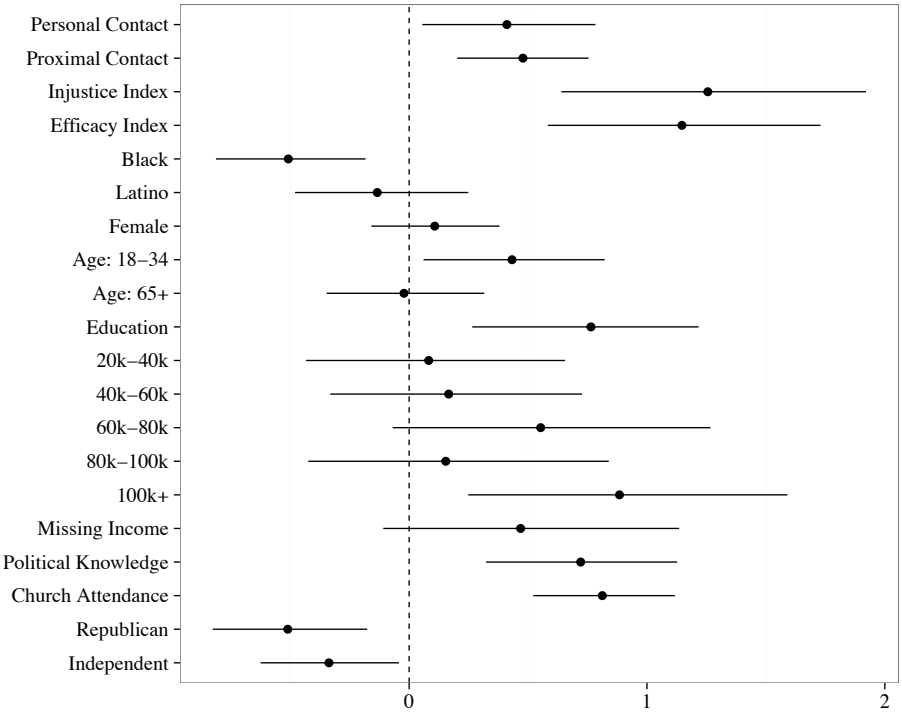

Figure 3.1: The impact of going from the minimum value of a variable to its maximum value on non-electoral participation. Source: Washington Crime and Politics Survey (2013).

3.3.1 A Sense of Injustice and Political Action

The preceding analysis supports the claim that personal and proximal contact can increase non-electoral participation. I have argued that the mobilizing impact of contact is driven by a sense of injustice around the criminal justice system. I noted above that controlling for the impacts of contact, a sense of injustice itself mobilizes people to action. This suggests that contact has both direct and indirect effects on participation outcomes. In order to explore the relationship between contact, injustice and participation further I interacted injustice with both

personal and proximal contact. The results are displayed in Table 3.6 and Table 3.7. Personal contact does not appear to mobilize either independently or together with injustice. Instead, in this model injustice alone increases participation (Table 3.6). Alternatively, neither injustice nor proximal contact mobilize independently (Table 3.7). Only when proximal contact makes a sense of injustice salient does non-electoral participation increase.

Table 3.6: The Impact of Personal Contact and Injustice on Non-Electoral Participation

	Personal*Injustice
Personal Contact	0.032 (0.116)
Injustice Index	0.041** (0.014)
Personal*Injustice	0.031 (0.023)
Proximal Contact	0.193*** (0.056)
Efficacy Index	0.047*** (0.011)
Black	-0.210** (0.070)
Latino	-0.054 (0.076)
Female	0.043 (0.055)
Age: 18-34	0.169* (0.070)
Age: 65+	-0.011 (0.067)
Education	0.109** (0.036)
20k-40k	0.039 (0.107)
40k-60k	0.061 (0.103)
60k-80k	0.201. (0.115)
80k-100k	0.058 (0.122)
100k+	0.304** (0.111)
Missing Income	0.167 (0.112)
Political Knowledge	0.096*** (0.026)
Church Attendance	0.306*** (0.055)
Republican	-0.214** (0.076)
Independent	-0.142* (0.063)
Constant	-0.107 (0.159)
Observations	581
Log Likelihood	-1,192.66

Standard errors in parentheses; .p<0.10; *p<0.05; **p<0.01; ***p<0.001;

Table 3.7: The Impact of Proximal Contact and Injustice on Non-Electoral Participation

	Proximal*Injustice
Proximal Contact	-0.013 (0.081)
Injustice Index	0.002 (0.019)
Proximal*Injustice	0.074*** (0.022)
Personal Contact	0.138* (0.067)
Efficacy Index	0.045*** (0.011)
Black	-0.227** (0.071)
Latino	-0.075 (0.076)
Female	0.036 (0.055)
Age: 18-34	0.170* (0.070)
Age: 65+	-0.031 (0.067)
Education	0.110** (0.036)
20k-40k	0.018 (0.107)
40k-60k	0.060 (0.103)
60k-80k	0.197. (0.115)
80k-100k	0.068 (0.122)
100k+	0.308** (0.111)
Missing Income	0.153 (0.112)
Political Knowledge	0.092*** (0.026)
Church Attendance	0.302*** (0.055)
Republican	-0.219** (0.075)
Independent	-0.162* (0.063)
Constant	0.020 (0.163)
Observations	581
Log Likelihood	-1,187.68

Standard errors in parentheses; .p<0.10; *p<0.05; **p<0.01; ***p<0.001;

Figure 3.2 displays the expected score on the non-electoral index by level of injustice, among those with and without contact. For both those with personal and proximal contact a sense of injustice appears to mobilize people to action. In contrast, absent contact a sense of injustice has no impact on participation. The mobilizing impacts of personal contact are not

statistically significant and thus the findings are inconclusive, but the direction and size of impact is similar to those with proximal contact, which is encouraging for the inference that personal contact makes a sense of injustice salient. Among those with proximal contact, holding a high sense of injustice increases the expected value of non-electoral participation by 2.5 items over those with a very low sense of injustice. The size of the impact is fairly substantial, outstripping that of any variable in the basic models (Figure 3.1).

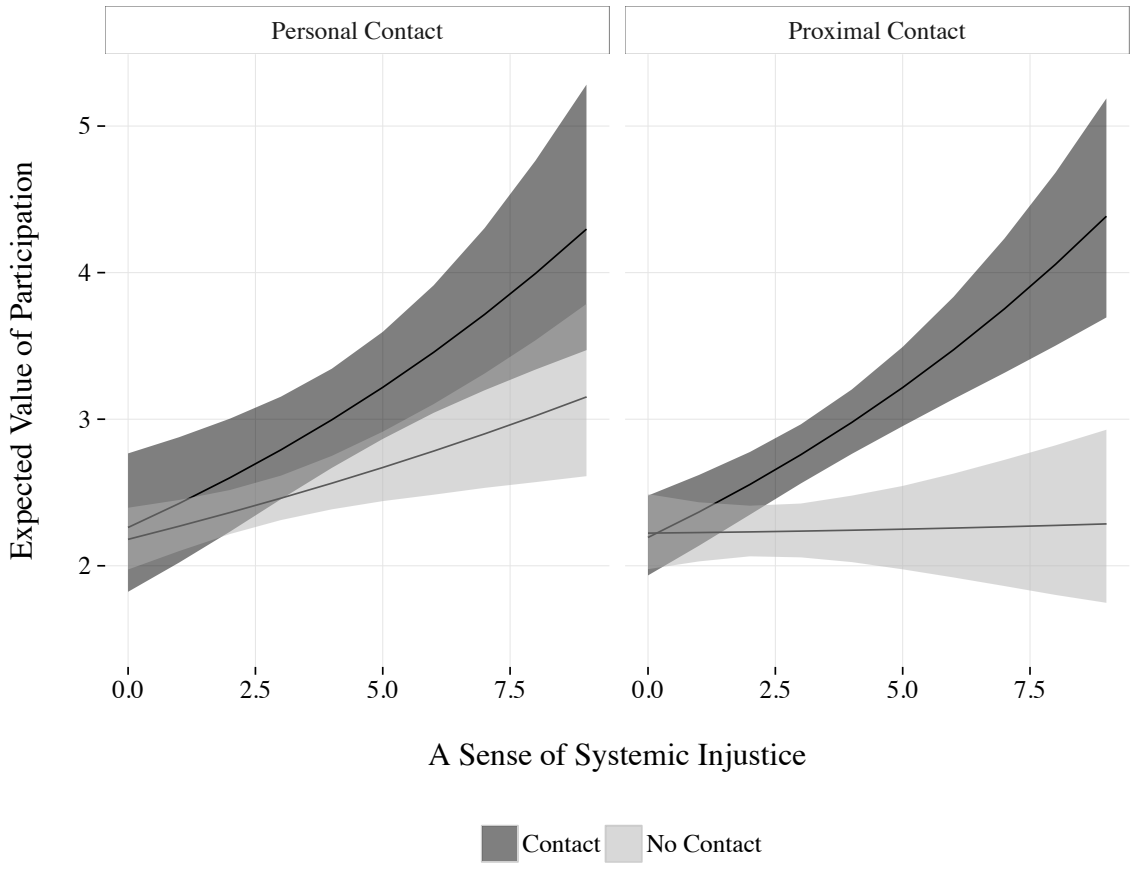

Figure 3.2: The impact of injustice and criminal justice contact on non-electoral participation, among all adults. Source: Washington Crime and Politics Survey (2013).

The above analysis supports the theory that when individuals externalize their negative experiences with the criminal justice system as a sense of systemic injustice they may be

mobilized to action. Scholars elsewhere have theorized that the impact of contact on political participation is related to political efficacy, where low political efficacy that results from contact leads to withdrawal. Although contact does not drive low efficacy among WCPS respondents, it may still demobilize when combined with low efficacy. I test this alternative hypothesis by interacting efficacy and contact, displayed in Table 3.8 and Table 3.9. Examining the coefficients suggests that efficacy and contact mobilize independent of one another, but that when combined with contact high efficacy leads to political withdrawal. This is counterintuitive, and I turn to the expected values of participation by efficacy and level of contact.

The expected values of participation derived from the interactive models are displayed in Figure 3.3, and clarify the relationship between contact, efficacy and participation. Absent contact strong political efficacy increases non-electoral participation, just as it is expected to do. When combined with contact, however, efficacy has no impact on participation outcomes. Instead, contact mediates the demobilizing effects of low efficacy. Among those with low efficacy, personal contact increases your expected score on the participation index from 1.8 to 3.2. Likewise, proximal contact increases your expected score from 1.7 to 2.7. Contact mediates the alienating effects of low efficacy.

It potentially does this through raising the stakes of participation for those with contact, where you may engage in activities that read as political participation as you advocate for yourself or a loved one. You might do things like contact a public official to get information about criminal justice processes, or attend community meetings to fulfill community service or access a support group (Weaver and Lerman 2010, Lee, Porter and Comfort 2014). To test the plausibility of this I examined the impact of interacting contact and efficacy on individual items in the battery. No one item or pattern of items stood out, offering little insight into how contact mobilizes among those with low efficacy. Alternatively, a sense of systemic injustice derived from

contact likely mediates the demobilizing impact of participation (Miller et al. 1981, Dawson 1994, Sanchez 2006, Barreto et al. 2009, McLain et al. 2009). To test the plausibility of this theory I interacted a sense of systemic injustice and efficacy and plotted the expected values of participation. The resulting graph is identical to Figure 3.3, offering tentative support for the idea that a sense of systemic injustice itself mediates the demobilizing effects of low political efficacy.

Table 3.8: The Impact of Personal Contact and Efficacy on Non-Electoral Participation

	Personal*Efficacy
Personal Contact	0.514*** (0.120)
Efficacy Index	0.068*** (0.013)
Personal*Efficacy	-0.092*** (0.026)
Proximal Contact	0.192*** (0.055)
Injustice Index	0.049*** (0.012)
Black	-0.190** (0.070)
Latino	-0.054 (0.076)
Female	0.046 (0.055)
Age: 18-34	0.151* (0.070)
Age: 65+	-0.025 (0.067)
Education	0.106** (0.036)
20k-40k	0.062 (0.108)
40k-60k	0.083 (0.104)
60k-80k	0.245* (0.116)
80k-100k	0.078 (0.122)
100k+	0.317** (0.111)
Missing Income	0.191. (0.113)
Political Knowledge	0.098*** (0.026)
Church Attendance	0.297*** (0.054)
Republican	-0.195* (0.076)
Independent	-0.131* (0.063)
Constant	-0.222 (0.160)
Observations	581
Log Likelihood	-1,187.25

Standard errors in parentheses; .p<0.10; *p<0.05; **p<0.01; ***p<0.001;

Table 3.9: The Impact of Proximal Contact and Efficacy on Non-Electoral Participation

	Proximal*Efficacy
Proximal Contact	0.421*** (0.100)
Efficacy Index	0.077*** (0.016)
Proximal*Efficacy	-0.059** (0.021)
Personal Contact	0.157* (0.067)
Injustice Index	0.052*** (0.012)
Black	-0.228** (0.070)
Latino	-0.073 (0.076)
Female	0.039 (0.055)
Age: 18-34	0.158* (0.070)
Age: 65+	-0.008 (0.067)
Education	0.107** (0.036)
20k-40k	0.039 (0.107)
40k-60k	0.059 (0.103)
60k-80k	0.213. (0.115)
80k-100k	0.054 (0.121)
100k+	0.311** (0.110)
Missing Income	0.158 (0.112)
Political Knowledge	0.095*** (0.026)
Church Attendance	0.306*** (0.055)
Republican	-0.221** (0.076)
Independent	-0.142* (0.063)
Constant	-0.237 (0.164)
Observations	581
Log Likelihood	-1,189.66

Standard errors in parentheses; .p<0.10; *p<0.05; **p<0.01; ***p<0.001;

In sum, evidence derived from the WCPS supports the claim that when individuals externalize their experiences with the criminal justice system as a sense of systemic injustice this provides a catalyst to act. I additionally demonstrated that contact has no impact on political efficacy. I offer the strong caveat that individuals with particularly intense types of contact

contend with more extreme resource and efficacy barriers to participation. I therefore turn to an institutional mechanism to explain political participation among this group, contact with CBOs.

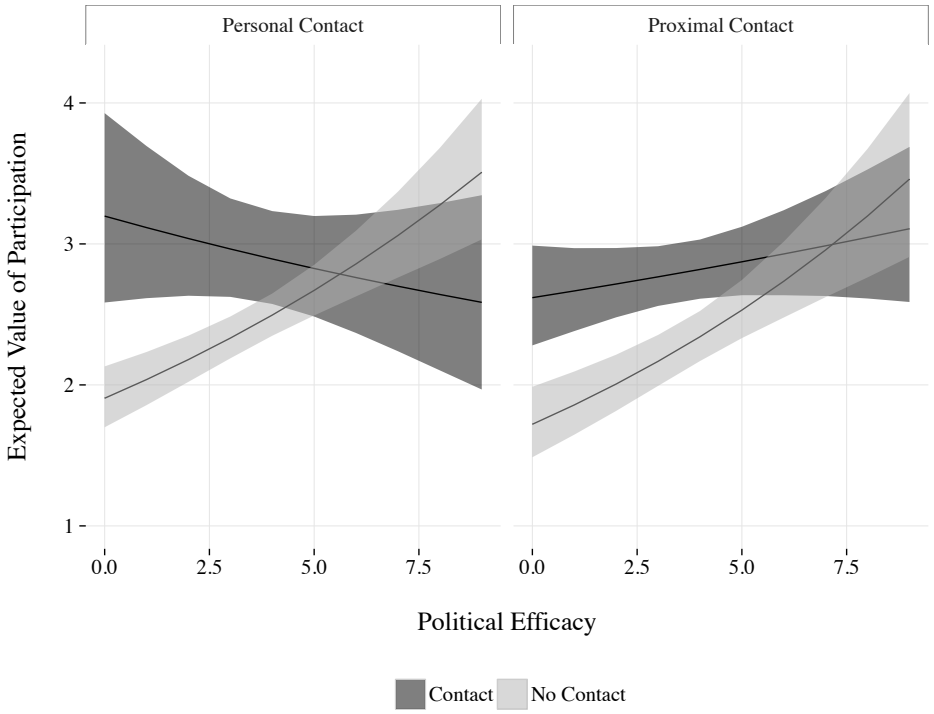

Figure 3.3: The impact of injustice and criminal justice contact on non-electoral participation, among all adults. Source: Washington Crime and Politics Survey (2013).

3.4 An Institutional Mechanism: The Role of Community Based Organizations

I argue that the key mechanism linking experiences with the criminal justice system to increased political participation is a sense of systemic injustice. Scholars elsewhere have convincingly argued that individuals who have experienced long term incarceration face extreme efficacy and resource barriers to participation. Prison is geared to extract repentance from the guilty and is adept at conveying to custodial citizens that their experiences are a result of their own poor choices (Lerman and Weaver 2014). Likewise ex-offenders face tremendous barriers to

successful reentry as a result a criminal background, including finding stable housing and employment, reconnecting with loved ones, and abiding by the terms of their probation or parole. Yet many individuals interviewed for this project had experienced long-term incarceration but were also politically mobilized. Recall Mark, the ex-prisoner turned prison reform activist who said that, "prisoners have a dignity deficit." Mark went on to detail the mentoring component of the work he does as an advocate. Helping ex-prisoners overcome low self-esteem and low internal efficacy is as important to their efforts as is helping ex-inmates meet the practical needs of employment and housing.

Mark's comments offer insight into the importance of CBOs in mobilizing individuals who have experiences with the criminal justice system. Ex-prisoners, their families and communities have needs that develop from contact with the criminal justice system. This might include the need to find a job, get a piece of identification, navigate the legal system, get an education, or access substance abuse treatment and support. Service organizations and CBOs provide services that can speak to these needs, and as such are an organic point of contact for individuals impacted by the system. Often these organizations engage politically as an expression of their mission, serving as a natural point of entry into politics for their constituents.

Owens' case study of ex-offenders in Rhode Island who mobilized around the issue of felon re-enfranchisement exemplifies the role CBO's can play in mobilizing ex-offenders and their families (2014). He notes that because policy often bars those with a criminal background from accessing important social welfare goods like housing their desire to participate is crucial to creating political change (2014). CBOs were fundamental to helping ex-felons organize, and their participation critical to the success of the initiative to reinstate their voting rights.

Scholars have likewise noted the importance of CBOs in organizing the Latino community around issues related to immigration in the face of draconian policies considered by

state and federal legislatures (Ramirez 2013, Barreto et al. 2009). CBOs have the possibility of helping individuals externalize their experiences through moral narratives of political injustice and providing opportunities to participate. This is particularly important for marginalized communities which scholars have noted suffer largely from neglect by major political institutions, where the strongest predictor of participation aside from socioeconomic status is being asked to do so (Rosenstone and Hansen 1994, Wong 2006).

Felix is an organizer with a CBO in South Central Los Angeles. The organization he works for has been instrumental to helping restore green spaces in the community, improving education in the local schools, and advocating for change at the state level. Community members become involved with the organization either because they are seeking services or because they have been contacted by an organizer. Felix details this process, saying:

> Organizers go door to door to recruit members and let them know that there is a place for them if they want to see change in the community...we meet people where they are...a lot of the organizers do one on one visits, just getting to know the community members, what their concerns are, what their families are like, what their stories are, and then providing them an avenue and a vehicle to get engaged to do something they can't do on their own.

In reference to ex-offenders and their families, he notes that they often come to the organization seeking legal help, where "they need legal services...or the department of child services is trying to take away their kids, so we provide counseling and legal services." He goes on to say that once they are connected with the organization they are invited to participate in various political events and are introduced to the successes of the organization. Felix notes that mobilizing people who have had contact with the criminal justice system is less about helping them understand their experiences as unjust and more about showing them change is possible. He comments:

> We think that people already know that they are being oppressed. They already know that South Central doesn't get the same resources as Beverly Hills, or other parts of the city. They inherently already know that. So what we try to do is channel that anger or

> energy or whatever they feel…into something more productive. So the way we do that is…we talk to people about the history of the organization, our political values, our campaigns -- victories we've already won, so hopefully we can inspire them that we can accomplish more when we work together.

Felix's comment that "people already know that they are being oppressed," neatly evidences the idea that a sense of systemic injustice is neither limited activists, nor out of reach for those with personal contact. Instead, the task for CBOs is to help individuals overcome socio-economic barriers and convince them change is possible.

The role of CBOs is particularly important for those with personal contact. While not a necessary component of participation, contact with a CBO is an important institutional mechanism for individuals contending with the negative impacts of imprisonment that might co-occur with a sense of systemic injustice. To provide evidence for this aspect of my theory I draw on the University of Illinois Chicago Area Survey fielded in 2014 (CAS).[30] The CAS includes measures of personal contact with the system, but does not include measures of proximal contact. I therefore focus on the role of CBOs in mitigating negative impacts of personal contact.

The survey asked respondents whether or not they had been questioned by the police, been on probation or parole, or served time in jail or prison in the last five years.[31] Only 13 percent of respondents indicated that had any type of personal contact with the criminal justice system. Two percent reported being on probation or having spent time in prison, and 12 percent reported that the police had questioned them. To measure political participation the survey

[30] The CAS is a online survey that includes 1,794 respondents from the Chicago metropolitan area, and includes and includes a nonwhite oversample. Methodological details are included in Appendix B.
[31] Specifically, the survey asked the following: "We are interested in how much contact people have had with the police. In the past five years, have you... (please select all that apply)"

whether or not individuals had done any of the following in the previous 12 months:[32] 1) signed a petition, 2) shared political information via social media, 3) attended a protest, 4) written a letter to an elected official, 5) donating to a political cause, 6) volunteered for a political campaign, or 7) issued a political opinion publically in the form of an op-ed or calling into a radio show. The items were scaled to comprise a traditional participation index ranging from 0-7. The index has a mean of 1.5 and a standard deviation of 1.2. Lastly, the survey asked individuals whether or not they participated in a number of groups and organizations, including the following: 1) a religious group, 2) a neighborhood or community organization, 3) a labor union, 4) a professional organization, 5) an ethnic or cultural organization, 6) an organization that focuses on a specific political cause, or 6) a civic organization.[33] If respondents said *yes* to any of these options, they were coded as having had contact with a CBO. About half of the sample indicated they had contact with a CBO.

I begin by modeling the impact of contact with the criminal justice system alongside CBO contact on non-electoral participation, including a battery of relevant covariates.[34] The results suggest that only having been questioned by the police is statistically and positively associated with increased non-electoral participation (Table 3.10). Neither having been on probation nor having spent time in jail impacts participation. Contact with a CBO increases non-electoral participation. Like findings derived from the WCPS, the size of the impact of being questioned on participation is not large, but it rivals that of other covariates in the model, like interest in

[32] Specifically, the question asked: "Now we would like to ask you about activities that some people do related to politics at the local, state or national level. Have you done any of these things in the past 12 months? Please check all that apply…"

[33] The questions measuring CBO contact is worded as follows: "Some people participate in groups and organizations while others do not. Do you currently belong to, volunteer with, attend meetings of, or pay dues for any of the following types of groups?"

[34] Covariates include race, gender, age, education, political interest, party identification, and foreign born. To control for age I included a dummy variable for the young and the old, in keeping with models throughout the previous analysis. The survey did not include a question for income, and I therefore cannot include it in this analysis. This is major caveat to the validity of the findings.

politics. Contact with a CBO has the largest overall impact on participation, compared to other covariates in the model.[35]

Table 3.10: The Impact of Criminal Justice Contact on Non-Electoral Participation, CAS (2014)

	Non-Electoral Participation[a]
Prison	-0.137 (0.147)
Probation	0.105 (0.144)
Questioned	0.202** (0.062)
CBO Contact	0.350*** (0.044)
Black	-0.080 (0.068)
Latino	-0.042 (0.084)
Other	-0.029 (0.096)
Female	0.002 (0.043)
Age: 18-34	0.221*** (0.050)
Age: 65+	-0.011 (0.058)
Education	0.028 (0.025)
Political Interest	0.181*** (0.020)
Republican	-0.084 (0.056)
Independent	-0.048 (0.049)
Foreign Born	-0.020 (0.073)
Constant	-0.428*** (0.104)
Observations	1,719
Log Likelihood	-2,224.02

Standard errors in parentheses; •p<0.10; *p<0.05; **p<0.01; ***p<0.001; [a]Non-electoral Participation is a count variable ranging from 0-7. It has a mean of 1.5 and a standard deviation of 1.2. It is therefore modeled using a Poisson Regression

Although having spent time in prison or on probation are not associated with increased participation in politics I theorize that contact with a CBO is integral to the participation of those who have had these experiences. I therefore test this theory by interacting criminal justice contact with CBO contact. The results of the analysis are displayed in Tables 3.11-3.13. Across all three measures of criminal justice contact, when combined with CBO contact, experiences with the system increase political participation. Confirming previous research, prison time absent CBO

[35]In additional analysis I examined the impact of experiences with the criminal justice system on contact with a CBO. Only being questioned by the police was statistically and positively associated with CBO contact. This is perhaps due to the low n-value of those who experienced time in prison or were on probation or parole. Moreover, even though prison and probation do not drive CBO contact, CBO contact likely increases participation for those who have had criminal justice contact.

contact leads to withdrawal from politics (Table 3.11). Among those who have only been questioned, having been questioned without having CBO contact is no longer a statistically significant and positive predictor of political participation. Only when combined with CBO contact does having been questioned mobilize (Table 3.13).

Table 3.11: The Impact of Prison and CBO Contact on Non-Electoral Participation, CAS (2014)

	Prison*CBO Contact
Prison	-0.364. (0.199)
CBO Contact	0.340*** (0.044)
Prison*CBO	0.514. (0.274)
Probation	0.141 (0.145)
Questioned	0.201** (0.062)
Black	-0.077 (0.068)
Latino	-0.036 (0.084)
Other Race	-0.010 (0.096)
Female	-0.001 (0.043)
Age: 18-34	0.221*** (0.050)
Age: 65+	-0.010 (0.058)
Education	0.025 (0.025)
Political Interest	0.182*** (0.020)
Republican	-0.088 (0.056)
Independent	-0.045 (0.049)
Foreign Born	-0.034 (0.073)
Constant	-0.417*** (0.104)
Observations	1,719
Log Likelihood	-2,222.29

Standard errors in parentheses; .p<0.10; *p<0.05; **p<0.01; ***p<0.001

I explore the relationship between non-electoral participation and CBO contact further in Figure 3.4, which displays the expected values of non-electoral participation by level of contact. As is to be expected CBO contact increases non-electoral participation regardless of criminal justice contact. Yet, among those with CBO contact the expected participation of those who have been questioned by the police and who have been on probation is higher than for their counterparts who have had no contact with the criminal justice system.

Table 3.12: The Impact of Probation and CBO Contact on Non-Electoral Participation, CAS (2014)

	Probation*CBO
Probation	-0.395 (0.256)
CBO Contact	0.331*** (0.044)
Probation*CBO	0.806** (0.306)
Prison	-0.054 (0.147)
Questioned	0.217*** (0.061)
Black	-0.088 (0.068)
Latino	-0.051 (0.084)
Other	-0.022 (0.096)
Female	-0.004 (0.043)
Age: 18-34	0.207*** (0.050)
Age: 65+	-0.004 (0.058)
Education	0.036 (0.025)
Political Interest	0.175*** (0.020)
Republican	-0.099. (0.057)
Independent	-0.051 (0.049)
Foreign Born	-0.014 (0.072)
Constant	-0.419*** (0.104)
Observations	1,719
Log Likelihood	-2,220.34

Standard errors in parentheses; .p<0.10; *p<0.05; **p<0.01; ***p<0.001

Table 3.13: The Impact of Questioned by the Police and CBO Contact on Non-Electoral Participation, CAS (2014)

	Questioned*CBO
Questioned	0.042 (0.102)
CBO Contact	0.317*** (0.047)
Questioned*CBO	0.253* (0.125)
Prison	-0.107 (0.147)
Probation	0.139 (0.145)
Black	-0.085 (0.068)
Latino	-0.023 (0.085)
Other	-0.034 (0.096)
Female	0.003 (0.043)
Age: 18-34	0.224*** (0.050)
Age: 65+	-0.005 (0.058)
Education	0.026 (0.025)
Political Interest	0.179*** (0.020)
Republican	-0.087 (0.056)
Independent	-0.055 (0.050)
Foreign Born	-0.033 (0.073)
Constant	-0.401*** (0.105)
Observations	1,719
Log Likelihood	-2,221.94

Standard errors in parentheses; .p<0.10; *p<0.05; **p<0.01; ***p<0.001

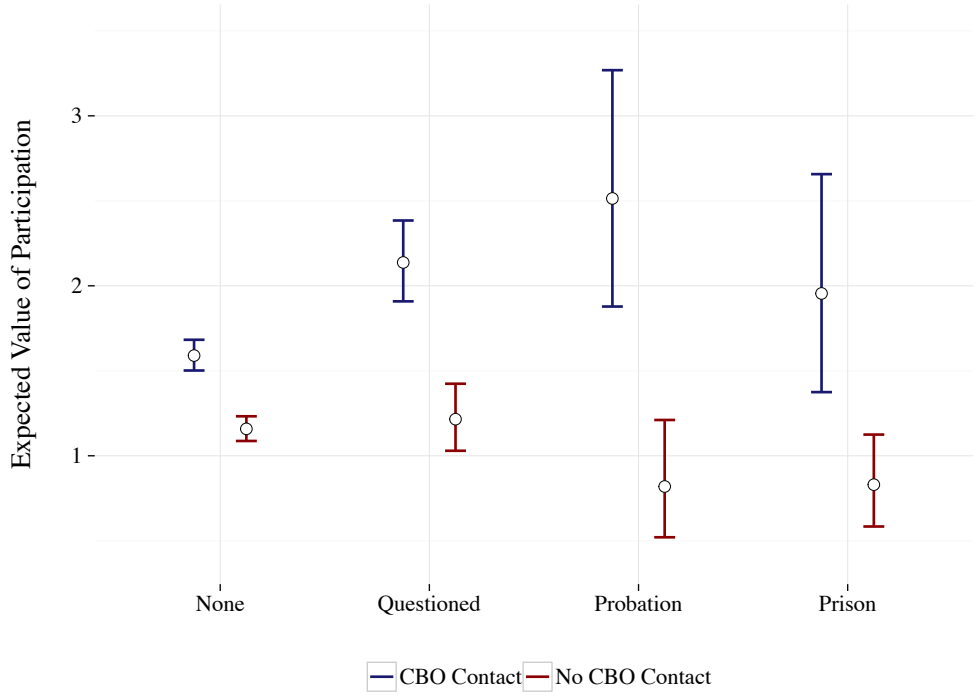

Figure 3.4: The impact of CBO and criminal justice contact on non-electoral participation, among CAS respondents. Source: Chicago Area Study (2014).

Contact with a CBO increases the expected value of participation by about 1.5 items on the scale. This analysis offers great insight into the means by which individuals who have had personal experiences with the system are mobilized. The analysis offered in this chapter is counterintuitive, given that the majority of existing research suggests individuals with personal contact will be demobilized across all levels of contact. I have demonstrated that low levels of contact, like being questioned by the police or having a loved one caught up in the system, mobilizes people to action. I have further argued that politicization and mobilization are available to even those who have experiences long-term incarceration, developing this argument primarily from qualitative interviews with ex-offenders. The findings from the CAS offer empirical evidence that CBO contact explains a great deal of political mobilization among custodial citizens.

3.5 Conclusion

The purpose of this chapter is threefold. The first task of the chapter has been to demonstrate the process by which individuals externalize their experiences with the system, becoming politicized by personal and proximal contact. Second, I provide emperical evidence for the claim that a sense of injustice connects personal and proximal contact to increased political participation. Lastly, this chapter identifies and empirically demonstrates the important role played by CBOs in cultivating a sense injustice into political action.

To accomplish these tasks I defined a sense of systemic injustice, leveraging qualitative interviews to outline the process of politicization leading to mobilization and activism. I then developed the injustice index as a means of systematically testing my theory that a sense of systemic injustice connects contact to increased participation. I also developed the efficacy index in order to explore the conditions under which individuals might be demobilized. Through developing these indices I demonstrated that while personal and proximal contact increase a sense of injustice, they have no impact on political efficacy. I then established that contact is associated with increased non-electoral participation, even as it has no impact on electoral participation, and that it operates via a sense of injustice. Lastly, I leveraged the Chicago Area Survey to validate the important the role of CBO contact in mobilizing custodial citizens. The findings from the CAS come with some major caveats, including the lack of a control for income, few respondents with personal contact, and the fact that the sample includes mainly those living in the Chicago metropolitan area.[36] Yet, the findings offer important insight into the mobilization of those who have experienced more intense criminal justice contact.

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[36] The majority of respondents live in the Chicago metropolitan area. 500 respondents come from other areas of Illinois.

The analysis in Chapter 3 focused largely on the total sample, without attending to the differences among whites, Blacks and Latinos. An evaluation of the differing impacts of contact and injustice on participation reveals that all three groups are mobilized by a sense of injustice to varying degrees. Yet, the historical and political context within which criminal justice experiences occur complicates the relationship between race, contact and politicization. Black and Latino communities have a long, negative history with the criminal justice system, where law enforcement has most often meant explicit, state sanctioned racial violence (Murakawa 2014, Davis 2003, Tonry 2011). Both the frequency of contact, and the impact of contact on evaluations of local police in the WCPS reflect the divergent experiences of whites and nonwhites with the system. Over half of whites respondents (54 percent) have no contact with the system, compared to only 48 and 36 percent of Blacks and Latinos. Nearly 45 percent of Blacks and Latinos with personal or proximal contact fell one standard deviation above the mean score on the injustice index, compared to only 20 percent of whites for whom the same was true.

Just as race conditions experiences with the criminal justice system so it structures the paths by which whites, Blacks and Latinos externalize their negative experiences. Race is the primary lens through which Blacks explain their experiences. For example, Nick who was politicized by the writings of the Black Panthers while in prison finished his explanation of the injustice of the system by saying, "I wish people would see it for what it is. It's an extension of slavery. Literally, police were made from slave catchers, prisons were made to round up the slaves...it never changed from that it just found better ways to disguise itself." Yet, the post-civil rights era requires that state-sanctioned racial control hide behind a false proscenium of policy that targets clothing, culture and neighborhood in a bid to appear race-neutral. This particular feature of the criminal justice system has consequences for how whites and Latinos are targeted, and thus the narratives by which they are politicized. I devote the remainder of this volume to an

exploration of the differing impacts of criminal justice contact among whites, Blacks and Latinos, and the role of race in shaping a sense of systemic injustice.

Chapter 4

Carceral Innovation:

Race, Class and Narratives of Injustice

4.1 Introduction

"Before that, I blamed myself, 'awe you were stupid, you got caught. You were with those other people and they got caught...' but I'm on the bus going to work, and here they come with that crap..." Charlie, now in his mid-40's, recounts a story from his youth where an involuntary run-in with the police changed his perspective about politics and criminal justice. At 17 he was on the bus heading to the job he dropped out of high school to take when the police boarded at a stop. Charlie reports that he was one of five black riders, all of whom the police singled out for questioning. As he exited the bus at their request Charlie says, "one officer, I read his badge number…and he sees me doing it and he says, 'you know we can just put a third eye in your forehead if you want to keep staring.'"

Charlie, whose interactions with the police until that point were for small, typical teenage mischief not resulting in any serious ramifications, describes this as the first moment his relationship with the criminal justice system changed. He went from thinking of it as fair, where his interactions with the system were usually due to his own poor choices, to thinking of himself as marked by the law because of his skin color. His sense that the system and law enforcement officers treated him differently due to his blackness only increased when very shortly after the bus

incident the officers responsible for beating Rodney King were acquitted. About this he says, "I was like everybody else, I was like are you insane? What do you mean you are acquitting them…after I learned all that I was done. Done! After that we formed the first Cop Watch [in Seattle] since the days of the Black Panther Party."

Like Charlie, Jared is in his late 30's with little formal education, having dropped out of high school to work, only later completing his GED. He agreed to be interviewed over dinner upon the conclusion of a 12-hour shift at a plant in Portland, Oregon. Jared's introduction to the criminal justice system came via his girlfriend who was picked up for driving with a suspended license. Her case lead to brief time spent in jail, fines, and probation. As a mother of three Jared describes the burdens placed on her as onerous. Her ability to look after her children, go to work, pay legal financial obligations and to abide by the other terms of her probation were disruptive to her family and broader community on whom she increasingly depended.

Jared's proximal experiences are rote, routine descriptions of the type of contact many individuals have with the system. Yet even this low intensity experience changed the way he thinks about criminal justice, where he comments that, "the negative impact associated with getting in the system is not something that just impacts the one person. It reaches far. It impacts the entire community around them...there is no one, not a soul, who benefited from her experiences, except the people who make a living from the system." Jared goes on to reflect his proximal contact through the lens of class, saying that "She is destitute...the reason that she got into the system is because she is broke. She got a public defender. Had she been a wealthy person, it wouldn't have resulted in anything...because she is a broke single mom living in public housing she didn't have any choice but to go along for the ride." Jared's ideas towards politics have become increasingly radicalized since his proximal experience where he sees the criminal

justice system as one expression of class-based oppression in the U.S. As a result he became active in organizing the workers in the plant where he is employed.

Charlie and Jared both have fairly low-level contact with the criminal justice system. Charlie's experience is personal and low intensity, where he suffered the indignity of being targeted by the police on the basis of race, but he has not experienced long-term incarceration and he does not contend with low evaluations of his own ability to participate politically or the stigma of a criminal record. Instead, being targeted by the police on the basis of race catalyzed political action. Jared is of similar age and socioeconomic status, but as a white person his experiences with the system are fundamentally different. His sense of injustice around the system is derived from watching a loved one struggle with the collateral consequences of personal contact and a class-based identity.

I argue that individuals are mobilized by interactions with the system when they externalize those experiences through group-based narratives (Parker 2009, Walton 1994, Dawson 1994, Ardery 1994, Miller et al. 1981). I further argue interactions with the system potentially mobilize both Blacks and whites, but race will structure the nature of those interactions and the paths by which individuals arrive at a sense of injustice. For example, Charlie's politicizing narrative is race-based, rooted in his identity as a Black man. Likewise, Sam lives in New York City, and though he has never been arrested, he has friends who have personal contact. He also lives in a neighborhood that he describes as saturated by police presence. He describes the police as disrupting even family gatherings and block parties, saying "we're subjects and we're just being like, just watched over…there is no freedom to do what you please." In explaining why he thought the police acted the way they did towards him, his friends, and his community, he answered:

> The criminal justice system is an institution that is keeping African Americans, well minorities as a whole…as second-class citizens; we're not being treated as if we are citizens in this country. We are penalized to the fullest extent in any scenario...there are laws that cater to African Americans, that specifically target them...why is it that one race is being penalized entirely more harshly than the other?

Charlie and Sam explain experiences with the system through the narrative of what Michelle Alexander has dubbed the *New Jim Crow*. The narrative of the *New Jim Crow* situates the criminal justice system as the successor of previous iterations of racial control, and sees the perpetuation of racial hierarchy as the chief goal of the carceral state.

The narrative of the *New Jim Crow* sees race as both the causal mechanism leading to the passage of increasingly punitive policy, and the perpetuation of white supremacy as the key consequence of such policies. Yet, Alexander notes that in the post-civil rights era the criminal justice system achieves this task by implicit means, hiding racial motivations within the folds of law-and-order rhetoric. If the American carceral state can be viewed as an evolution of previous iterations of racial control, then it is not only important to understand its parallels to slavery and Jim Crow. It is equally important to take account of points of departure and the innovative means by which it achieves similar ends. In a color-blind era, the criminal justice system achieves racially disparate outcomes beneath the veneer of facially neutral policy.

The policy façade of race neutrality supports an alternative narrative around the causes and consequences of racial inequality. The narrative of the *New Jim Crow* centralizes racial conflict, where explicit racism is the intent behind implicitly racist policies. The alternative narrative supported by facially neutral policies decentralizes racial conflict. Instead, the criminal justice system is either instrumental to justice, and unfairness atypical, or racial inequality is secondary to injustice, a byproduct of poverty, for-profit prisons, and inadequate social services. The forthcoming analysis reveals that when whites view the criminal justice system as unjust,

they do so through the frame of poverty and economic inequality. Jared's narrative exemplifies the centralization of class, where his politicization is rooted in his identity as a workingman.

The goal of this chapter is to demonstrate the divergent narratives by which whites and Blacks arrive at a sense injustice around the criminal justice system. I argue that whites arrive at a sense of injustice through the singular lens of class, where Blacks centralize race. Regardless, when Blacks and whites are able to externalize their experiences through a sense if systemic injustice they leverage that sense of injustice into political mobilization. In order to accomplish this task I briefly outline the means by which Blacks and poor whites are targeted by criminal justice policy. I then discuss the implications for divergent experiences with the criminal justice system on attitudes towards crime, police, and racially disparate criminal justice outcomes, and I outline the role of Black group consciousness and class-consciousness in generating political behavioral outcomes.

Throughout the chapter I draw on two data sources to demonstrate the impact of contact with the system on political attitudes, the Harvard-Kaiser Foundation African American Men's Survey (AAMS 2006) and the WCPS.[37] The AAMS presents an important opportunity to explore the impact of contact among Blacks for several reasons. Unlike all other surveys analyzed for this project it includes a large oversample of Blacks and in particular young, Black men. Young, Black men are more significantly impacted by the criminal justice system than any other segment of the population. At the same time (and for related reasons) they are hard to reach via random digit dial telephone sampling techniques. The inclusion of a robust sample of Blacks is an important validity check for the findings derived from other data sources.

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[37] The AAMS was fielded between March and April of 2006 by the Henry J. Kaiser Foundation in conjunction with Harvard University and the Washington Post. It is a nationally representative sample with 2,864 respondents, 1,935 of whom are Black. It is a random digit dial telephone survey, and has a margin of error of 3.83 for all respondents and 2.75 for African Americans. Further details of the survey can be found in Appendix B.

Scholars further use findings from the AAMS to support the argument that "a linked fate derived from criminal justice experiences is distinctly less politicized than a linked fate derived from Jim Crow racism…a custodial linked fate is not the building block of greater activism…instead it is demobilizing," (Lerman and Weaver 2014a, 197). This research primarily focuses on incarceration, where I centralize low intensity personal contact and proximal contact. If I find support for the claim that lower intensity contact has the possibility to politicize using this dataset I will consider this strong support for my theory. The AAMS has several limitations not the least of which is that registered to vote is the only measure of political participation included in the survey. Findings from the AAMS are therefore used to compliment those derived from the WCPS, where I explore the impact of contact and injustice on non-electoral participation among whites and Blacks.

4.2 Targeting Minorities Through Preemptive Policing

The April 2016 issue of *Harper's Magazine* featured a report by Dan Baum on the War on Drugs and how to win it. The report was an in-depth analysis of the failings of the War on Drugs, and an extended plea to end prohibition. However, an incendiary interview with a top Nixon aid offering primary evidence for what scholars have long argued grabbed headlines:

> The Nixon campaign in 1968, and the Nixon White House after that, had two enemies: the antiwar left and black people. You understand what I'm saying? We knew we couldn't make it illegal to be either against the war or blacks, but by getting the public to associate the hippies with marijuana and blacks with heroin, and then criminalizing both heavily, we could disrupt those communities. We could arrest their leaders, raid their homes, break up their meetings, and vilify them night after night on the evening news. Did we know we were lying about the drugs? Of course we did (Baum 2016).

Policies in pursuit of the War on Drugs effectively reconstruct constitutional protections designed to limit police such that "some commentators charge that a virtual 'drug exception' now exists in the Bill of Rights" (Alexander 2010, 60). The Supreme Court carved out this so-called drug

exception largely through an erosion of fourth amendment protections against unlawful search and seizure (Alexander 2010, Carbado 2002). From *Terry v. Ohio,* which legitimized street searches with minimal evidence, to *Florida v. Bostick,* which legalized police seizure through tacit consent, the Court has consistently supported police tactics in the War on Drugs. In sum, "these new legal rules have ensured that anyone, virtually anywhere, for any reason, can become a target of drug-law enforcement activity" (Alexander 2010, 62).

While the War on Drugs purports to pursue the highest-level drug offenders, *Broken Windows* theories of crime and preemptive policing tactics routinize police contact with citizens, providing the mechanism by which police target minority communities and the poor. *Broken Windows* policing is predicated on the idea that physical signs of disorder correlate with high criminal activity, positing that increased police presence in such communities will increase citizen safety. Police tactics like stop-and-frisk endeavoring to preempt crime derive from this philosophy, and are legally inscribed through Supreme Court decisions supportive of the War on Drugs (Skogan 2006, Fagan and Davies 2000, Peak and Barthe 2009, Travis and Lawrence 2002, Jannetta, Breaux, Ho, and Porter 2014, Muñez 2015).

Because preemptive policing tactics require that police intervene before a crime has been committed, police departments rely on data collection and analysis to determine where and how to deploy officers. An example of data-driven policing in action is the increased use of CompStat. CompStat is a systematic method of tracking crime through GIS software, but is described by LAPD Detective Jeff Godown in Police Chief Magazine as "a state of mind," writing that "The CompStat process is not a single state-of-the-art computer equipped with a special software program. In general terms, the CompStat process is a method of management accountability and a philosophy of crime control" (Godown 2009). The CompStat philosophy of crime control requires police departments meet benchmarks for improvements, including decreased violent

crime and increased street seizures of weapons (Godown 2009).

Preemptive policing tactics together with programs like CompStat tie police deployment to geographic neighborhoods, and rely on racially coded physical markers of criminality. A report by the New York City Bar Association on the New York Police Department's use of stop-and-frisk note that official justifications for a street stop consist of "check boxes concerning the basis for the officer's stop," where options included such vague motivation as *fits description, furtive movements,* and *wearing clothes/disguises commonly used in commission of crime (*New York City Bar Association 2013). Both Mayor Michael Bloomberg and Police Commissioner Raymond Kelly defend stop-and-frisk with the claim that most crimes are committed in predominately in Black and Latino neighborhoods, against Blacks and Latinos by other Blacks and Latinos (Bloomberg 2013, Kelly 2012). In an op-ed for the New York Daily News, Kelly writes: "The statistics reinforce what crime numbers have shown for decades: that blacks in this city were disproportionately the victims of violent crime, followed by Hispanics. Their assailants were disproportionally black and Hispanic too" (Kelly 2012). For city and police officials facially neutral policies render their implementation racially innocuous, even as police target Blacks and Latinos on the basis of where they live and how they dress.

Facially neutral policing tactics do not generate racially disparate criminal justice outcomes merely by the oversaturation of minority neighborhoods. Rather, preemptive policing tactics actively protect wealthy white communities from neighboring working class, nonwhite ones perceived as threatening. For example, policy experts in Los Angeles devised gang injunctions to track gang activity, but the first injunction implemented was not in LA's most dangerous communities with the highest rates of crime (Muñez 2015). Instead, it was issued against a Black neighborhood in West Los Angeles that is surrounded by wealthier, white communities (Muñez 2015). About the injunction Ana Muñez writes, "Cadillac-Corning

garnered attention after several white drug patrons were robbed and one was murdered…police and city prosecutors were concerned with a Black gang running a drug business in close proximity to affluent white neighborhoods" (2014, 227). Muñez explains that often neighborhoods targeted for injunctions border gentrifying communities, where an influx of white wealth compels police to increasingly monitor the movements of adjacent minorities.

Gang injunctions are court orders restricting the behavior of gang members, but because they focus on territorially based gangs, they cover geographic spaces. Injunctions reduce the burden of reasonable suspicion required for street stops, enhance sentencing, and criminalize everyday behaviors like lingering in public, standing in groups, and riding a bike. One is enjoined when listed as a known gang member in police databases. One can be listed in a gang database on basis of clothing, hairstyle, the type of car you drive, and being seen with someone else listed in the database (Muñez 2015). Like stop-and-frisk, gang injunctions derive their tactical logic directly from *Broken Windows* theories of crime. Preemptive policing tactics do not merely privilege whites by virtue of failing to target the geographic spaces in which they live. As exemplified by gang injunctions, whites are explicitly privileged insofar as such policies are calibrated to protect their geographic spaces from non-white criminality.

4.3 Framing Injustice in Black and White

Differing experiences with the criminal justice system between Blacks and whites translate into perceptions of system fairness and in assessments of the role of race in criminal justice outcomes. Hurwitz and Peffley find that whites turn "a blind eye toward the prevalent discrimination faced by African Americans," where only 20 percent think the criminal justice system is biased against young Black men, compared to 50 percent of Blacks who think so (2010, 138). While personal, unfair experiences with the system decrease the extent to which whites view

the system as fair overall, these experiences have no impact on the belief that Blacks in particular are treated unfairly by the system (2010).

Evidence from the AAMS reflects divergent experiences with the system and differing evaluations of the sources of racialized outcomes held by Blacks and whites. While nearly 60 percent of whites in the sample had no contact with the criminal justice system, the same is true for only 27 percent of Blacks. The AAMS asked respondents whether or not they or a close friend or family member had ever been to prison or jail.[38] While more than half of Black respondents indicated they had proximal contact, only 28 percent of whites said the same, and nearly 50 percent of Blacks had spent time in jail or prison or been arrested. Comparatively, the same is true for only 21 percent of whites (Table 4.1).

Table 4.1: Percent of Respondents with Contact by Race, AAMS (2006)

	White	Black
No Contact	59	27
Proximal Contact	28	56
Personal Contact	21	44
Total N	932	1,736

Respondents were asked whether or not a series of items were a big reason, small reason, or not a reason that Black men are more likely to spend time in jail than are whites.[39] Items included in the battery ranged from the fact that Blacks are more likely to grow up in poverty

[38] Specifically, the survey asked the following: "Have you or any of your close friends or family members ever been in prison or jail, or not?" If the respondent said yes, they received the follow up question " Was that you or a friend or family member?" To measure whether or not one had been arrested, the survey separately asked: "Now I'd like to ask you if you have ever had the following experiences in your life..." Included in the battery of items were "been wrongfully arrested" and "been arrested." Individuals are coded as having proximal contact if they indicated it was a friend or family member who had spent time in prison. They are coded as having personal contact if they said yes they had been arrested, wrongfully or otherwise or if they indicated it was themselves who had spent time in jail. Personal contact is therefore a dichotomous variable, including those who had either been arrested or been to prison. I code the variable this way because it most closely matches the measurement used in the WCPS. Additional analysis not presented in this chapter distinguished between having spent time in prison and having been arrested. Generally speaking having been arrested and having spent time in prison have similar impacts on political attitudes and behaviors. I make note of instances where differences between having been arrested and having spent time in prison matter.

[39] Specifically, respondents were asked the following: "As you may know, young black men have a higher chance than most people of winding up in jail. For each please tell me whether you think it is big reason, a small reason, or not a reason why this is true…"

than are whites, to personal reasons like Blacks are less likely to think committing crimes is wrong, to systemic reasons like targeting by the courts. Table 4.2 displays the relationship between contact and the belief that each factor played a large role in generating the race gap in incarceration. Table 4.2 reveals key differences in the frames whites and Blacks use to make sense of experiences with the criminal justice system. All whites, regardless of contact, primarily understand racialized outcomes in terms of poverty. Nearly 60 percent of whites without contact cite poverty as a big reason for the race gap, and this increases to 66 percent among those with proximal contact. There is no other item in the battery that the majority of whites with any type of contact see as a big reason for the race gap. Proximal contact moves whites away from narratives that locate racialized outcomes in the failings of Blacks themselves. However, only personal contact increases the belief that system targeting is a big reason for the race gap.

Because the criminal justice system operates through racial codes interlaced with class whites are not inoculated against negative experiences with the criminal justice system. Marie Gottschalk notes that, "the U.S. incarceration rate of 400 per 100,000 for whites is about two-and-a-half to seven times the incarceration rates of other Western countries and Japan" (2014, 121). Gottschalk draws attention to "the brutal and degrading conditions in which many prisoners, regardless of their race or ethnicity, serve their time," raising the possibility that a sense of injustice developed from contact will mobilize whites (2014, 120). The findings from Table 4.2 suggest that whites will arrive at a sense of injustice through the lens of poverty. For example Jared, whose story opened this chapter, explains the role of race by saying:

> It has more to do with social class than with anything else…I think in terms of SES white people generally have it better off than African American people do, which does something to explain why the criminal justice system is weighted that way. It doesn't tell the whole story but that's part of it. You don't see patrol cars cruising around affluent neighborhoods. You don't. They cruise around where I live behind Wal-Mart in the ghetto.

Likewise, Irene advocates for prison reform in Washington State after having been incarcerated. Her narrative begins with addiction and ends with profit motive, giving further meaning to the finding that Whites centralize the role of profit and class:

> I think that warehousing is not an appropriate response to addiction problems...there's that big word reentry that's been thrown around everywhere, and the deal is that the people that are creating these ideas around this word, they have no idea what the struggles are and so things are not appropriately provided for a person to be self sufficient when they come out...in my opinion they do not want any of that to change because we are job security. And we generate billions of dollars in the United States when we recidivate.

Table 4.2: Factors Respondents think are a Big Reason Black Men are More Likely to Spend Time in Jail by Level of Contact, Among Whites and Blacks in the AAMS (2006)

	White		Black	
	Proximal[b]	Personal	Proximal	Personal
Economic[a]				
Grow up in poverty	+•	No Impact	+	+***
Fewer job opportunities	-**	No Impact	+•	+***
Personal/Cultural				
Do not see crime as wrong	-**	No Impact	No Impact	No Impact
Parents don't teach right from wrong	-**	No Impact	No Impact	No Impact
Systemic				
Schools fail them	No Impact	No Impact	+•	+***
Targeted by courts	No Impact	No Impact	+***	+***
Targeted by police	No Impact	+•	+***	+**
Total N	760	199	976	758

•p<.10; *p<0.05; **p<0.01; ***p<0.001; [a]Each item is coded dichotomously, where scoring 1 indicates the respondent thought the item was a big reason Black men are more likely to spend time in jail; [b]I tested the impact of personal and proximal contact compared to those with no contact on support for each using a logistic regression; therefore having had no contact is omitted from the table. Correlations reflect basic models without additional controls.

In contrast, among Blacks personal and proximal contact increase the belief that systemic reasons are at the center of racialized criminal justice outcomes. For example, 57 percent of those with no contact cite targeting by courts, and this increases to 69 and 71 percent of those with proximal and personal contact. However, Blacks with contact also cite poverty and lack of jobs as major components of racialized outcomes. About 60 percent of those without contact cite poverty, compared to 68 percent and 72 percent of those with proximal and personal contact

who say the same. This suggests Blacks employ a more complex frame that centralizes race while incorporating class. Tania is a Black woman in her early 20's active in campus protest activities and the Black Student Union. Her father was incarcerated when she was young. Her conclusion that he was caught up in an unjust system exemplifies a dual narrative of race and class:

> I started recognizing the economics of the system, realizing that you know, that's free labor -- people working for 30 cents an hour...why wouldn't you want to recruit, knowing how big of a business the prison system is, that's what really opened my eyes to it. I'm like, oh why not us? We were slaves before, you know, why not be slaves now? They're still making bank off of us.

Tania's comments situate the current era of mass incarceration as the successor of slavery. The connection between the carceral state and previous iterations of racial control is not merely analogous. Scholarship empirically excavates the political conversion of civil rights opposition into tough-on-crime rhetoric after the demise of Jim Crow (Weaver 2007, Murakawa 2014, Beckett 1997, Western 2006). Weaver argues that losers in the battle over civil rights reorganized their policy agenda around crime, vilifying race protesters and connecting urban uprisings to "popular perceptions of a steadily rising crime rate" (2007, 244).[40] The organization of political priorities around the threat of crime produced the passage of increasingly punitive policies.[41] The resulting penal web constitutes an enduring framework in American political development (Murakawa 2014, Weaver 2007, Gottschalk 2006). While law-and-order rhetoric and the policy structure supporting mass incarceration predate the 1960's, Weaver's account effectively fastens mass incarceration to Jim Crow in the historical trajectory of white supremacy (Murakawa 2014,

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[40]An example of the concerted effort by conservative politicians to connect racial protest to crime comes from Senator Robert Byrd of West Virginia in 1967. He argued that, "poverty neither provides a license for laziness nor for lawlessness. We can take the people out of the slums, but we cannot take the slums out of the people…all the housing and all the welfare programs conceivable, will not stop the riots or do away with the slums" (Weaver 2007, 248-249).

[41]An example of raced punitive policy passed during this era occurred under Nixon, who championed legislation that funneled federal money to local governments for increased crime control. Crucially, this funding was administered via block grant to the states instead of to cities because, "It was understood that if the money went to cities, agencies controlled by liberal Democrats and blacks in city government would administer it" (Weaver 2007, 255). In contrast, funneling it to the state ensured that it would be administered by conservative governors.

Gottschalk 2006). Alexander characterizes the move from Jim Crow to the web of facially neutral policies calcifying the second-class status of Blacks post-civil rights as "an adaptation to the needs and demands of the current political climate" (57, 2010).

The empirical connection between the American carceral state and slavery is important for the current project. A preponderance of research on Black politics demonstrates the mobilizing power of the shared experience of racial oppression for Black Americans (Barker and McCorry 1976, Walton 1994, Dawson 1994, Nelson and Merranto 1997, Walton and Orr 2005, Parker 2009, Philpot, Shaw and McGowen 2009). Black group consciousness derived from the recognition that Blacks have been historically marginalized provides a means by which to externalize negative experiences with policy (Dawson 1994). Recall Charlie, whose experience with the officers on the bus opened the chapter. He transitioned from self-blame to externalizing his criminal justice experiences through the realization his experiences were raced. He explains his politicization by saying, "You have to go through it…by being threatened by the police; threatened by Neo-Nazis and being called the N word repeatedly throughout my life from the time I was in the third grade."

Explaining the importance of participation as a group and in the interest of the group Walton writes that both are "key to Black liberation" and "an instrument of psychological, social and political salvation" (1994, 5). Dawson further identifies the concept of black linked fate, specifying the mechanism by which group consciousness mobilizes people to action (1994). Blacks are mobilized when they both believe their well being is tied to that of the group, and they believe they can achieve change by joining together with group members to engage in collective action to forward their agenda. Evidence from the AAMS suggests that personal and proximal

contact increase a sense of Black linked fate.[42] Among Blacks with no contact, 42 percent had a sense of linked fate. Those with linked fate increased to 56 percent among those with proximal contact and 58 percent among those with personal contact. When controlling for relevant covariates, such as education and socioeconomic status, criminal justice experiences systematically increases feelings of linked fate across all levels of contact for Blacks (Table 4.3).[43] Surprisingly, among whites personal contact also increases the extent to which individuals say that what happens to Black men in this country will have something to do with their own lives. Rather than Black group consciousness, this perhaps indicates a sense of racial empathy or group solidarity with Blacks for whites with personal contact. However, theoretically it should not be expected to have the same impact on participation that it does for Blacks.

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[42] The AAMS asked the following question used to measure Black linked fate: "Do you think that what happens generally to black men in this country will have something to do with what happens in your OWN life, or not?" The variable is coded dichotomously, where one indicates that the respondent said yes.

[43]The fully specified models include controls for gender (coded female), age, education, income, church attendance and party identification. Age is coded such that dummy variables control for the very old and the very young, as compared to the middle aged. I control for income using dummy variables for income brackets, and I include a dummy variable for missing income. I do this so that I can preserve respondents who fail to report their income, since nearly 13 percent of the sample declined to answer the question. Church attendance reflects the frequency with which respondents attend church, where the highest value reflects attending church more than once a week. Lastly, I include dummy variables to control for identifying as a republican and an independent as compared to identifying as a democrat. Income, education and church attendance are all expected to impact a sense of Black linked fate, where higher education is associated with higher Black group consciousness, lower income is associated with lower race consciousness (and higher class consciousness), and church attendance might be expected to increase linked fate for Blacks, given the historical role of the church in empowering the Black community. Gender and age are included insofar as they are expected to impact the key independent variables, contact with the criminal justice system. Lastly, party identity is included as a proxy for political ideology, which may also impact the way one understands the criminal justice system. In modeling Black linked fate, one may also wish to include a control for perceived discrimination and political efficacy or interest, where each variable is expected to increase a sense of linked date. The AAMS included a question on experiences with discrimination, but only asked it of Black respondents. When included in the models, it does diminish the impact of personal and proximal contact on feelings of Black linked fate, itself a very strong predictor of holding a sense of linked fate. However, these variables are closely related, where both personal and proximal contact increase experiences with discrimination. When included in models of voter registration discrimination has no effect on the impact of Black linked date, or personal or proximal contact on whether or not one is registered to vote. It is therefore omitted from the analysis. Likewise, the survey did not include measures of political efficacy or interest.

Table 4.3: The Impact of Criminal Justice Contact on a Sense of Linked Fate with Black Men, Among Whites and Blacks in the AAMS (2006)[a]

	White and Black	White	Black
Personal Contact	0.369*** (0.088)	0.486** (0.172)	0.319** (0.103)
Proximal Contact	0.213* (0.085)	0.164 (0.163)	0.235* (0.101)
Female	-0.076 (0.082)	0.120 (0.145)	-0.152 (0.100)
Age: 18-34	0.095 (0.098)	-0.122 (0.211)	0.168 (0.113)
Age: 65+	-0.558*** (0.118)	-0.996*** (0.200)	-0.316* (0.150)
Education	0.075** (0.028)	0.147** (0.052)	0.045 (0.034)
20k-40k	-0.072 (0.114)	-0.267 (0.226)	-0.007 (0.133)
40k-75k	-0.121 (0.132)	-0.484. (0.254)	0.016 (0.158)
75k-100k	-0.096 (0.157)	-0.385 (0.279)	0.028 (0.195)
100k+	0.030 (0.164)	-0.246 (0.266)	0.101 (0.225)
Missing Income	-0.190 (0.146)	-0.144 (0.267)	-0.294. (0.177)
Church Attendance	-0.008 (0.027)	0.023 (0.044)	-0.029 (0.034)
Republican	-0.290* (0.132)	-0.234 (0.181)	-0.368. (0.210)
Independent	-0.076 (0.103)	-0.091 (0.170)	-0.067 (0.132)
Black	0.546*** (0.101)		
Constant	-0.811*** (0.204)	-1.115** (0.353)	-0.111 (0.240)
Total N	2,630	929	1,701
Log Likelihood	-1,730.85	-568.829	-1,153.53

Standard errors in parentheses; .p<.10; *p<0.05; **p<0.01; ***p<0.001; [a]Linked fate is a dichotomous variable and is therefore modeled using logistic regression.

Figure 4.1 displays the predicted probability of linked fate by level of contact among whites and Blacks. Among whites, only personal contact increases the predicted probability of saying that what happens to Black men in this country will have something to do with your life from .3 among those with no contact to .55 among those with personal contact. Among Blacks, all levels of contact statistically increase your likelihood of having a sense of linked fate. Those with no contact have a predicted probability of .45 of having linked fate. The predicted probability increases to .55 for those with proximal contact, and .57 for those with personal contact.[44] Black linked fate is associated with externalizing narratives indicative of low trust in government, strong internal efficacy, and the belief that collective action can lead to change. As

[44]Additional analysis examining differences between being arrested and having spent time in prison suggests that having been arrested has about the same impact on holding a sense of Black linked fate as does proximal contact, where having spent time in jail increases a sense of linked fate even dramatically, where Blacks who have spent time in prison have a .62 probability of having linked fate.

such it is likely to increase political participation.[45]

Findings from the AAMS that personal and proximal contact increase feelings of Black linked fate are encouraging for the theory of a sense of systemic injustice. They demonstrate that contact with the criminal justice system is often externalized as a sense of Black group consciousness. The AAMS is limited in its ability to speak to the extent to which whites also externalize their experiences. Black linked fate is a Black specific measure of group consciousness, and I have argued that whites will externalize their experiences through class-based narratives. I therefore turn to the WCPS to explore the relationship between race and externalizing narratives, drawing on the injustice index developed in Chapter 3. In Chapter 3 I demonstrated that levels of contact increase a sense of injustice among the total sample, including whites, Blacks and Latinos. Here, I explore the relationship between contact and injustice among racial subgroups. While Black linked fate is perhaps the ideal operationalization of externalizing narratives accessed by Blacks, I anticipate that as an alternative means of measuring a sense of injustice the injustice index has the possibility of capturing the impact of contact on injustice among both whites and Blacks.

[45] The analysis presented here does not represent an exact replication of Lerman and Weaver's 2014 analysis. There are two key differences. The first is in how they coded levels of contact, where individuals are coded to the highest level of contact they have. I code the data such that individuals can be counted as both having proximal and personal contact. Second, they include additional controls for whether the respondent is married, own their home, have served in the military, were born in a foreign country, and employment status. I code the data and include the controls I include in order to be consistent with the analysis of the WCPS. However, when I analyze the data as Lerman and Weaver do the positive impact of contact on Black linked fate holds for both those who have spent time in prison and who have proximal contact.

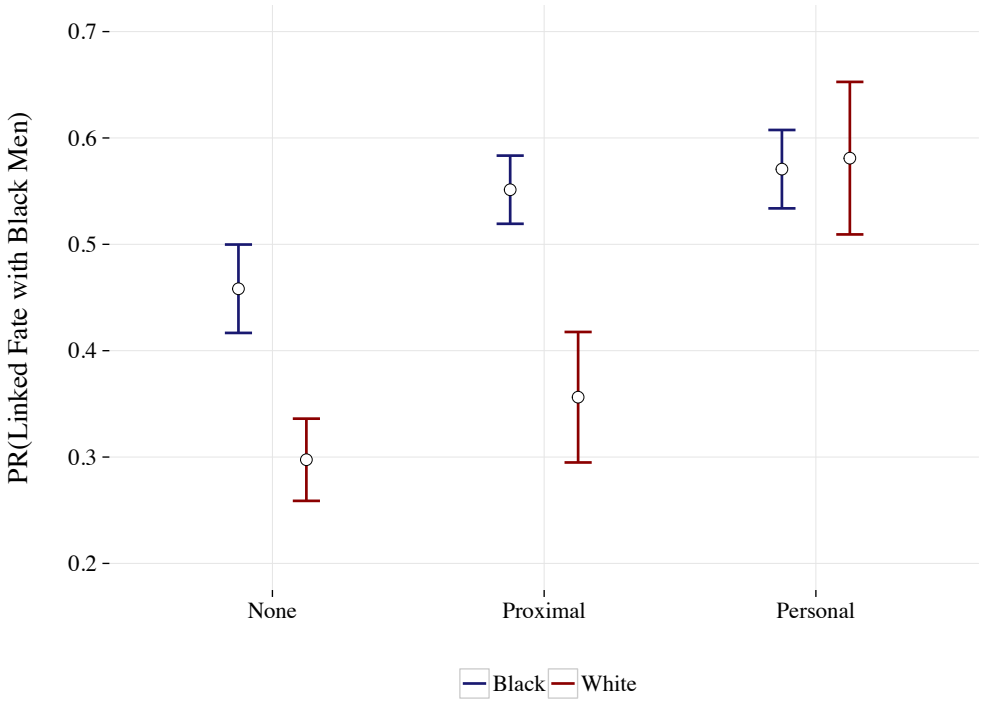

Figure 4.1: The impact of contact on linked fate with Black men, among whites and Blacks in the AAMS. Source: African American Men's Survey (2006).

Blacks in the WCPS are much more likely to hold a sense of systemic injustice around the criminal justice system than are whites. The mean score on the injustice index among all whites is 1.9, with a standard deviation of 2.2. Comparatively, the mean score on the injustice index among all Blacks is 4.3, slightly higher than one standard deviation above the white mean. Contact with the criminal justice system exacerbates the differences among whites and Blacks. Among whites only personal contact impacts a sense of injustice, increasing injustice about one point on the scale, were proximal contact has no impact (Table 4.4, Figure 2). In contrast both personal and proximal contact are statically associated with an increased sense of injustice among Blacks (Table 4.4). Proximal contact increases a sense of injustice by about 1.2 points on the index, and personal contact increases it by about 1.5 points on the index (Figure 4.2). This trend mimics the impact of contact on a sense of Black linked fate found in the AAMS.

Table 4.4: The Impact of Contact on a Sense of Injustice, Among Whites and Blacks in the WCPS (2013)

	White and Black	White	Black
Personal Contact	0.329*** (0.067)	0.463*** (0.103)	0.231* (0.091)
Proximal Contact	0.170** (0.062)	0.061 (0.087)	0.258** (0.092)
Efficacy Index	-0.056*** (0.014)	-0.087*** (0.020)	-0.043* (0.019)
Female	-0.102. (0.060)	-0.145. (0.086)	-0.068 (0.086)
Age: 18-34	0.356*** (0.068)	0.549*** (0.107)	0.234* (0.092)
Age: 65+	-0.250** (0.080)	-0.406*** (0.105)	0.057 (0.127)
Education	-0.005 (0.039)	0.074 (0.055)	-0.071 (0.060)
20k-40k	-0.126 (0.099)	-0.123 (0.178)	-0.153 (0.125)
40k-60k	0.030 (0.096)	-0.098 (0.163)	0.024 (0.132)
60k-80k	-0.033 (0.111)	-0.186 (0.196)	0.074 (0.141)
80k-100k	-0.142 (0.124)	-0.311 (0.197)	-0.088 (0.172)
100k+	-0.244* (0.119)	-0.360. (0.188)	-0.134 (0.165)
Missing Income	-0.208. (0.115)	-0.234 (0.182)	-0.387* (0.173)
Political Knowledge	-0.016 (0.028)	-0.030 (0.038)	0.005 (0.044)
Church Attendance	-0.049 (0.061)	-0.281** (0.095)	0.097 (0.086)
Republican	-0.218* (0.097)	-0.173 (0.110)	-0.388 (0.260)
Independent	-0.022 (0.070)	-0.168. (0.096)	0.163 (0.105)
Black	0.541*** (0.066)		
Constant	0.997*** (0.153)	1.093*** (0.241)	1.545*** (0.195)
Observations	479	320	159
Log Likelihood	-983.797	-608.78	-349.128

Standard errors in parentheses; .p<.10; *p<0.05; **p<0.01; ***p<0.001

Figure 4.2 highlights the gulf between Black and white experiences with the system. Blacks both have much higher rates of personal and proximal contact than their white counterparts, and contact is also more likely to be accompanied by evaluations of the injustice of the system. For Blacks, racial analyses inflected with class characterize the path by which they arrive at a sense of injustice. In contrast, whites struggle to connect their experiences to a larger sense that they were targeted on the basis of group affiliation. Sandy, a white student who was assaulted by police and whose story introduced Chapter 3, characterizes this struggle when she explains the injustice of the system by saying, "I realized its kind of just like any other institution in the way that there are other things behind it…they [legal actors] kind of have to play a game." This is reflected in the comparatively low rates at which even whites with personal contact express a sense of injustice around the system. When whites do arrive at a sense of injustice, they

do so through the singular lens of class, in contrast to Blacks who employ the dual lens of race and class.

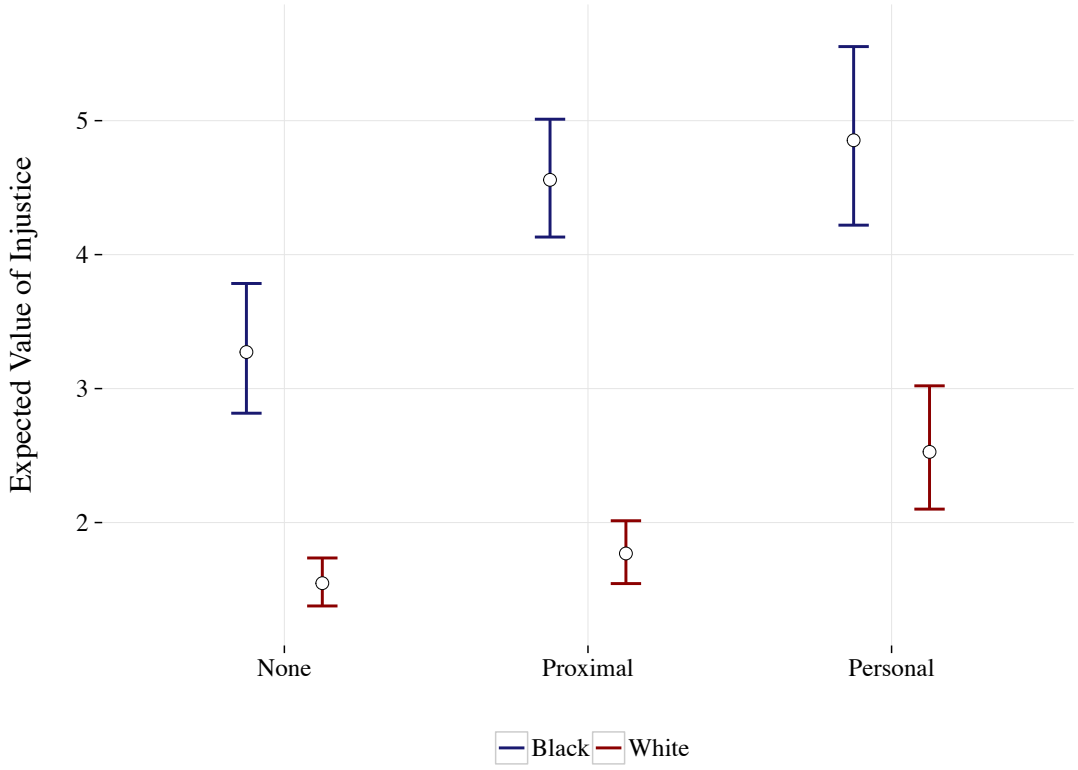

Figure 4.2: The impact of contact on a sense of injustice, among whites and Blacks in the WCPS. Source: Washington Crime and Politics Survey (2013).

4.4 Narratives of Injustice and Political Participation

I have argued that when individuals externalize their negative experiences with the criminal justice system as a sense of systemic injustice, they will be mobilized to participate. Whites are likely to externalize their experiences through class-based narratives, centralizing lack of social services and profit motives. In contrast, Blacks are likely to externalize their experiences through the narrative of the *New Jim Crow*. When Blacks externalize experiences with the criminal justice system through the lens race and class and they have a heightened sense of Black linked fate, they will be politically mobilized. Paige is a Black Lives Matter activist in Seattle, and

for her the recognition that the criminal justice system is a force for group-based oppression motivates participation rather than withdrawal and alienation. To explain this, she says:

> You have to fight for what you believe in. For me it's about the kids and the youth jail. Knowing that the odds are already stacked so much against youth of color, and knowing that passing this jail is already going to inhibit them so much more...what keeps me fighting is knowing that I myself am going to produce a generation of color, and what are they going to have? If no one is going to fight, the system is...going to continue to target people...I'm a woman of color, and I'm going to produce people of color one day.

4.4.1 Black Linked Fate and Voter Registration

I begin by exploring the role of contact and Black linked fate in mobilizing individuals using the AAMS. The AAMS includes only one measure of political participation, voter registration.[46] Voter registration is poorly suited to test the theory of sense of systemic injustice, first because I argue that mobilization will manifest in non-electoral participation and second because existing research demonstrates that contact leads to withdrawal from electoral politics. Yet, the AAMS is unique in that the sample of Black respondents exceeds 1,000, and the survey includes measures of Black linked fate and contact with the criminal justice system. Previous scholarship relies on findings from this dataset to argue that a sense of Black linked fate derived from contact will not mobilize individuals to action. Any support found that contact mobilizes via a sense of linked fate in this dataset therefore serves as an important validity check for my argument. Lastly, because registered to vote is such a poor measure of political participation any findings derived from the analysis should be considered conservative, and encouraging for a broader theory of the impact of experiences with the criminal justice system on participation.

Table 4.5 displays the impact of personal contact, proximal contact and linked fate on voter registration among whites and Blacks. All else equal a sense of Black linked fate is

[46] About 17 percent of the overall sample is unregistered. Among Blacks, 20 percent of the sample is unregistered, compared to only 12 percent of whites for whom the same is true.

statistically associated with increased likelihood of being registered to vote among Blacks. Contact with the criminal justice system only depresses voter registration among whites. Among Blacks, personal contact has no impact on voter registration, and proximal contact increases the likelihood of voter registration.[47] Previous research citing findings from the AAMS suggest that personal contact does not politicize, and they argue it leads to withdrawal from electoral politics (Lerman and Weaver 2014). In contrast, this analysis suggests that personal contact does not impact voter registration, and that proximal contact has the potential to increase participation.[48]

Table 4.5: The Impact of Criminal Justice Contact on Likelihood of Being Registered to Vote, Among Whites and Blacks in the AAMS (2006)[a]

	White and Black	White	Black
Personal Contact	-0.150 (0.122)	-0.485. (0.253)	-0.067 (0.139)
Proximal Contact	0.006 (0.119)	-0.689** (0.239)	0.242. (0.136)
Linked Fate	0.267* (0.117)	0.402 (0.251)	0.227. (0.134)
Female	0.172 (0.114)	-0.008 (0.229)	0.256. (0.134)
Age: 18-34	-0.664*** (0.126)	-0.346 (0.289)	-0.716*** (0.143)
Age: 65+	0.877*** (0.199)	0.714* (0.319)	0.983*** (0.263)
Education	0.240*** (0.041)	0.294*** (0.079)	0.213*** (0.049)
20k-40k	0.198 (0.151)	0.387 (0.314)	0.167 (0.175)
40k-75k	0.187 (0.181)	0.667. (0.387)	0.078 (0.207)
75k-100k	0.589* (0.246)	0.690 (0.434)	0.622* (0.305)
100k+	0.836** (0.301)	1.737** (0.579)	0.330 (0.358)
Missing Income	-0.151 (0.183)	-0.175 (0.355)	-0.171 (0.218)
Church Attendance	0.156*** (0.037)	0.209** (0.070)	0.137** (0.045)
Republican	0.388. (0.202)	0.125 (0.283)	0.699* (0.324)
Independent	0.148 (0.142)	0.422 (0.271)	0.001 (0.168)
Black	-0.080 (0.147)		
Constant	-0.095 (0.282)	-0.310 (0.511)	-0.129 (0.322)
Total N	2,630	929	1,701
Log Likelihood	-1,021.42	-274.135	-731.269

Standard errors in parentheses; .p<.10; *p<0.05; **p<0.01; ***p<0.001; [a]Voter registration is modeled using logistic regression.

[47] When distinguishing between having been arrested and having been to jail, having been to jail depresses voter registration among Blacks. Only when combined with having been arrested does it lose its impact on participation.
[48] I cannot know exactly the findings derived Lerman and Weaver's models, since they do not present findings on the impact of contact on voter registration from the AAMS. They only present findings on the impact of contact on linked fate. Replicating their models as closely as possible suggests that, controlling for other relevant factors, only having been to prison diminishes voter registration. Other types of contact have no impact on registration.

Insofar as contact increases a sense of Black linked fate it should be expected to politically mobilize. In order to explore these relationships further, I interact personal and proximal contact with Black linked fate, presented in Table 4.6 and Table 4.7. Table 4.6 indicates that among Blacks, when combined with sense of Black linked fate personal contact increases the likelihood of being registered to vote. However, personal contact absent a sense of linked fate depresses the likelihood of voter registration. The interaction between proximal contact and linked fate does not appear to have any impact (Table 4.7). Instead, proximal contact increases voter registration among Blacks indirectly, insofar as it increases a sense of linked fate, and also has impacts independent of linked fate, as reflected in Table 4.5.[49]

Table 4.6: The Impact of Personal Contact and Linked Fate on Likelihood of Being Registered to Vote, Among Whites and Blacks in the AAMS (2006)

	White and Black	White	Black
Personal Contact	-0.338* (0.163)	-0.462 (0.311)	-0.338. (0.196)
Personal*Linked Fate	0.396. (0.232)	-0.064 (0.523)	0.523. (0.269)
Linked Fate	0.091 (0.155)	0.424 (0.311)	-0.021 (0.185)
Proximal Contact	0.021 (0.120)	-0.691** (0.240)	0.265. (0.137)
Female	0.175 (0.114)	-0.007 (0.229)	0.262. (0.134)
Age: 18-34	-0.676*** (0.126)	-0.344 (0.289)	-0.733*** (0.144)
Age: 65+	0.869*** (0.199)	0.716* (0.319)	0.984*** (0.263)
Education	0.239*** (0.041)	0.294*** (0.079)	0.210*** (0.049)
20k-40k	0.206 (0.151)	0.387 (0.314)	0.179 (0.175)
40k-75k	0.200 (0.181)	0.667. (0.387)	0.105 (0.208)
75k-100k	0.617* (0.246)	0.689 (0.434)	0.674* (0.306)
100k+	0.851** (0.301)	1.737** (0.579)	0.355 (0.358)
Missing Income	-0.141 (0.183)	-0.177 (0.355)	-0.157 (0.219)
Church Attendance	0.154*** (0.037)	0.210** (0.071)	0.137** (0.045)
Republican	0.393. (0.202)	0.125 (0.283)	0.733* (0.326)
Independent	0.148 (0.142)	0.422 (0.271)	0.003 (0.168)
Black	-0.070 (0.147)		
Constant	-0.033 (0.285)	-0.319 (0.516)	-0.023 (0.328)
Observations	2,630	929	1,701
Log Likelihood	-1,019.97	-274.127	-729.375

Standard errors in parentheses; .p<.10; *p<0.05; **p<0.01; ***p<0.001

[49] Interestingly, when having been arrested and having spent time in jail are explored as independent measures, the mitigating impact of Black linked fate on the depressive effects of personal contact increases. That is, among Blacks all levels of contact, absent a sense of linked fate, depress the likelihood of being registered to vote. When combined with linked fate, however, contact has no impact on voter registration. These findings persist even after including additional controls used by Lerman and Weaver (2014).

Table 4.7: The Impact of Proximal Contact and Linked Fate on the Likelihood of Being Registered to Vote, Among Whites and Blacks in the AAMS (2006)

	White and Black	White	Black
Proximal Contact	-0.166 (0.159)	-0.776** (0.286)	0.100 (0.193)
Proximal*Linked Fate	0.378. (0.229)	0.277 (0.495)	0.281 (0.268)
Linked Fate	0.062 (0.169)	0.275 (0.335)	0.067 (0.203)
Personal Contact	-0.139 (0.122)	-0.479. (0.253)	-0.057 (0.139)
Female	0.170 (0.114)	-0.012 (0.229)	0.253. (0.134)
Age: 18-34	-0.664*** (0.126)	-0.347 (0.289)	-0.714*** (0.143)
Age: 65+	0.859*** (0.199)	0.701* (0.320)	0.978*** (0.263)
Education	0.237*** (0.041)	0.291*** (0.079)	0.211*** (0.049)
20k-40k	0.191 (0.151)	0.380 (0.315)	0.163 (0.175)
40k-75k	0.180 (0.181)	0.670. (0.388)	0.073 (0.207)
75k-100k	0.587* (0.246)	0.688 (0.434)	0.623* (0.305)
100k+	0.844** (0.302)	1.745** (0.579)	0.338 (0.358)
Missing Income	-0.155 (0.183)	-0.171 (0.355)	-0.177 (0.218)
Church Attendance	0.159*** (0.037)	0.210** (0.070)	0.140** (0.045)
Republican	0.386. (0.202)	0.130 (0.283)	0.692* (0.325)
Independent	0.150 (0.142)	0.422 (0.271)	0.004 (0.168)
Black	-0.081 (0.147)		
Constant	-0.009 (0.287)	-0.263 (0.518)	-0.060 (0.329)
Observations	2,630	929	1,701
Log Likelihood	-1,020.07	-273.978	-730.72

Standard errors in parentheses; .p<.10; *p<0.05; **p<0.01; ***p<0.001

Figure 4.3 displays the predicted probability of being registered to vote by level of contact for those with and without a sense of Black linked fate. This figure makes clear that generally speaking contact absent linked fate depresses voter registration, in keeping with previous research. Among Blacks, however, a sense of linked fate appears to mitigate the demobilizing impact of contact. This offers tentative support for the claim that less intense types of contact do have the potential to politicize, and this politicization developed out of experiences with the criminal justice system provide a catalyst to act.

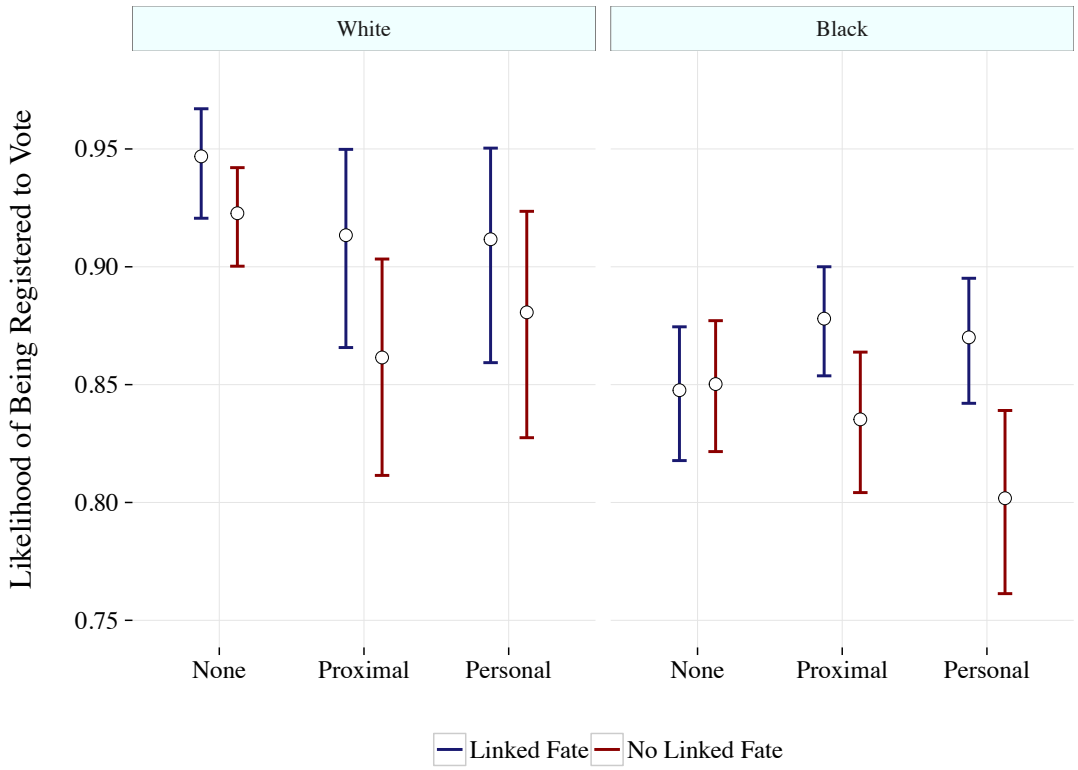

Figure 4.3: The impact of linked fate and contact on voter registration, among whites and Blacks in the AAMS. Source: African American Men's Survey (2006).

4.4.2 A Sense of Injustice and Non-Electoral Participation

I have argued that when individuals are politicized and mobilized by experiences with the criminal justice system it should manifest as non-electoral participation. I ground this argument in the protest literature together with research finding that contact degrades electoral participation. Above I have offered preliminary evidence a sense of Black linked fate can mitigate the demobilizing impacts of contact using voter registration as the dependent variable. Given that the existing literature argues that contact leads to withdrawal from electoral politics and the fact that voter registration is a blunt measure of participation, the findings presented above offer strong evidence for the theory of the mobilizing impact of a sense of systemic injustice.

The mobilizing effect of contact should be even stronger when looking at non-electoral participation. Phoebe and Melanie, two Black Lives Matter activists in Seattle, articulate the logic that mobilization should be expected to manifest in non-electoral participation. When asked about how they viewed voting, Phoebe says, "The people who are being targeted by the criminal justice system are not the ones who can vote…with that knowledge, voting is kind of for show almost." Melanie added, "…it's protesting, it's building relationships with council members, it's educating the community…you can't just vote to make change." I therefore turn to an exploration of the impact of contact and injustice on non-electoral participation among racial subgroups using the WCPS.

Among whites in the WCPS both proximal contact and a sense of injustice increase participation in non-electoral activities (Table 4.8). In contrast, injustice and personal contact independently increase participation among Blacks. This appears to be because the impact of a sense of injustice, personal contact and proximal contact are related. For example, among Blacks when injustice is removed from the model proximal contact becomes statistically significant, and likewise when proximal contact is removed from the model both injustice and personal contact gain statistical strength. The same is true for whites, although personal contact never gains statistical significance. Figure 4.4 displays the size of the independent effects of each variable on non-electoral participation. For both whites and Blacks injustice has the largest, positive impact on participation, increasing the expected value of non-electoral participation by about one point on the participation index.[50]

[50] Recall from Chapter 3 that the non-electoral participation index ranges from 0-8 and reflects whether or not respondents indicated they participated in a series of non-electoral activities, such as signing a petition and attending a protest. The scale has a mean of 2.6 and a standard deviation of 2.2.

Table 4.8: The Impact of Criminal Justice Contact on Non-Electoral Participation, Among Whites and Blacks in the WCPS (2013)

	White and Black	White	Black
Personal Contact	0.080 (0.076)	0.068 (0.103)	0.219. (0.120)
Proximal Contact	0.193** (0.061)	0.166* (0.074)	0.174 (0.118)
Injustice Index	0.049*** (0.013)	0.038* (0.017)	0.047* (0.023)
Efficacy Index	0.048*** (0.013)	0.065*** (0.016)	0.007 (0.022)
Female	0.054 (0.061)	0.044 (0.074)	0.087 (0.110)
Age: 18-34	0.169* (0.081)	0.085 (0.110)	0.269* (0.123)
Age: 65+	-0.028 (0.071)	-0.136. (0.082)	0.371* (0.152)
Education	0.030 (0.041)	0.040 (0.051)	0.033 (0.076)
20k-40k	0.052 (0.122)	0.199 (0.190)	-0.079 (0.170)
40k-60k	0.090 (0.116)	0.184 (0.177)	0.094 (0.178)
60k-80k	0.260* (0.126)	0.437* (0.190)	0.079 (0.188)
80k-100k	0.107 (0.132)	0.241 (0.192)	-0.027 (0.219)
100k+	0.396** (0.121)	0.456* (0.181)	0.476* (0.189)
Missing Income	0.209. (0.123)	0.381* (0.183)	-0.317 (0.220)
Political Knowledge	0.096*** (0.027)	0.083* (0.033)	0.087 (0.054)
Church Attendance	0.268*** (0.060)	0.195** (0.075)	0.439*** (0.107)
Republican	-0.189* (0.084)	-0.133 (0.091)	-0.353 (0.325)
Independent	-0.127. (0.069)	-0.085 (0.081)	-0.197 (0.144)
Black	-0.198** (0.073)		
Constant	0.112 (0.177)	0.008 (0.250)	-0.037 (0.282)
Observations	479	320	159
Log Likelihood	-973.304	-632.304	-327.272

Standard errors in parentheses; .p<.10; *p<0.05; **p<0.01; ***p<0.001

Within the context of the AAMS the relationship between Black linked fate, contact and participation clarified when linked fate was interacted with contact. This analysis revealed that absent Black linked fate contact demobilized, but linked fate mitigated this effect. I therefore interact personal and proximal contact with injustice in the WCPS. The results are displayed in Table 4.9 and Table 4.10. Table 4.9 indicates a muddled relationship between personal contact and injustice for both Blacks and whites, where only whites are mobilized by personal contact combined with a sense of injustice. In contrast, Table 4.10 suggests that both whites and Blacks are mobilized by the combination of a sense of injustice and proximal contact.

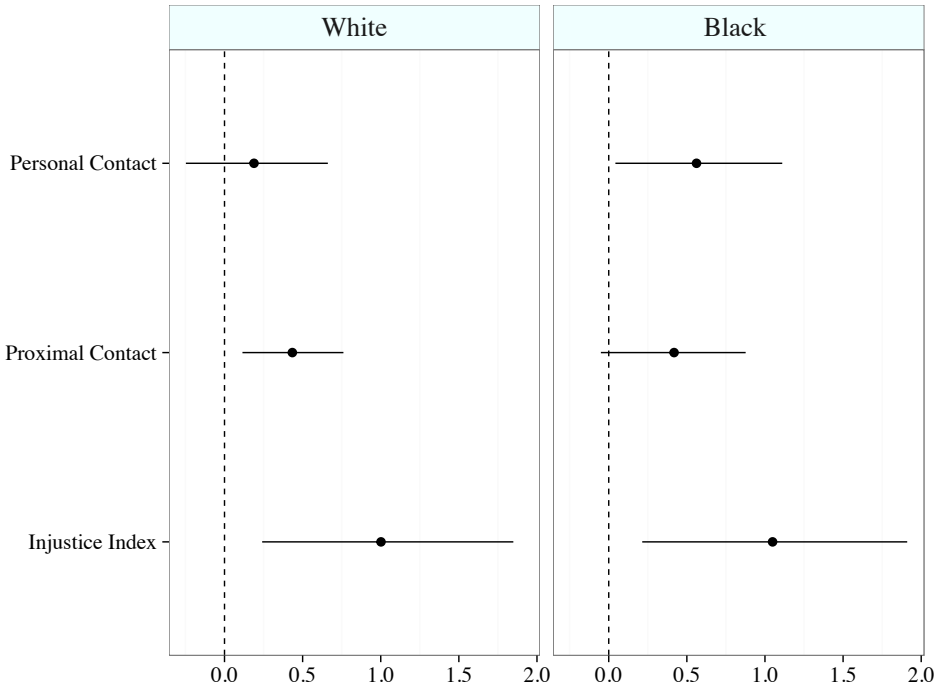

Figure 4.4: The impact of going from the minimum value of a given variable to its maximum value on non-electoral participation, among whites and Blacks in the WCPS. Source: Washington Crime and Politics Survey (2013).

The expected values of non-electoral participation by level of injustice among those with and without proximal contact are displayed in Figure 4.5. For whites without proximal contact, a sense of injustice has no impact on non-electoral participation, but when combined with contact it increases participation by about four items on the index. For Blacks injustice absent contact decreases participation slightly, but with contact it increases participation by about three items on the index. Figure 4.5 indicates that the size the impact of holding a very high sense of injustice on participation is greater for whites in the WCPS.

It is important to contextualize this finding, however. Blacks are both much more likely to have criminal justice contact and more likely to understand their experiences as a product of

systemic injustice than are their white counterparts. Likewise, they are more likely to be mobilized by contact than are whites. Whites with proximal contact have an expected score on the injustice index of only 1.7. Comparatively, the expected score on the injustice index for Blacks is 4.5. For whites with proximal contact, moving from zero to two on the injustice index increases one's expected non-electoral participation from 2.4 to 2.6. For similarly situated Blacks, on the other hand, moving from zero to five on the injustice index increases their expected participation from 1.9 to 2.3. Blacks are therefore more likely to have proximal contact than whites, the impact of proximal contact on a sense of injustice is larger for Blacks than for whites, and the size of the impact of injustice on participation for those with proximal contact is larger among Blacks than it is among white.

Table 4.9: The Impact of Personal Contact and a Sense of Injustice on Non-Electoral Participation, Among Whites and Blacks in the WCPS (2013)

	White and Black	White	Black
Personal Contact	-0.013 (0.127)	-0.111 (0.153)	0.250 (0.260)
Personal*Injustice	0.024 (0.026)	0.059. (0.036)	-0.006 (0.047)
Injustice Index	0.042** (0.016)	0.022 (0.020)	0.049. (0.028)
Proximal	0.194** (0.061)	0.169* (0.074)	0.174 (0.118)
Efficacy Index	0.048*** (0.013)	0.067*** (0.016)	0.007 (0.022)
Female	0.052 (0.061)	0.044 (0.074)	0.088 (0.110)
Age: 18-34	0.174* (0.081)	0.073 (0.110)	0.266* (0.126)
Age: 65+	-0.029 (0.071)	-0.147. (0.083)	0.368* (0.153)
Education	0.030 (0.041)	0.038 (0.051)	0.032 (0.077)
20k-40k	0.060 (0.122)	0.211 (0.191)	-0.081 (0.170)
40k-60k	0.091 (0.116)	0.177 (0.177)	0.092 (0.179)
60k-80k	0.266* (0.126)	0.454* (0.190)	0.077 (0.188)
80k-100k	0.111 (0.132)	0.243 (0.192)	-0.031 (0.220)
100k+	0.392** (0.121)	0.448* (0.181)	0.477* (0.189)
Missing Income	0.211. (0.123)	0.383* (0.183)	-0.315 (0.220)
Political Knowledge	0.097*** (0.027)	0.086** (0.033)	0.088 (0.054)
Church Attendance	0.267*** (0.060)	0.191* (0.075)	0.440*** (0.107)
Republican	-0.187* (0.084)	-0.124 (0.091)	-0.350 (0.326)
Independent	-0.130. (0.069)	-0.085 (0.081)	-0.195 (0.145)
Black	-0.196** (0.073)		
Constant	0.126 (0.178)	0.033 (0.250)	-0.042 (0.285)
Observations	479	320	159
Log Likelihood	-972.873	-630.947	-327.263

Standard errors in parentheses; .p<.10; *p<0.05; **p<0.01; ***p<0.001

Table 4.10: The Impact of Proximal Contact and a Sense of Injustice on Non-Electoral Participation, Among Whites and Blacks in the WCPS (2013)

	White and Black	White	Black
Proximal	-0.012 (0.088)	0.017 (0.098)	-0.196 (0.234)
Proximal*Injustice	0.078** (0.024)	0.076* (0.033)	0.090. (0.050)
Injustice Index	-0.001 (0.021)	-0.003 (0.025)	-0.019 (0.043)
Personal	0.053 (0.076)	0.040 (0.104)	0.196 (0.121)
Efficacy Index	0.046*** (0.013)	0.061*** (0.016)	0.008 (0.022)
Female	0.042 (0.061)	0.043 (0.074)	0.079 (0.109)
Age: 18-34	0.166* (0.080)	0.076 (0.110)	0.266* (0.123)
Age: 65+	-0.053 (0.072)	-0.144. (0.082)	0.343* (0.153)
Education	0.034 (0.042)	0.043 (0.051)	0.035 (0.077)
20k-40k	0.052 (0.122)	0.194 (0.190)	-0.103 (0.171)
40k-60k	0.095 (0.116)	0.176 (0.176)	0.075 (0.179)
60k-80k	0.269* (0.126)	0.437* (0.190)	0.091 (0.188)
80k-100k	0.122 (0.133)	0.255 (0.192)	-0.037 (0.219)
100k+	0.397** (0.121)	0.451* (0.180)	0.475* (0.188)
Missing Income	0.194 (0.124)	0.342. (0.183)	-0.330 (0.221)
Political Knowledge	0.092*** (0.027)	0.079* (0.033)	0.085 (0.054)
Church Attendance	0.260*** (0.060)	0.180* (0.076)	0.441*** (0.107)
Republican	-0.190* (0.084)	-0.133 (0.090)	-0.307 (0.326)
Independent	-0.146* (0.069)	-0.099 (0.082)	-0.244. (0.147)
Black	-0.213** (0.074)		
Constant	0.251 (0.182)	0.116 (0.254)	0.229 (0.316)
Observations	479	320	159
Log Likelihood	-967.94	-629.536	-325.625

Standard errors in parentheses; .p<.10; *p<0.05; **p<0.01; ***p<0.001

The findings derived from the WCPS corroborate those derived from the AAMS. Drawing on a much larger Black sample the AAMS suggests that when Blacks externalize their experiences with the criminal justice system through group consciousness they are mobilized to action. These findings are especially important, since they come from a dataset used by researchers to come to the opposite conclusion, that group consciousness developed out of criminal justice contact does not mobilize. Findings presented here suggest that this argument holds most strongly for those who have experienced long term incarceration. For those with less intense contact, criminal justice contact has the potential to politicize and mobilize. However the AAMS is limited insofar as it only include registered to vote. The WCPS lacks a precise measure

of Black group consciousness and includes only a very small sample of Blacks, but even given these limitations generated findings that when contact is combined with a sense if injustice mobilization extends to non-electoral participation. While Black linked fate is a Black specific mechanism, findings from the WCPS support the argument that whites are also mobilized by injustice. They are simply less likely to hold a sense of injustice, contact has a smaller impact on a sense of injustice, and they arrive at a sense of injustice via different narratives. The AAMS and in-depth interviews suggest that this narrative is class-based.

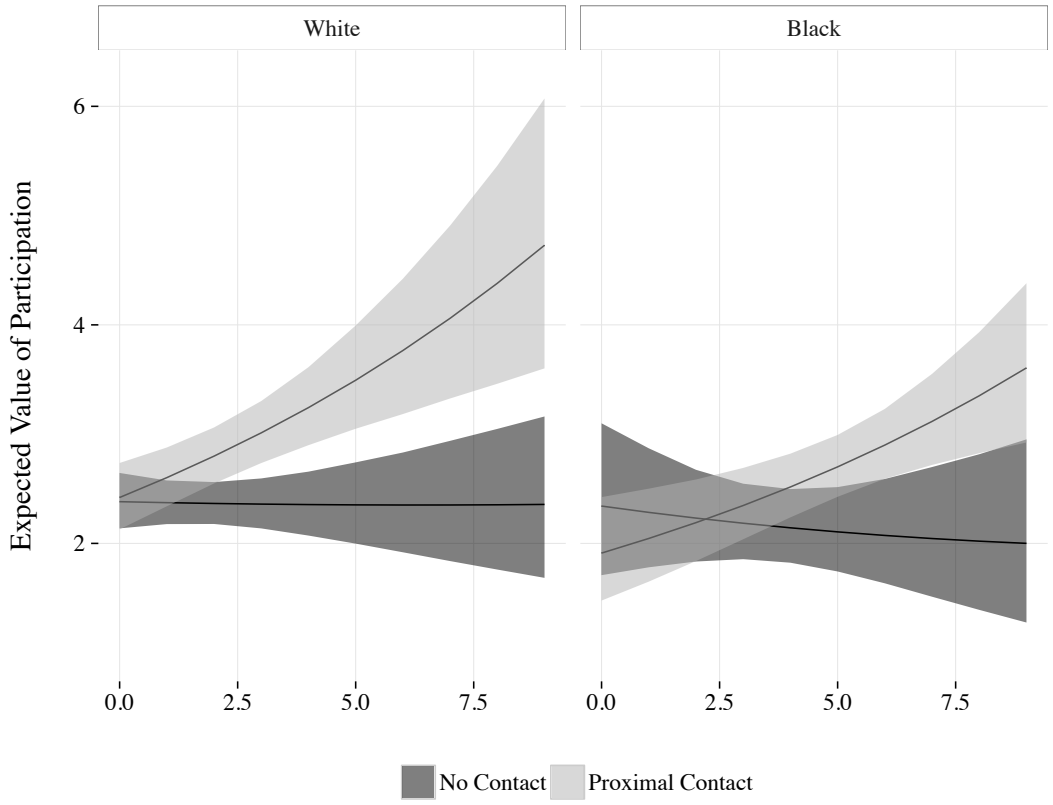

Figure 4.5: The impact of proximal contact and injustice on non-electoral participation, among whites and Blacks in the WCPS. Source: Washington Crime and Politics Survey (2013).

4.5 Conclusion

In this chapter I explored the differing paths by which Blacks and whites arrive at a sense of systemic injustice around the criminal justice system. Whites interpret negative experiences with the system largely through the singular lens of class, and they explain racialized criminal justice outcomes in terms of poverty. Blacks arrive at a sense of injustice through the more complex lens of class and race. The dual narrative of race and class situates the criminal justice system as the successor of slavery and Jim Crow, and as the chief institution perpetuating racial inequality in a color-blind era.

I developed this argument through first detailing the divergent realities of Blacks and whites with the criminal justice system, focusing on street level policing tactics that target minorities by endowing criminal codes with race and class markers. I then explored the extent to which these divergent realities manifest in interpretations of interactions with the police, and in evaluations of the sources of racial bias in the system. Leveraging the Black politics literature, I argue that when Blacks reflect their interactions with the system through race-based narratives they are likely to be mobilized.

Because the system operates in race neutral language, targeting individuals on the basis of physical markers that are racially coded and classed, whites are not immune to unfair experiences with the system. Among whites unfair experiences with the police diminish evaluations of system fairness. This suggests that whites that hold a sense of injustice around experiences with the criminal justice system will locate the source of injustice in class inequality. Evidence from interviews support this claim, where whites focused on lack of social services and the extent to which they see the system as motivated by profit. The Black politics literature focuses on a shared history of racial oppression, which facilitates system blame and political mobilization. While a corollary literature for whites is lacking and class consciousness is historically weak in the U.S.,

the mobilizing impact of contact facilitated by a group based narrative still promises to mobilize whites. Whites differ from their Black counterparts primarily in the extent to which they arrive at a systemic analysis of their experiences in the first place, and in the fact that when they do their analyses centralize economic inequality, seeing racial inequality as secondary to class.

Evidence from the AAMS and the WCPS offer support for this theory. The AAMS clearly shows that contact with the system increases a sense of Black linked fate. Black linked fate in turn mediates the demobilizing impact of contact, which decreases the likelihood of being registered to vote absent linked fate. In keeping with expectations, Black linked fate does not have the same impact on whites, suggesting that an alternative mechanism connects contact to increased participation. I leveraged the WCPS to extend these findings to non-electoral participation using an alternative measure of injustice. I developed the alternative measure of injustice, which is not Black specific, in Chapter 3. Both whites and Blacks with proximal contact were mobilized by a sense of injustice, though Blacks are more likely to have contact and to externalize contact as a sense of systemic injustice. Given the limitations of each dataset, the findings are encouraging for the claim that when contact is externalized through group based narratives it catalyzes political action.

Most importantly, this chapter has uncovered the narratives by which whites and Blacks process their interactions with the criminal justice system and leverage to externalize those experiences. Racial inequality is the most straightforward means of understanding the criminal justice as unjust. Yet Alexander's observation that the American carceral state is an adaptation of previous iterations of racial control requires us to examine the ways it diverges from explicit racial oppression to achieve the same ends. I use community policing as an entry point for this inquiry because it facilitates exploring the interplay between white and Black experiences. While whites are privileged by the system, facially neutral policies purporting to target criminal

behavior sweep whites up alongside Blacks. The analysis presented in this chapter invites whites to reevaluate their relationship to criminal justice as a system of oppression, recognizing both their privileged relationship to it and their stake in its outcomes.

The carceral state recreates the traditional dynamics of American racial hierarchy by privileging whites and disempowering Blacks. The efficiency with which it achieves these outcomes resides in neutral policies strategically deployed against deviant groups. In this respect it stands apart from and above previous iterations of racial control. In Chapter 5 I explore this dynamic further turning the focus to Latinos, and the frames they employ to arrive at a sense of systemic injustice.

Chapter 5

A New Target:

Latinos and Immigration Enforcement

5.1 Introduction

Gabby is a Latina in her mid-20s from a mixed-status family. While she is documented, her parents are not, nor are several of her seven siblings. While Gabby is not an activist, she considers herself politically engaged, advocating for native Spanish-speakers involved in the legal system. She sees her volunteer work guiding the low-income through their court cases as a process of empowerment. From her perspective, civic engagement through this avenue is done with political purpose. She arrived at this work through her own process of politicization, developed out of experiences with her family, immigration and local police, saying, "seeing how they struggle, and seeing my privilege makes me want to speak up for them. They are not in a position to speak for themselves."

Gabby often references her younger brother who is undocumented, has been in and out of juvenile detention, and is on probation. Gabby notes that her brother is a target for police, saying, "my little brother gets stopped at least once a week by the cops, just walking home," and she worries about what will happen to him once he turns 18. She offers an example of the types of tactics local law enforcement employ in her working-class, predominately Latino neighborhood:

> They raided my house by mistake about a month ago. In the middle of the night I was home, working on midterms, and I kept hearing helicopters and the light was coming in our room. I was like we should probably lock the window because this is kind of scary...20 minutes later I see lights. There is this police swat team -- they had masks and everything -- telling me to get out of my house. They were literally pointing a gun at me…I woke up my mom and woke up my brother...they handcuffed my brother, and I said he's a minor please leave him alone he's 17...they said tell your brother to stop smoking so much pot, he can't even talk. I was like it's the middle of the night, you just woke him up, he's groggy.

For Gabby, policing tactics that target her and her family because of the way they look and the neighborhood where they live, and the increased risk faced by her loved ones is clearly unjust. Moreover, as she talks through her experiences it is apparent that local policing tactics and immigration enforcement are inseparable, where routine contact with the police itself puts her brother at risk for the consequences of punitive immigration policy.[51]

The purpose of this chapter is twofold. The first goal is to bring an understanding of the criminalization of immigrants through punitive immigration policy into a larger discussion of the American carceral state. Local enforcement of federal immigration policy is a new frontier of the use of extensive surveillance and monitoring, key tools of the criminal justice system. These tactics are deployed to target undocumented immigrants with a criminal background, but like the consequences of these tactics on urban, poor minorities, they impact a much wider swath of individuals. Thus, the second goal of this chapter is to demonstrate the widespread impacts of punitive immigration policy on non-criminal, non-immigrant Latinos.

Members of the Latino community understand this targeting as systemically unjust, and they respond to this injustice by self-defensively mobilizing to change policy and reclaim their communities. The argument that a sense of systemic injustice mobilizes Latinos targeted by local

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[51]Details on the qualitative data collection effort that generated the interviews used in this chapter can be found in Appendix A.

law enforcement is grounded in the extensive group threat literature (Pantoja, Segura and Ramirez 2001, Pantoja and Segura 2003, Barreto et al. 2009, Ramirez 2013). I argue that for Latinos, punitive immigration policy that threatens deportation of undocumented loved ones manifests as street level interactions with local law enforcement. I thus adopt the group threat framework to questions around the political implications of criminal justice contact among the Latino population. A sense of systemic injustice as a catalyst to act in response to contact provides a narrative thread uniting experiences across racial and ethnic groups. Latino politics scholarship offers support for a sense of systemic injustice by establishing that Latinos respond politically to perceived group-based discrimination.

I accomplish these goals by first outlining the origins of collaborative programs that deputize local police to enforce immigration policy. I then identify the extant impacts of punitive immigration policy on Latino communities, highlighting that these impacts erode trust in government. When eroded trust in government is coupled with an externalizing narrative that manifests as increased perceived discrimination, people mobilize. Likewise, experiencing the negative impacts of punitive immigration policy increases the salience of the immigrant experience for non-immigrant Latinos. Increased ethnic solidarity also potentially mobilizes. I argue that individuals channel their frustration into non-electoral activities, where elections are seen as a confirmation of the government in which one has lost trust. Two datasets inform the quantitative analysis. The first is the 2015 University of New Mexico Robert Wood Johnson Center for Health Policy Immigrant Health Survey (RWJF Survey), and the second in the Pew Hispanic Center 2008 National Survey of Latinos (NSL 2008). I conclude with a discussion of the implications of Latino mobilization resulting from experiences with the criminal justice system.

5.2 Community Police Enforcement of Federal Immigration Policy

The enforcement of federal immigration policy by local police is not a new phenomenon. For example, CARECEN is an organization established in 1983 to serve Salvadoran immigrants fleeing their country's civil war. Ruby has worked with CARECEN since it's founding. Speaking about the conditions faced by refugees in Los Angeles at that time, she centralizes community-policing tactics:

> The police were stopping people for the purpose of finding out if they were here illegally. It was racial profiling. And if they found someone they would arrest them and they would call INS and INS would pick them up...so we organized the community...and we passed a resolution called special order 40, which prohibited the police from stopping someone for the sole purpose of finding out if they were undocumented.

For her and the other organizers racial profiling by the police was key to their political efforts, where she says, "The goal of organizing the community to advocate for their rights was part of it from the very beginning…to respond to the needs of the refugee community, to impact policy, to stop deportations."

Ruby's account of the development of CARACEN demonstrates that the local police engaging in immigration enforcement date back to at least the early 1980's. Yet, the legislative sources codifying this collaborative relationship are less clear, and programs that deputize local police to behave in this manner have disparate origins and fragmented purpose. For example, the American Immigration Council refers to the Criminal Aliens Program (CAP), which facilitates checking documentation status of immigrants held in jails or prisons, as "a loose-knit group of several different programs operating within ICE" (2013). Some scholarship locates the origin of such programs to administrative efforts to enforce the mandate written into the Immigration Reform and Control Act of 1986 (IRCA) to remove immigrants convicted of a crime (American Immigration Council 2013). Referencing CAP as "the oldest and largest" of such collaborative

programs, the Council notes that, "There appears to be little consistency in, and little or no policy governing, how CAP cooperates with state and local law enforcement agencies in different regions and in how CAP interacts with detainees in different facilities." More comprehensive collaborative efforts, such as the 287(g) program, were codified through the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) (Fragomen 1997, Fandl 2008, Meissner et al. 2013).

Collaborative efforts between federal immigration enforcement and state and local criminal justice officials were therefore seeded in immigration reform efforts in the 1980's and 1990's. They provided the legal scaffolding necessary to launch to action post 9/11 rhetorical reconstructions of immigration as a matter of national security. Federal concerns around border security coalesced with state and local anxiety around influxes of undocumented immigrants in the face of federal failure to pass comprehensive immigration reform (Kohli, Markowitz and Chavez 2011, Morse 2011). On the one hand border security concerns led the Bush administration to initiate Secure Communities in select jurisdictions (Kohli, Markowitz and Chavez 2011, Berestein and Manolatos 2006). One the other hand, failure to pass comprehensive immigration reform precipitated the passage of punitive local policies like Arizona's SB 1070, where local officials took immigration enforcement into their own hands (Morse 2011). In 2007, nearly all 50 states passed some sort of punitive immigration policy (Vidales, Day and Powe 2009).

At this same political moment the country faced the greatest economic recession since the Great Depression, diminishing budgets across all levels of government and elevating fiscal concerns. Secure Communities is less costly than other collaborative programs insofar as it functions primarily via database sharing (Chishti, Bergeron and Hoyt, 2011). The Obama administration grew the use of Secure Communities, such that by 2011 the program operated in

over 1,500 jurisdictions across 44 states (Kohli, Markowitz and Chavez 2011). Together, this amalgamation of circumstances exponentially increased the targeting of immigrants by police. Between fiscal year 2004 and fiscal year 2011, funding for collaborative programs increased from $25 million to nearly $700 million (Meissner et al. 2013). Between 2006 and 2011, requests to appear for an immigration hearing issued through CAP increased three-fold. Between 2010-2011 alone detainers issued through Secure Communities went from around 20,000 to over 100,000 (Kholi, Markowitz and Chavez 2011, Meissner et a. 2013).

Although the Obama Administration officially discontinued Secure Communities in the fall of 2014, the Priority Enforcement Program (PEP) immediately replaced it (Linthicum 2015, Johnson 2014, Department of Homeland Security memorandum to Thomas Winkowski). PEP targets undocumented immigrants with a criminal background, rather than the undocumented more broadly. However, all collaborative efforts including Secure Communities purport to pursue those with criminal backgrounds, where the legislative logic for these programs resides in IRCA (1986) and IIRIRA (1996) goals to deport criminal aliens. Broad, race-based targeting of non-criminal immigrants and non-immigrants occurred via street level implementation. To quote Ruby in reference to Secure Communities, "They wanted to say 'we're holding people who are criminals.' But that's not true, because we had people who were jay-walking or driving without a license." Maria, who works with Latino youth in Los Angeles, explains how local policing tactics distill the legislative goal to target criminal immigrants to functionally criminalize whole communities:

> For me it very much has to do with being in this era of targeting, or preemptive policing, of predictive policing. This idea that you target a person and not an act, and that you target a person before they act. So it's about the characteristics of a group. And in order for predictive policing to be successful, it requires that you identify a group, that you label them and then that you track them, and then you track them pretty indefinitely. And you look for indicators that they are going to act a certain way, and then you jump in before they do. So part of this for me is that...we want to target this group, what menu of things

> can we pull from to screw them? Do they have strikes? Do they have gang associates? Are they documented? How can we pull from these various systems and this menu of ways to either contain people or exclude them?...its about being targeted and then you are at risk for all these different systems once you are targeted.

Thus, PEP does not differ substantially from Secure Communities. Both, along with other collaborative programs like 287(g) and CAP, operate in conjunction with a myriad of policies designed to stop crime before it happens by identifying whole groups as criminal.

This marriage of immigration and criminal justice policy is reflected in Latinos' lived experience. Gabby's description of the fear she feels for her 17-year-old undocumented brother revolves around his immigration status, but the day-to-day manifestation of that threat is in his routine interactions with local police, where he "gets stopped at least once a week by the cops, just walking home." Similarly, David references his undocumented brother who ended up in prison and was eventually deported. David is a former student activist who developed a politicized identity through the experiences of his family, and he was at the center of efforts to organize undocumented students in California. He reflects what happened to his brother through his experiences as an organizer:

> I worked on this initiative…it was basically a state level DACA. I was one of the folks campaigning for it and we were going to organizations and pitching the idea…I went to an organization called All of Us or None, which is an organization for people who have criminal records, who have felonies or misdemeanors...when I got to the section that said in order to qualify for this program you have to have good moral character and the definition of good moral character is not to have a felony, they couldn't support it. And it was like that idea again -- that idea of a good immigrant. What is a good immigrant? I'm very sensitive to that because of my brother. When I think of him I don't think of a criminal or a bad human being. But in the eyes of the law and in the eyes of society he is a terrible person...The same interest groups who are interested in keeping people incarcerated are interested in keeping people detained.

For Gabby and David discussions about criminal justice policy are naturally inflected with references to documentation status and immigration. Collaborative programs like 287(g) and Secure Communities provide in obvious, tangible terms a picture of how immigration and

criminal justice policy work together to marginalize Latinos. Gabby and David's stories illustrate that lived experience interfacing with multiple constructions of their loved ones as illegal, troubled youth, and criminal require no such particular distinctions. For them, criminal justice and immigration policy manifest in singular experiences.

5.3 The Impacts of Police Targeting on Latino Communities

The language of illegality and immigration infractions that result in detention and deportation functionally criminalizes immigrants (Gottschalk 2014). Race-based targeting of Latinos for purposes of immigration enforcement increases the frequency with which the documented and undocumented alike have personal contact with the system. Unsurprisingly, the consequences generated by personal contact extend to their friends, families and social networks. Though immigration enforcement theoretically targets the undocumented, the negative consequences generated by personal and proximal contact are not bound by status (Quiroga, Medina and Glick 2014, Sabo et al. 2013, Menjivar 2006, Arando, Menjivar and Donato 2014).

Data from the 2015 University of New Mexico Robert Wood Johnson Center for Health Policy Immigrant Health Survey (RWJF Survey)[52] demonstrates that personal and proximal contact with the criminal justice system and immigration enforcement is pervasive in the Latino community. In a nationally representative sample of 1,493 Latinos, including 476 non-citizens, nearly 40 percent (36 percent) knew someone who had been detained or deported for reasons related to immigration (proximal contact, Table 5.1). Moreover, nearly 20 percent (18 percent) indicated they had been treated unfairly by the police (personal contact, Table 5.1). Those who said they knew someone who had been detained or deported were asked a follow up question

[52]Details on the RWJF Survey can be found in Appendix B.

around the outcome of the case. One fifth of the overall sample (21 percent) indicated they knew someone who had been deported (Table 5.2). Among those with proximal contact, around 50 percent reported that the person they knew who had been deported was a loved one.[53]

Table 5.1: Distribution of Levels of Contact, Among Latinos in the RWJF (2015)

	Total N	Percent[a]
No Contact	830	55
Proximal Contact	544	36
Personal Contact	273	18

[a]*Percentages are not cumulative, since one can have both personal and proximal contact.*

Table 5.2: Among Latinos in the RWJF with Proximal Contact, Outcome of Detention/Deportation Case

	Total N	Percent
Proximal Contact:	544	37
Detained & Deported	306	21
Still in Detention	50	3
Released, Awaiting Hearing	90	6
Released, No Hearing	98	7

Having a relational connection to someone who has been detained or deported, or who is at risk of detention and deportation is a meaningful experience that trickles into every aspect of one's life (Sabo et al. 2013, Menjivar 2006, Arando, Menjivar and Donato 2014). Quiroga, Medina and Glick write, "Even if they do not feel directly at risk, most respondents express concerns for family members and others in their social networks as a result of increased attention to immigration enforcement or anti-immigrant sentiment" (2014, 1723). For example, Eric, a student from a mixed status family comments about his undocumented mother that, "I have to be scared that some time she might not come home. When I was a little kid that was one thing I

[53]The measure included in the survey that best captures personal contact with the criminal justice system is a simple yes/no question that asks the following: *Have you ever been treated unfairly by the police or law enforcement?* The question included in the survey that best captures proximal contact asks the following: *Do you personally know someone who has faced detention or deportation for immigration reasons?*

was scared of. She had to take the bus, and immigration officials were always at the bus stop raiding the bus. I was scared." Over 50 percent of RWJF Survey respondents with proximal contact say they worry a love one will be detained or deported, compared to only 33 percent of those without contact (Table 5.3).

Table 5.3: Percent of Latinos in the RWJF that Worry that a Loved One Will be Detained/Deported, by Level of Contact

	No Contact	Proximal Contact	Personal Contact
Don't Worry	67	47	56
Worry	33	53	44
Total N	830	544	273

The worry about the danger of deportation and detention leads Latinos in communities subject to punitive immigration policy to withdraw from contact with institutions that might put them at risk for revealing their status or the status of a loved one (McCluskey, McCluskey and Enriquez 2008, Menjivar and Bajerano 2010, Flores 2014). William, a student in LA, notes that his undocumented cousins, aunt and uncle would refrain from certain activities that for him were a part of every day life: "My uncle, his wife and their kids would live in fear. My mom would travel a lot, and they would be afraid to take her to the airport because at the airport they do a lot of inspection and they didn't want to have any problems." Similarly, Zach notes that though he is himself documented, he fears exposing the status of his family members, saying, "If I were to succeed a lot of people would be looking to me, but also into my background. And my family is in my background. And it would be like hey…we found out that your parents are undocumented. We have to deport them. And so I felt like OK I don't want to go to college."

Among RWJF survey respondents, 16 percent of those with proximal contact and 21 percent of those with personal contact report avoiding contacting school officials so that they would not be asked about their citizenship status, compared to only eight percent of those with

no contact (Table 5.4).[54] Among non-citizens, nearly 20 percent of those with proximal contact and over 30 percent of those with personal contact report the same, compared to 13 percent of non-citizens with no contact. Reflecting the fact that preemptive tactics target people constructed as immigrants regardless of status, personal and proximal contact also increase avoidance of officials so that respondents will not be asked about their citizenship status *among citizens*. This pattern holds across a variety of activities, including reporting a crime, renewing one's driver's license, using public transit, driving, going to the airport, and going to a healthcare clinic (Table 5.4).

Table 5.4: Percent of Latinos in the RWJF who Avoid Activities so they won't be Questioned About their Citizenship Status, by Level of Contact

	Total Population			Non-Citizen			Citizen		
	None	*Prox*	*Pers*	*None*	*Prox*	*Pers*	*None*	*Prox*	*Pers*
Contacting School Officials	8	16	21	13	19	33	5	15	17
Reporting a crime	9	23	34	13	28	36	8	22	33
Renewing a Driver's License	11	19	21	16	28	35	8	16	17
Using Public Transit	9	18	23	15	24	30	6	16	21
Driving	11	19	21	14	26	31	8	16	19
Going to the airport	10	21	23	14	28	31	8	18	22
Going to the clinic	12	20	20	19	25	27	8	18	18
Total N	830	544	273	293	160	55	537	384	218

The tendency to avoid contact with public institutions that results from personal and proximal contact among both citizens and noncitizens is indicative of a broader sense of eroded trust in government. Like the response of whites and Blacks to involuntary contact with the system, Latinos withdraw trust from the government more generally (Lerman and Weaver 2014,

[54]RWJF Survey respondents were asked a battery of questions around behaviors they might avoid so that they can avoid being asked about their immigration status. The question reads: *We hear a lot these days about people getting questions about their immigration status just because of how they look or how they talk. For some people, this has changed how they go about their daily life. I am going to read a list of common things people do. For each one, please tell me if you have ever avoided it because you don't want to be bothered or asked about your citizenship status.* Response options were yes/no, and the wording of items in the battery included: 1) Talking with school teachers or school officials, 2) Talking to police or reporting crime, 3) Renewing or applying for a driver's license, 4) Using public transportation like the bus, train or subway, 5) Driving a car, 6) Traveling by airplane or picking up family at the airport, and 7) Visiting a doctor or clinic.

Lee, Porter and Comfort 2014, Skogan 2006, Gilmore 2007, Menjivar and Bajerano 2010). A punitive immigration policy environment increases racial tension among Latinos and their white counterparts. This type of environment reinforces perceptions of criminality whites hold about immigrants, and increases experiences of discrimination had by Latinos (Flores 2014, Vidales, Day and Powe 2009). Zach, who expressed reticence around going to college, grew up in a working class, predominately Latino community in Los Angeles. Describing the relationship between local police and the accompanying threat of detention and deportation, he says:

> Around the community where I lived a lot of parents…were undocumented so they were always in fear of ICE or immigration or police to come around…some police officers came in the neighborhood and people would automatically change their names...people would be low-key about things -- oh I don't know who this person is, do you recognize this picture? No, I don't know. To kind of protect people. In that area it was like Latino immigrants against politics. Against ICE coming in and arresting people and deporting them. Growing up I kinda felt like that -- it was like OK it's either with US politics or with my family. I have to pick on or the other.

Similarly, Chloe's explanation of how her family views the American government is directly tied to their ethnicity, where she says, "since I come from a Mexican American community, especially with ICE...they are not here to benefit us. They are just here to keep us in the working class…I and my family, we don't really believe in the government."

5.4 Contact Leads to a Sense of Systemic Injustice

That group-based targeting by the criminal justice system for reasons related to immigration depresses trust in government is unsurprising. I argue that when people understand their experiences as systemically unjust, they will be mobilized to participate in politics. Among Latinos targeted for immigration enforcement, it requires translating that loss of trust and increased feelings of discrimination into challenging the legitimacy of the system. In other words, individuals hold a sense of systemic injustice when instead of saying *this happened to me or someone*

that I love because they violated the law by being undocumented, they interpret the law itself, or the means by which one is caught up in the legal system, as problematic. For example, William, the student whose family avoided the airport, interpreted that avoidance behavior as itself a reflection of injustice, saying, "That influenced me…there are people who have good hearts who live in this country who might be afraid of living -- just doing ordinary things that as a human being you do, because of a fear of being arrested or of the police." David, the activist who referenced his brother who was in prison and later deported, also had an undocumented mother who spent a year in a mental health facility during his childhood. Referencing both of these instances, he says: "I kind of always attributed it to this reality of living under draconian policies and a society that doesn't afford you opportunities…I was angry, angry at everything." David clearly locates the source of his family's pain not in their failure to be documented, but instead in a system that makes it so hard to be documented, and even harder to live as undocumented.

The externalization of experiences with discrimination to a failure of the system is central to theories of group consciousness, where narratives that facilitate externalization increase political efficacy and identify a clear catalyst for action (Miller et al. 1981, Dawson 1994, Sanchez 2006a, Shingles 1981, Barreto et al. 2009). For those with personal and proximal contact, externalization may be marked by increased perceptions of anti-immigrant/Hispanic discrimination in society. A vast body of literature connects a threatening policy environment targeted at Latinos to political mobilization via the increased saliency of ethnicity. The heterogeneous experience of various immigrant groups in the U.S. leads some scholars to question the validity of a pan-ethnic identifier (DeSipio 1996, Jones-Correa 1998, Beltrán 2010). However, the consistent treatment of Latinos as a group regardless of this heterogeneity by politicians, policy, administrators and political institutions has itself made the pan-ethnic identifier politically salient for individuals (Ramirez 2013, Pedraza 2014, Sanchez 2006a,

Sanchez 2006b, Fraga et al. 2010). An often-cited example is the policy environment in the 1990's in California. Bills that would limit access to social services for immigrants and bar bilingual education in public schools and accompanying xenophobic political rhetoric triggered Latino group consciousness, shaping attitudes and behavior among immigrants and their loved ones (Barreto and Woods 2005).

Unsurprisingly, perceived group-based discrimination impacts the political attitudes and behaviors of non-immigrants, since targeted policy impacts the broader Latino community regardless of citizenship status. Therefore, among citizens with proximal contact or whom the police have unfairly targeted because they look or sound like immigrants, externalization may be marked by increased saliency of the immigrant experience (Barreto et al. 2009, Sanchez 2006a, Pedraza 2014, Fraga et al. 2010). For example Sara, a student in Los Angeles, has had negative interactions with police for reasons of immigration enforcement even though she is documented. Recounting a particularly resonant experience, she says:

> I am documented, but even I run away when I see ICE in my area. I won't stay there because I know that they will take me into custody. When I was in South Dakota I was visiting with the youth group from my church, and our chaperones where an older white couple. They went inside the store, it was around midnight, and we were in the RV and someone called the cops on us and the cops came and detained us all. Even when our chaperones came out and said we were going to a youth conference for our church, they asked us all to provide our social security numbers, and they made sure none of us were undocumented and that there was nothing illegal. And so even me, as someone who is documented, I am afraid of the cops...they don't care if you are undocumented, they target you because you are a person of color.

For Sara, experiences with the criminal justice system are clearly racialized, and she actively recognizes that as a Latina she is a target for law enforcement as an expression of immigration policy. That she is documented makes her own experience clearly unjust, but for her it generates a sense of solidarity with the immigrant community who she sees as also treated unfairly, and inhumanely neglected.

That personal and proximal contact with the criminal justice system increases perceptions of anti-Latino discrimination and feelings of linked fate with immigrants is reflected among RWJF survey respondents. Fully 53 percent of those with personal contact and 54 percent of those with proximal contact say that they think there is definitely a strong anti-immigrant/Hispanic environment today in society (Table 5.5).[55] Comparatively, only 28 percent of those with no contact say the same. A Pearson's chi squared test reveals that this relationship is statistically significant ($p<.01$). The pattern holds for both non-citizens and citizens. Likewise, personal and proximal contact increase feelings of immigrant linked fate by about 12 percentage points over those with no contact.[56] The relationship between contact and immigrant linked fate is most notable among citizens, who themselves have a stable relationship with the government and are not at risk of deportation. Among this group, 58 percent of those with proximal contact and 62 percent of those with personal contact say they think what happens to immigrants in this country has some or a lot of impact on what happens in their own lives. Comparatively, only 40 percent of those with no contact say the same.

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[55]Respondents were asked the following question to measure perceived discrimination: *Some people have said that there seems to be a lot of anti-immigrant, and even anti-Hispanic, statements, policies, and attitudes surfacing in recent years; while other people have said that no such anti-immigrant environment exists today. How do you feel?* Response options included: 1) *Definitely anti-Hispanic/immigrant environment,* 2) *Somewhat anti-Hispanic/anti-immigrant environment,* or 3) *No such environment exists*. The variable is coded ranging from 0-2, where scoring 0 indicates you think no such environment exists, and scoring a 2 indicates that you think such an environment definitely exists. Multivariate analysis of responses to this question are modeled using an ordered logistic regression, and predicted probabilities of high discrimination should be interpreted to mean the predicted probability of scoring 2, or saying that you definitely think an anti-immigrant environment exists today.

[56]RWJF respondents were asked the following question to measure their sense of linked fate with immigrants: *Do you think that what happens generally to immigrants in this country will have something to do with what happens in your life? Will it affect you a lot, some, a little or not at all?* The variable is coded ranging from 0-3, where scoring a 0 indicates that you think what happens to immigrants will not effect your life at all, and scoring a 3 indicates you think what happens to immigrants will affect your life a lot. Multivariate analyses of responses to this question employ an ordered logistic regression, and predicted probabilities that one holds high linked fate should be interpreted as the predicted probability that one indicated that they think what happens to immigrants in this country affect them a lot (scoring a 3).

Table 5.5: Percent that Perceive Discrimination and have Linked Fate, by Level of Contact Among Latinos in the RWJF (2015)

	Total Population			**Non-Citizen**			**Citizen**		
Anti-Imm Env	*None*	*Prox****	*Pers****	*None*	*Prox****	*Pers****	*None*	*Prox****	*Pers****
None	30	15	8	35	19	13	28	14	7
Somewhat	42	40	38	37	43	33	44	39	40
Definitely	28	44	53	28	39	55	28	47	53
Linked Fate	*None*	*Prox****	*Pers****	*None*	*Prox***	*Pers*	*None*	*Prox****	*Pers****
None	34	20	19	29	21	18	36	20	19
A little	23	20	19	25	18	16	23	22	19
Some	23	29	29	21	25	27	25	31	29
A lot	20	31	33	26	37	38	17	28	32
Total N	830	544	273	293	160	55	537	384	218

* $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$

This relationship holds when subjected to more rigorous analysis. Models included controls for a variety of relevant covariates, including socio-economic status, gender, whether or not one's family is from Mexico, language of interview, political party, political interest, age and education. The impact of levels of contact on both perceived discrimination and linked fate were first modeled among the entire sample, and then among non-citizen and citizen subsamples. I do this to again demonstrate that though collaborative programs purport to target immigrants with criminal backgrounds, they function indiscriminately and impact the broader community of Latinos. Table 5.6 displays the impact of levels of contact on perceived discrimination. Both personal and proximal contact increase perceived discrimination among citizens and non-citizens alike, and the relationship is statistically significant. Table 5.7 displays the impact of levels of contact on a sense of linked fate with immigrants. Personal and proximal contact is only statistically related to an increased sense of linked fate with immigrants among citizens.

Table 5.6: The Impact of Contact on Perceived Anti-Immigrant/Latino Discrimination, Among Latinos in the RWJF (2015)[a]

	Total Population	Non-Citizen	Citizen
Personal Contact	0.467*** (0.087)	0.560** (0.192)	0.445*** (0.099)
Proximal Contact	0.257*** (0.069)	0.291* (0.126)	0.251** (0.082)
Immigrant Linked Fate	0.149*** (0.029)	0.128* (0.052)	0.161*** (0.036)
Foreign Born	-0.047 (0.082)	0.069 (0.170)	-0.024 (0.102)
Spanish Interview	-0.043 (0.090)	0.078 (0.159)	-0.105 (0.114)
Mexican Origin	0.063 (0.066)	-0.109 (0.154)	0.074 (0.078)
Female	0.141* (0.067)	0.149 (0.125)	0.126 (0.080)
Political Interest	0.138*** (0.033)	0.157** (0.059)	0.145*** (0.040)
Democrat	0.198** (0.073)	0.194 (0.138)	0.174* (0.089)
Independent	0.049 (0.086)	0.286. (0.149)	-0.070 (0.106)
Married	0.018 (0.069)	0.279* (0.131)	-0.068 (0.082)
Education	-0.031 (0.034)	0.025 (0.061)	-0.058 (0.041)
Age	0.002 (0.002)	0.009* (0.004)	-0.0003 (0.002)
Religiosity	-0.005 (0.031)	-0.038 (0.059)	0.014 (0.037)
20k-40k	0.030 (0.100)	0.048 (0.162)	0.030 (0.129)
40k-60k	-0.059 (0.119)	-0.176 (0.220)	-0.013 (0.145)
60k-80k	-0.004 (0.135)	-0.187 (0.279)	0.049 (0.160)
80k-100k	0.098 (0.153)	-0.325 (0.342)	0.224 (0.178)
100k+	-0.098 (0.135)	-0.076 (0.317)	-0.066 (0.158)
Missing Income	-0.104 (0.106)	-0.160 (0.170)	-0.0693 (0.138)
Citizenship	0.017 (0.082)		
Total N	1328	400	928
AIC	2716.407	862.3415	1872.656

•p<.10; *p<0.05; **p<0.01; ***p<0.001; [a]Percieved discrimination is a categorical variable with three levels, and is thus modeled using ordered logistic regression.

I explore these relationships further by generating the predicted probability of having a high sense of perceived discrimination and a high sense of immigrant linked fate by level of contact. The results are displayed graphically in Figure 5.1 and Figure 5.2. Among both non-citizens and citizens, proximal contact increases the likelihood that one will say that an anti-immigrant/Hispanic environment *definitely* exists by about 13 percentage points compared to those with no contact (Figure 5.1). Non-citizens with no contact have a predicted probability of saying so of .28, compared to those with proximal contact who have a predicted probability of .41 of saying an anti-immigrant/Hispanic environment definitely exists. Among citizens, those with no contact are predicted to have a level of perceived discrimination of .29, and those with proximal contact have a predicted probability of the same of .42. Personal contact increases the

predicted probability of high levels of perceived discrimination to .53 among non-citizens and .50 among citizens (Figure 5.1).

Table 5.7: The Impact of Contact on Immigrant Linked Fate, Among Latinos in the RWJF (2015)[a]

	Total Population	Non-Citizen	Citizen
Personal Contact	0.205* (0.083)	0.061 (0.183)	0.228* (0.094)
Proximal Contact	0.222*** (0.066)	0.178 (0.123)	0.244** (0.078)
Perceived Discrimination	0.223*** (0.042)	0.193* (0.075)	0.238*** (0.052)
Foreign Born	0.179* (0.078)	0.405* (0.165)	0.064 (0.098)
Spanish Interview	0.156. (0.087)	-0.001 (0.157)	0.248* (0.109)
Mexican Origin	0.222*** (0.064)	0.040 (0.152)	0.233** (0.075)
Female	0.116. (0.064)	0.123 (0.120)	0.111 (0.077)
Political Interest	0.113*** (0.032)	0.054 (0.057)	0.144*** (0.039)
Democrat	0.142* (0.071)	-0.063 (0.135)	0.217* (0.085)
Independent	0.183* (0.083)	0.087 (0.143)	0.216* (0.103)
Married	-0.022 (0.066)	-0.059 (0.128)	0.003 (0.079)
Education	-0.024 (0.032)	-0.043 (0.059)	-0.020 (0.039)
Age	-0.007*** (0.002)	-0.006 (0.004)	-0.007** (0.002)
Religiosity	0.093** (0.030)	0.182** (0.057)	0.064. (0.036)
20k-40k	0.068 (0.096)	0.022 (0.157)	0.104 (0.123)
40k-60k	-0.079 (0.115)	0.262 (0.211)	-0.189 (0.141)
60k-80k	0.032 (0.130)	0.055 (0.276)	0.032 (0.153)
80k-100k	0.091 (0.146)	-0.380 (0.333)	0.197 (0.170)
100k+	0.181 (0.130)	0.238 (0.307)	0.171 (0.151)
Missing Income	0.058 (0.103)	-0.064 (0.165)	0.105 (0.134)
Citizenship	-0.090 (0.079)		
Total N	1328	400	928
AIC	3566.075	1095.807	2484.241

.p<.10; *p<0.05; **p<0.01; ***p<0.001; [a]Immigrant linked fate is a categorical variable with four levels, and is thus modeled using ordered logistic regression.

Personal and proximal contact are less strongly connected to an increased sense of linked fate with immigrants. Among non-citizens, those without contact start out with a predicted probability of high linked fate of .26, compared to only .16 among citizens (Figure 5.2). Personal and proximal contact increases the likelihood of high linked fate to .25 among citizens, a relationship that is statistically significant. Even so, it is still lower than non-citizens with personal contact who have a predicted probability of high linked fate of .31 (Figure 5.2). Thus, personal and proximal contact do not increase the saliency of the immigrant experience among non-citizens, but only because it was already highly salient for them. Importantly, all levels of contact

statically increase the saliency of the immigrant experience for citizens, despite the fact that their relationship to the state is relatively stable.

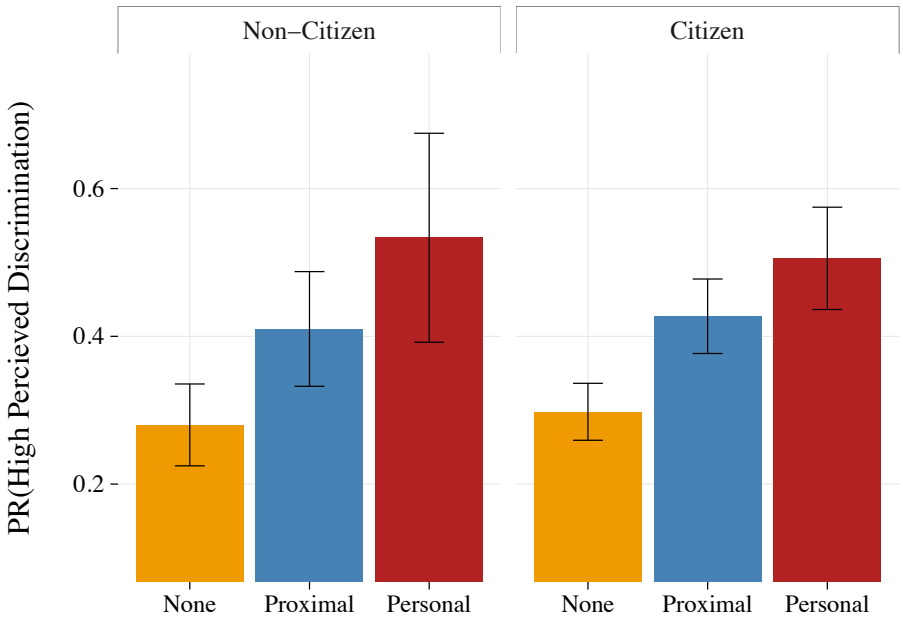

Figure 5.1: The impact of contact on perceived discrimination, among Latinos in the RWJF. Source: Robert Wood Johnson Foundation Survey (2015).

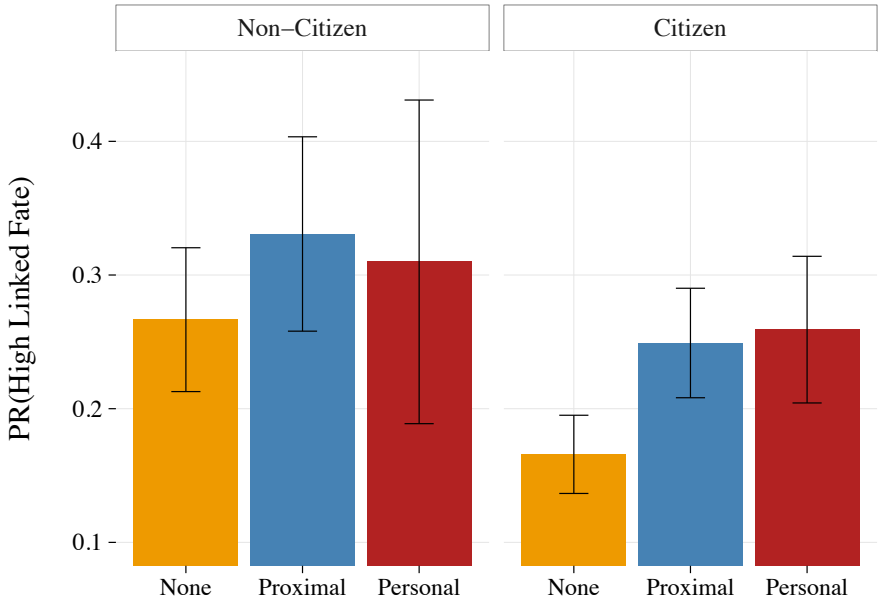

Figure 5.2: The impact of contact on immigrant linked fate, among Latinos in the RWJF. Source: Robert Wood Johnson Foundation Survey (2015).

5.5 A Sense of Systemic Injustice Provides a Catalyst for Action

When personal and proximal contact increase perceived discrimination, increase the saliency of immigrant linked fate, and are ultimately understood in terms of systemic injustice, they provide a clear catalyst for action (Miller et al. 1981, Dawson 1994, Sanchez 2006a, Shingles 1981). Examples of the mobilizing impact of perceived institutional discrimination abound. California's threatening policy environment in the 1990's generated increased rates of naturalization, attention to politics, saliency of racial issues, and voter registration and turnout among Latinos, compared to other state contexts where Latinos were not politically threatened (Pantoja, Segura and Ramirez 2001, Pantoja and Segura 2003, Bowler, Nicholson and Segura 2006, Barreto and Woods 2005). Likewise, ethnic solidarity explains widespread participation in immigrant rallies in 2006 among the non-immigrant Latino population (Barreto et al. 2009, Zepeda-Millán and Wallace 2013, Fraga et al. 2010). In sum, decades of research demonstrate that when Latinos feel threatened on the basis of ethnicity they are mobilized to action. Moreover, immigration is highly salient to the broader Latino community, including those born in the U.S. due to the fact that the threatening environment created by punitive policy and attendant political environment impacts individuals regardless of immigration status. I argue that targeting by the criminal justice system on the basis of race for the purposes of immigration enforcement constitutes a threatening policy environment. Latinos are thus likely to be mobilized by interactions with the criminal justice system insofar as they interpret contact as a product of discriminatory policy.

An example of the claim that personal contact can provide a catalyst for action comes from Tomás, an ex-prisoner who now works with fellow ex-offenders both to politically organize them and to assist them with the process of reentry. When asked how he first became active, he responds:

> Inside…I started finding out we needed resources, I started writing people. I started writing congressmen, I started writing legislators, I started writing senators. And from that experience I found out that you are really on your own. So what I started doing after that was I started writing reentry centers out here, and getting resources in there, and started passing them around, and had each one of those individuals contact those people and say 'your gonna get me housing...your gonna get me a job.' Our little reentry program -- that is what was instilled in my heart to continue doing the work out here.

Tomás's story is particularly interesting because he himself was previously incarcerated, indicating that the mobilizing impact of a sense of systemic injustice can extend to even those who experienced intense contact, long-term incarceration. Its further interesting because his sense of systemic injustice comes not from his experience as an incarcerated person, but from the feeling that politically he was forgotten, where he says "I started writing senators. And from that experience I found out you are really on your own." This experience itself is what he identifies as compelling him to turn around after having been released to empower and organize ex-offenders coming out behind him.

People like Tomás perhaps have the highest stake in politically organizing around issues related to incarceration and community policing. Yet, experiences with the criminal justice system need not be so intense to catalyze participation. Sara, whose youth church trip was interrupted by local police in South Dakota so that they could affirm the Latino students were legal, grew up in rural community in California. She specifically references witnessing raids of fields nearby to explain her desire to create change, saying:

> If you go to lawyers and want to fight against the police when the police don't want to help you…They are like why should I help you out? Your family is undocumented, or you are undocumented -- I'm not going to win anything from this case. So just seeing that, and seeing how ICE has done a lot of roundups in the nearby areas in the fields…I don't want to be someone who just lets the police take over…I want to help the people out. Change something.

Similarly, Jake is a student activist around issues related to documentation status. Like Gabby, whose story opened this chapter, watching the struggles of his undocumented family members fuels his motivation to act, saying about his mother:

> She's still scared and frustrated and dealing with a lot that I don't have to deal with...and she's got a whole different burden...the healthcare issue. Having to deal with the fact that you are getting older and you need to have access to health care, and not being able to touch any of it. That's something that puts her in a different situation...I have the opportunity to go out there and do something. Just seeing that, that is enough to inspire me to go out and try to do something.

5.5.1 Discontent with Immigration Policy Leads to Non-Electoral Participation

Lastly, I argue experiences with the criminal justice system that mobilize people to take action should not be expected to manifest as electoral engagement. Instead, when political efficacy remains robust as group-based narratives help it to do, little belief in the efficacy of elections is itself a natural outgrowth of diminished trust in government overall (Bennett et al. 2013, Finifter 1970).[57] Instead, individuals with low trust in government and a desire to create change turn towards non-electoral participation to express their discontent, and to activities designed to bolster their communities. Individuals mobilized by personal or proximal contact with the criminal justice system will participate non-electorally. Daniel, a student activist who lobbied for the passage of the DREAM Act, captures this logic clearly when he says:

> My community, where I grew up, we have a lot to do…I feel that if I have a strong community by my side, a community is able to much more than an individual by himself…You start small and create something bigger...for example, groceries in low

[57]Political efficacy is defined as two, interrelated concepts: internal efficacy and external efficacy. Internal efficacy is understood to be the belief in one's own ability to participate. It is a psychological evaluation of the self (Southwell 2012, Morrell 2005, Harder 2008). External efficacy is the belief that the government will be responsive to citizen engagement (Southwell 2012, Shingles 1981). The conceptualization and measurement of political efficacy is contested, and as a consequence, tests of the relationship between efficacy and participation are inconclusive. This is perhaps in large part due to the recognition by Shingles that "political trust and external political efficacy are related by definition" (1981, 80). He therefore elects to focus on internal efficacy alongside that of political trust. Group based narratives help internal efficacy remain intact, even as one loses faith in the responsiveness of elected officials.

> income communities are not really the best, we get the last pick on fruits and vegetables...So instead of buying groceries that are about to go bad, why don't we start a community garden and distribute fresh fruits and vegetables?

Daniel felt his community was under siege by community policing tactics, not only for reasons related to immigration but by targeting of people of color and the poor more broadly. He expressed the desire to turn inward and build strength within his community. Electoral activities are secondary to that goal, considered an eventual extension of community empowerment. This echoes the perspective of Black activists in Seattle, who disillusioned by mainstream politics turned inward to building political consciousness within their communities.

An analysis of the RWJF survey confirms that those with personal and proximal contact channel their distrust and disillusionment into non-electoral activities. Table 5.8 displays the impact of levels of contact on the likelihood of being registered to vote, and the likelihood of having voted in 2012.[58] After controlling for relevant covariates, the analysis reveals that neither personal nor proximal contact impact the likelihood of being registered to vote or of having voted in 2012. In contrast, both personal and proximal contact are statistically associated with increased participation in non-electoral activities among the whole sample (Table 5.9). Non-electoral activities are measured using a participation scale, where respondents rated their likelihood of participating in each activity. Respondents were asked their likelihood of attending a protest, signing a petition, attending a political meeting, and donating to a political or social cause not including tithing.[59] Having been treated unfairly by the police is statistically associated

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[58]Likelihood of being registered to vote and likelihood of having voted in 2012 are modeled only among a subsample of citizens, since only citizens have access to the ballot box. Among the sample of citizens (n=1,017) 18 percent were unregistered, and 47.5 percent did not vote in 2012.

[59]Response options included extremely likely, very likely, moderately likely, a little likely, and not at all likely. After all the activities are added together, they comprise a participation scale ranging from 0-16, where zero indicates having said "not at all likely" to all four items, and 16 indicates having said "extremely likely" to all four items. The mean score on the participation scale in the total sample is 4.9, with a standard deviation of 4.19. One may wonder whether it is appropriate to treat these items as a scale, and whether or not findings are driven by participation in a

with increased non-electoral participation among both citizens and non-citizens. Proximal contact, however, is only statistically related to increases in participation among citizens. Among non-citizens, it is negatively related to participation, though the relationship is not statistically significant. Among non-citizens, it seems that being personally treated unfairly by local law enforcement is required to compel increased participation.

Table 5.8: The Impact of Contact on Electoral Participation, Among Latinos in the RWJF[a]

	Registered to Vote	Voted in 2012
Personal Contact	0.122 (0.262)	0.021 (0.202)
Proximal Contact	0.175 (0.219)	0.107 (0.171)
Discrimination	0.181 (0.146)	-0.110 (0.111)
Immigrant Linked Fate	-0.277** (0.094)	-0.107 (0.074)
Foreign Born	0.831** (0.317)	0.356. (0.212)
Spanish Interview	0.129 (0.303)	0.459. (0.236)
Mexican Origin	-0.300 (0.209)	-0.210 (0.160)
Female	0.031 (0.217)	-0.099 (0.164)
Political Interest	0.335** (0.102)	0.487*** (0.083)
Democrat	1.057*** (0.235)	0.579** (0.182)
Independent	0.403 (0.260)	0.140 (0.221)
Married	-0.077 (0.221)	0.122 (0.169)
Education	0.618*** (0.108)	0.447*** (0.084)
Age	0.033*** (0.007)	0.038*** (0.005)
Religiosity	0.147 (0.099)	0.068 (0.077)
20k-40k	0.123 (0.307)	0.388 (0.258)
40k-60k	0.092 (0.357)	0.719* (0.294)
60k-80k	0.082 (0.418)	0.528 (0.324)
80k-100k	1.229* (0.604)	1.679*** (0.394)
100k+	0.544 (0.450)	0.831* (0.326)
Missing Income	-0.017 (0.332)	0.202 (0.284)
Constant	-3.066*** (0.640)	-4.999*** (0.543)
Total N	928	928
Log Likelihood	-332.947	-508.172

.p<.10; *p<0.05; **p<0.01; ***p<0.001; [a]Whether or not one is registered to vote, and whether or not one voted in 2012 are dichotomous variables. They are thus analyzed using a logistic regression model.

key activity like attending a protest. Additional analysis was conducted on each individual act. All levels of contact increase participation in all activities, confirming treating them as a participation scale.

Table 5.9: The Impact of Contact on Non-Electoral Participation, Among Latinos in the RWJF (2015)[a]

	Total Population	Non-Citizen	Citizen
Personal Contact	1.232*** (0.278)	1.985*** (0.568)	0.924** (0.320)
Proximal Contact	1.044*** (0.223)	-0.042 (0.390)	1.437*** (0.268)
Perceived Discrimination	0.338* (0.143)	0.424. (0.239)	0.351* (0.177)
Immigrant Linked Fate	0.547*** (0.094)	0.188 (0.157)	0.714*** (0.116)
Foreign Born	-0.466. (0.265)	-1.303* (0.524)	-0.441 (0.334)
Spanish Interview	0.196 (0.294)	-0.366 (0.482)	0.429 (0.372)
Mexican Origin	-0.072 (0.215)	0.438 (0.476)	-0.148 (0.256)
Female	0.037 (0.216)	-0.147 (0.377)	0.091 (0.262)
Political Interest	1.155*** (0.107)	0.764*** (0.178)	1.307*** (0.133)
Democrat	1.195*** (0.238)	1.804*** (0.428)	0.858** (0.290)
Independent	0.674* (0.280)	1.053* (0.450)	0.336 (0.350)
Married	-0.472* (0.222)	-0.638 (0.394)	-0.457. (0.267)
Education	-0.173 (0.108)	-0.599** (0.184)	-0.022 (0.133)
Age	-0.020** (0.007)	-0.044*** (0.013)	-0.015. (0.008)
Religiosity	0.200* (0.100)	0.230 (0.181)	0.198 (0.121)
20k-40k	0.201 (0.323)	0.135 (0.486)	0.265 (0.420)
40k-60k	1.029** (0.381)	1.406* (0.644)	1.039* (0.473)
60k-80k	1.867*** (0.436)	1.308 (0.865)	2.055*** (0.519)
80k-100k	1.732*** (0.490)	2.015* (1.017)	1.555** (0.576)
100k+	1.762*** (0.434)	1.440 (0.934)	1.757*** (0.514)
Missing Income	0.214 (0.352)	-0.302 (0.536)	0.565 (0.454)
Citizenship	0.006 (0.267)		
Constant	-0.786 (0.675)	4.040** (1.252)	-2.285** (0.787)
Total N	1,283	374	909
R^2	0.283	0.289	0.302

.p<.10; *p<0.05; **p<0.01; ***p<0.001; Responses were added together, comprising a 0-16 scale. Non-electoral activities were therefore analyzed using an OLS model.

I explore the relationship between non-electoral participation and levels of contact in Figure 5.3 and Figure 5.4. Figure 5.3 shows the impact of going from the minimum value of a given variable to its maximum value on the expected value of one's participation score. Among non-citizens, personal contact increases the expected participation score by two points, while proximal contact has no impact. Among citizens personal contact increases the expected participation score by about one point, and proximal contact increases the expected score by 1.5 points. The size of the impact of personal and proximal contact are modest, however Figure 5.3 shows that it is nearly as large as the impact of other covariates that are more traditionally expected to increase participation, such as income, where among both citizens and non-citizens making between 60k and 80k increases the expected participation score by two points.

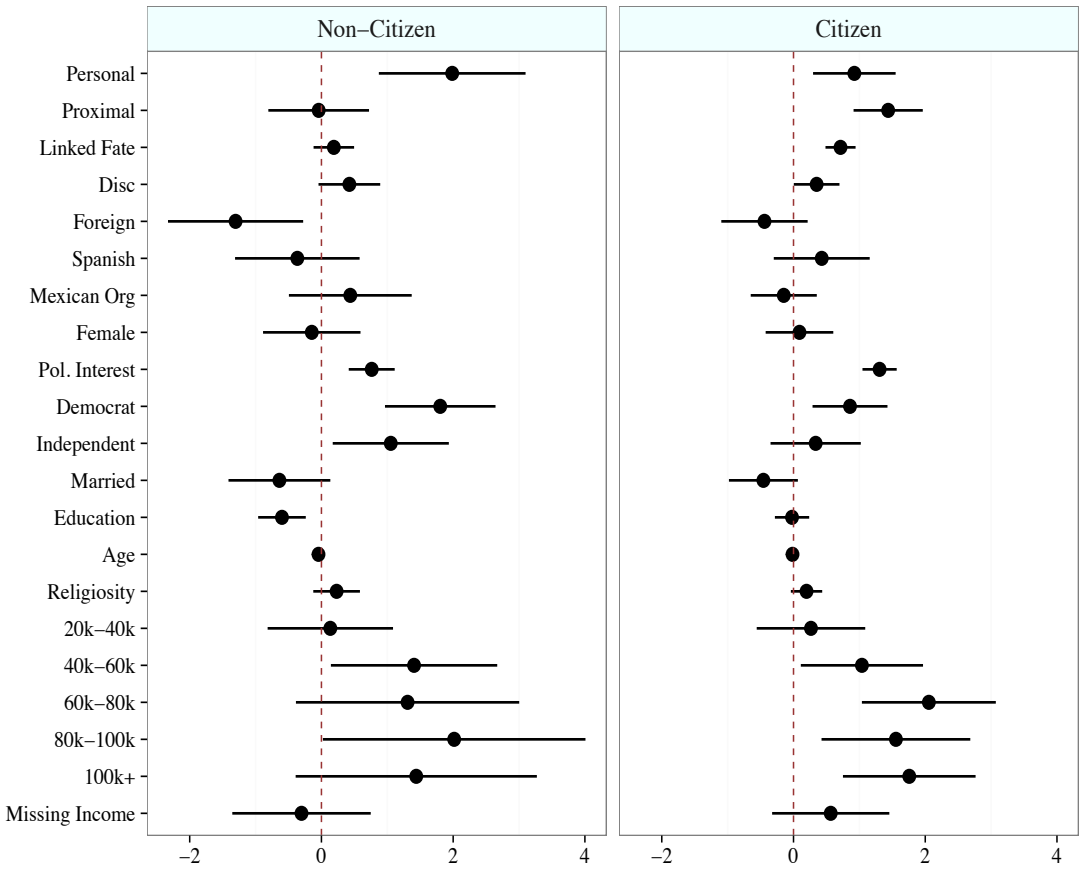

Figure 5.3: The impact of going from the minimum value of a given variable to its maximum value on non-electoral participation, among Latinos in the RWJF. Source: Robert Wood Johnson Foundation Survey (2015).

Likewise, Figure 5.4 displays the expected participation score by level of contact. Here it becomes clear that among non-citizens, personal contact is required to mobilize individuals to action, where those with personal contact have an expected participation score of six compared to about four among both those with proximal contact and those with no contact. In contrast, citizens with no contact are expected to have a participation score of about 4.5, where personal and proximal contact increase this to six. Among citizens, increased saliency of the immigrant

experience generated by contact translates into increased participation, whether it is generated by proximal or personal contact.[60]

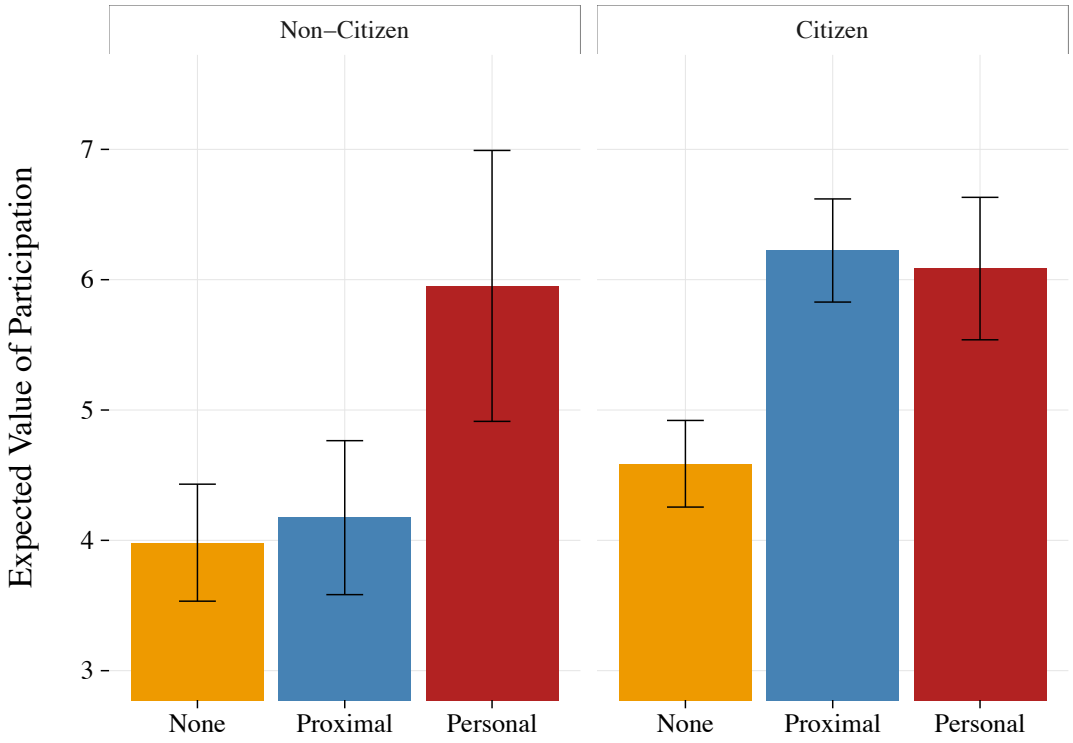

Figure 5.4: The impact of contact on non-electoral participation, among Latinos in the RWJF. Source: Robert Wood Johnson Foundation Survey (2015).

A key question raised by the analysis presented above is whether or not Latinos who have proximal contact with the criminal justice system are mobilized only by contact related to immigration, or if like their Black counterparts, they are mobilized by more general contact. The

[60]I hypothesize that levels of contact with the criminal justice system are connected to increased participation in non-electoral activities via a sense of systemic injustice. In this analysis I have argued that a sense of systemic injustice is marked by increases in perceived discrimination and a sense of linked fate with immigrants that result from contact. This invites an analysis of the interaction between personal/proximal contact and perceived discrimination/immigrant linked fate, where one might posit that if one has both had contact and has increased discrimination/immigrant linked fate they will mobilize, but may otherwise demobilize. Additional analysis reveals that personal and proximal contact both increase these mechanisms that in turn increase participation, while maintaining effects independent of these variables. Thus, I conclude that an adequate operationalization of a sense of systemic injustice is an area for future research.

RWJF survey asks only whether or not respondents know someone who has been detained or deported for reasons related to immigration, with asking about other types of contact. To speak to this question, I draw on an additional dataset, the Pew Hispanic Center 2008 National Survey of Latinos (NSL 2008).[61] The survey included both measures of non-electoral activities and measures of contact with the criminal justice system.[62]

Specifically, the survey asked whether or not the respondent or anyone in their close family had experienced any of the following: Attended court on a criminal matter, excluding minor traffic violations and/or jury duty, been questioned by the police, been arrested, been on probation or parole, or served time in jail and/or prison. Contact with the criminal justice system is treated as a scale, ranging from 0-6. Although the NLS 2008 does not include precise measures of personal contact with the criminal justice system, or proximal contact for immigration related reasons, it does ask whether or not one has been personally questioned by the police about their citizenship status. This is therefore included as an additional independent variable alongside the contact scale.

The results of the analysis, displayed in Table 5.10, confirm the general conclusion generated by the RWJF survey. Table 5.10 indicates that among the total population, non-citizens and citizens, having been questioned by the police for reasons related to immigration is associated with increased participation. More general contact, however, is not related to participation outcomes. In the RWJF survey, both being treated unfairly by the police and knowing someone who had been detained or deported increased non-electoral participation. In

[61]The NLS 2008 is a survey of 2,015 Latinos in the U.S. and includes an oversample of 868 non-citizens, 1,302 foreign born respondents, and 892 registered voters. The RDD phone sample included 761 cell phone interviews, and 1,143 interviews in Spanish. Further details on the NLS 2008 can be found in Appendix B.

[62]Measures of non-electoral participation included a battery that asked whether or not respondents had participated in a series of non-electoral political activities (yes/no), including donated money to a campaign, attended a campaign related meeting or looked up information on the Internet about a politician. These items are treated as a participation scale ranging from 0-3.

the NLS 2008, when the variable measuring personal contact with the police for reasons related to immigration is omitted in the analysis of citizens, the contact scale statistically predicts increased non-electoral participation. It loses statistical significance when having been personally questioned by the police for reasons related to citizenship status is included in the model. This supports the argument that for Latinos, increased salience of immigration and a sense of injustice at police targeting of Latinos under the auspices of immigration enforcement drives political mobilization resulting from criminal justice contact.

Table 5.10: Impact of Contact on Non-Electoral Participation , Among Latinos in the NLS (2008)[a]

	Total Population	Non-Citizen	Citizen
Contact Scale	0.139 (0.114)	0.226 (0.211)	0.105 (0.136)
Contact with Police, Citizenship	0.772*** (0.179)	1.077*** (0.264)	0.484** (0.244)
Foreign Born[b]	-0.117 (0.149)	--	-0.145 (0.154)
Spanish Interview	-0.539*** (0.137)	-0.749*** (0.228)	-0.443** (0.173)
Mexican Origin	-0.192. (0.110)	-0.0377 (0.206)	-0.219. (0.131)
Female	-0.0338 (0.106)	-0.335. (0.192)	0.0890 (0.129)
Democrat	0.462*** (0.132)	0.915*** (0.261)	0.265. (0.157)
Independent	0.226 (0.145)	0.810*** (0.259)	-0.0807 (0.182)
Married	0.0326 (0.113)	-0.165 (0.196)	0.117 (0.140)
Education	0.554*** (0.0554)	0.596*** (0.0956)	0.559*** (0.0695)
Age	-0.00928** (0.00366)	-0.00553 (0.00813)	-0.0109*** (0.00416)
Religiosity	-0.00298 (0.0350)	-0.0401 (0.0631)	0.0210 (0.0425)
49k-75k	0.264. (0.143)	0.242 (0.227)	0.222 (0.188)
75k-100k	0.887*** (0.171)	0.442 (0.357)	0.938*** (0.205)
100k-150k	0.745*** (0.243)	1.853*** (0.610)	0.551** (0.277)
150k+	1.790*** (0.247)	2.067*** (0.791)	1.710*** (0.276)
Missing Income	0.382** (0.174)	0.400 (0.279)	0.381. (0.228)
Citizenship	0.272. (0.155)		
Total N	1859	802	1057

.p<.10; *p<0.05; **p<0.01; ***p<0.001; [a]The non-electoral participation scale is composed of a three item battery, resulting in variable ranging from 0-3. The index was thus modeled using ordered logistic regression. [b]Whether or not one had citizenship status was only asked of those who said their were born outside the United States. Thus, the variable measuring foreign birth is dropped from the analysis that models the subsample of non-citizens.

5.6 Conclusion

The goal of this chapter has been to establish that punitive reforms to immigration policy that increase enforcement, purport to target those with a criminal background, and deputize local police to enforce federal policy functionally criminalize immigrants and their communities. Moreover, immigration policy distilled at the community level through local police results in widespread targeting of Latinos regardless of their citizenship status. Latinos are constructed as immigrants based on their appearance, accent, and language, and immigrants are constructed as criminal via the language of illegality and the penalty of detention and deportation. Being targeted by the police, and experiencing that negative construction via personal or proximal contact with the criminal justice system, increases perceived discrimination and immigrant linked fate among non-immigrant Latinos.

The second goal of this chapter, therefore, has been to demonstrate that members of the Latino community interpret their experiences with the criminal justice system as unjust, and that they respond to injustice by fighting against what they see as systemic oppression. While traditional measures of non-electoral participation read this behavior as political engagement, interviews reveal it to be system challenging. Individuals engage to change a system they see as broken, or they self-defensively mobilize because they feel they have no other choice. Referencing the ongoing efforts of student organizers mobilizing around issues related to immigration, Jake says, "The goal is not to elevate ourselves as DREAMERS. The goal is to fix something that's broken and to take care of our families, our communities and our friends." Maria offers further insight. She says:

> …That's what we're seeing now in the youth movement against policing: we don't have any choice but to stand here and defend our space…To some people and in some places that might be power, but it is complete powerlessness and having no other option. Its like just don't kill us. The only way we have to do this -- we don't have the hope…that we will create a task force, and we are going to retrain police, and this and that -- now its just like

> we want you out…Just don't kill us, we don't have an option...that's what it is to me -- we have no other option but to do these things.

Indeed, Maria's story and the stories of students, activists, the undocumented and the documented from mixed status families reveal that political activism results from grim struggle. Activists and organizers know that their best tool to mobilizing marginalized communities is evidence that their efforts have been successful. Many CBOs serving the needs of those impacted by the system actively employ this tactic. These organizations raise political consciousness among members, by helping them connect their experiences to a larger sense of injustice, and show them that change is possible through collective action. Ruby, who works with CARECEN in Los Angeles organizing immigrants, highlights both the depth of the struggle and the fact that those impacted by punitive immigration policy need to know that change is possible:

> Its a real challenge because most of the people are struggling to get a job...they are very unstable in their living situation. And so, it's hard for them to make the time it takes to get organized. The survival situation is so huge...what we have to do is create the conditions for this population to be involved in making sure that they don't get deported...you have to start from raising the consciousness of the people and giving them hope that if they do something we can win, without giving them false expectations. But also learning about the history -- about the history of the struggle of immigrants. I think that people -- once they really believe in themselves and they see that there is a history of the struggle, and the little victories we've had along the way, then they want to be part of it.

Similarly, speaking about the urgency of street level experiences of those targeted by punitive immigration policy and the criminal justice system more broadly, Jake highlights that though his work has so far centered on gaining access to education for undocumented students, the struggle is larger:

> Our families are struggling, they are being deported and broken up, and people are dying because they don't have access to healthcare. That's happening all the time and we need an immediate result to fix that. But at the same time we need something holistic because that's how this all started. But if you try to go for something holistic than that ties into all sorts of more critical issues, like immigration is a symptom of issues with labor, with race,

> with income inequality...its a symptom of all of those. To address that you have to address all of those. To address that...that's a huge struggle, and it's completely different.

Jake's comments go on to echo what this chapter has established, and echoes the sentiment of Black activists mobilized against the carceral state: for those who have experienced the criminal justice system in action, the resulting mobilization is radicalized. He says, "I think that the best thing we can do going forward is make sure that the social consciousness is built and that it doesn't get lost among all the technical things...I think that the next big step is to build that consciousness."

Chapter 6

Conclusion: 'All Prisoners are Political'

6.1 Introduction

I began this thesis with the following questions: Under what conditions are individuals mobilized by experiences with the criminal justice system and under what conditions are individuals demobilized? How do these impacts differ among whites, Blacks and Latinos? While existing literature sends the message that all types of contact with the system leads to political withdrawal, I argue that understanding the criminal justice system as systemically unjust can mobilize people to action. I further argue that race conditions the paths by which individuals arrive at a sense of injustice, where whites understand negative experiences through the lens of class and Blacks and Latinos leverage race-based narratives.

6.2 Mobilized by Injustice

I define a sense of systemic injustice as the belief that negative experiences with the system result from unfair targeting by criminal justice policy due to group affiliation. Rather than internalizing experiences with the system as a result of personal failure, individuals externalize their experiences, understanding them as resulting from a failure of the system. Individuals are politicized and mobilized, moreover, when they believe they have been targeted by the system due to their race, class, sexuality, or some other group identity.

Existing scholarship locates the source of political withdrawal that results from contact with the criminal justice system in two key mechanisms: 1) diminished trust in government that results from negative, involuntary interactions with the police, and 2) an eroded sense of internal efficacy resulting from interactions with a system geared to instill in its wards a sense of personal responsibility for their actions. Diminished internal efficacy and low trust in government lead to political demobilization as custodial citizens internalize negative messaging that they are second class citizens with no one to blame but themselves for their misfortune (Lerman and Weaver 2014, Burch 2013).

I argue that there is an alternative path to political behavioral outcomes for custodial citizens, their families and communities. While negative involuntary contact with the system diminishes trust in government, it should not be assumed that it uniformly leads to decreased internal efficacy. Instead, narratives that view the system as a force for group based oppression facilitate the externalization of negative experiences (Walker 2014, Gilmore 2007, Miller et al. 1981, Shingles 1981, Walton 1994, Dawson 1994, Barreto and Woods 2005, Sanchez 2006). The externalization of negative interactions with the system through group based narratives helps preserve, and perhaps increase, internal efficacy. Under these conditions diminished trust in government becomes fodder for political action. In sum, externalization can lead to a politicized group identity as a result of experiences with the criminal justice system, potentially leading to political mobilization.

I empirically investigate the relationship between experiences with the criminal justice system, political efficacy, a sense of injustice and political participation in Chapter 3, drawing on findings from the WCPS. I develop a measure of a sense of systemic injustice that consists of evaluations of community policing tactics in one's neighborhood and an index measuring political efficacy. I find that while experiences with the criminal justice system have no impact on

political efficacy they systematically increase a sense of systemic injustice. I further find that among those with personal and proximal contact low political efficacy has no impact on participation outcomes. Instead, when combined with a sense of injustice experiences with the system mobilize people to action.

Qualitative evidence from in-depth interviews with advocates, activists and community members with personal and proximal contact puts the quantitative findings in perspective. Interviewees mobilized by the criminal justice system repeatedly cited the belief that the criminal justice system is biased towards the wealthy, is excessive in punishment, and is entrenched by profit motivations. Whitney supported her partner while he was in prison, and her reflection on the persistence of the criminal justice system exemplifies this theme: "There is money to be made off of it...every head that is in there is money that comes in. And I think that is very worrisome, that there is a financial gain attached to criminalizing more and more and more." Blacks and Latinos interviewed overlaid class with race, a dynamic I distill in Chapter 4 and Chapter 5. For example, Whitney, who is Black, continues her comment on financial gain by saying the following:

> Because race is involved, it's easy to tie that to people that people see as outsiders anyway. If you already see them as outsiders who cares -- actually maybe it's better if they are locked up and out of the way and out of sight and out of mind…and you don't have to deal with them. It's very easy to milk those communities of people. And its very easy to turn around and say, see those communities, their fathers aren't around, they're this, they're that, and you know, but yeah, you locked them up.

Community based organizations (CBOs) can help mobilize individuals to action. They are well situated to this task because they often provide services that speak to needs created by criminal justice contact. Such services might include legal advising, employment services, and language education. They are a natural point of entry into politics, since they often engage in political activities as an extension of their overall mission and they provide their clients to

participation. Thus, they can help individuals who have experience with the criminal justice system overcome resource and efficacy barriers to participation, they can help them connect their unfair experiences to a larger narrative of injustice, and they provide routine opportunities to act. Analysis of the Chicago Area Study (CAS) provided preliminary evidence for this argument, where among individuals who had personal contact, contact with a CBO statistically increased participatory outcomes. While contact with a CBO is not necessary to mobilization, it increases in importance with severity of contact, where those who have experienced long term incarceration are very unlikely to mobilize absent CBO contact.

I have offered an overarching theory around the political behavioral impacts of experiences with the criminal justice system. Existing literature focuses in on the demobilizing impacts of criminal justice contact that result from an eroded sense of internal efficacy. In contrast, I argue that when individuals are politicized by the belief that their negative experiences with the system result from group-based targeting, contact potentially mobilizes. Thus, the relationship between criminal justice contact and political participation is dynamic. The path to mobilization I have identified is the principle contribution of the dissertation.

6.2.1 Conceptualizing Proximal Contact

In order to develop my argument I begin by expanding the definition of contact with the criminal justice system. Previous research has largely focused on personal contact, in particular arrest, conviction and incarceration. I developed the idea of proximal contact, which I define as having a loved one who has had personal contact. Proximal contact is simply a way of expanding an analysis of the impacts of the criminal justice system to include broader groups of individuals learning civic lessons from the criminal justice system even without personal contact.

Scholars have long recognized that whole communities of individuals are impacted by

criminal justice contact beyond those who have personally been incarcerated. Yet, previous research has used the phrase *vicarious contact* to mean anything from learning about crime on the news, to living in a community where criminal justice intervention is high, to having an incarcerated parent or spouse (Hurwitz and Peffley 2005, Hurwitz and Peffley 2010, Weaver and Lerman 2014, Stoudt, Fine and Fox 2011). Defining proximal contact in relational terms is rather important for questions of political behavior because it points to the mechanism for mobilization: individuals who have not been personally incarcerated do not face the same efficacy and resource barriers to participation as those with a criminal record, but still have a vested interest in creating political change since someone they love is negatively impacted by personal contact.

The theory of a sense of systemic injustice suggests that levels of contact should matter for political behavioral outcomes, where those with lesser types of contact not leading to a criminal record should be ripe for mobilization. In contrast, those who have experienced intense types of contact like long term incarceration will face greater participatory barriers. While the idea that the criminal justice system impacts whole communities of people is not original to the dissertation, the specification and measurement of proximal contact in relational terms is an original contribution insofar as it refines the indiscriminate use of *vicarious contact.*

6.2.2 Turning the Focus to Non-Electoral Participation

Lastly, the idea that individuals are mobilized by a sense of systemic injustice contributes to the existing literature by turning the focus to multiple forms of participation. Much of the existing research has focused on the impact of contact on electoral participation, neglecting non-electoral participation. Scholars theorize that the negative impacts of contact on voting extend to non-electoral participation, but offer little evidence to support this claim. This is important for

the topic at hand since non-electoral activities, like protesting, are a key means for those who do not have electoral power to make their voices heard. Gillion writes:

> This political asset [protesting] is even more desirable for marginalized groups that struggle to make inroads by other political means. For relatively powerless groups, protest actions can disrupt the public order and produce negative inducements for political elites to engage in bargaining. Moreover, the benefits that follow from political protests are best realized by the economically disadvantaged and politically powerless (2012, 951).

Gillion's comment suggests that non-electoral participation is precisely where scholars should be looking for mobilization that results from criminal justice contact. The focus on non-electoral participation is an empirical contribution of the dissertation, alongside theory and concept.

6.3 Race and Criminal Justice Policy

This project centralizes race, where an exploration of the divergent means by which racial subgroups interpret their experiences with the criminal justice system assumes a priori that the criminal justice system is political. The criminal justice system plays an increasingly important role in the allocation of resources, including jobs, education, community capital, and social welfare goods, and does so in ways that are unequal across racial subgroups. Demonstrating that the criminal justice system creates and recreates American racial hierarchy is therefore not the chief task of this thesis. Instead, this dissertation frames personal accounts of criminal justice contact by detailing the mechanisms by which policy targets racial subgroups in order to excavate paths to political mobilization.

Community policing tactics aiming to preempt crime viscerally demonstrate how the criminal justice system achieves racialized outcomes from behind a neutral finish. Where previous iterations of white supremacy relied on explicit race-based exclusion from goods and services, its next evolutionary step relies on race-sanitized policy and procedure, "routinized" and

"performed by trained professionals" to achieve the same ends (Murakawa 2014, 25). That "the U.S. incarceration rate of 400 per 100,000 for whites is about two-and-a-half to seven times the incarceration rates of other Western countries" is exculpatory evidence for the innocence of the carceral machine (Gottschalk 2014, 4).

The task taken up by the dissertation, then, is to chart the racial parameters of the *New Jim Crow*, taking special heed of its *newness.* A key feature of the carceral state is the efficiency with which it can be deployed against groups newly identified as threats to the dominant order. Gottschalk uses sex offenders an example of this principle at work. She identifies them as "the new untouchables," highlighting that the same policies developed in pursuit of the War on Drugs that lead to dramatic increases in incarceration are now readily available as viable tools to deal with sex crimes (2014). Such policies include mandatory minimum sentencing, two strikes laws, and disincentives to participate in rehabilitation programs since information revealed through such programs can be used as evidence against defendants in court. Like the War on Drugs the war on sex offenders catches a wide swath of individuals in its net, since behaviors like peeing in public are criminalized as a sex offense.

Moreover, like drug offenders, post-prison is characterized by a lifetime of tracking and surveillance for sex offenders, highlighting another key to the efficiency of the carceral machinery: paths to custodial citizenship are often administrative, operating outside the bounds of democratic check. An example comes from Muñez's inquiry into gang injunctions, which are civil lawsuits against territorially based gangs (2015). Muñez quotes a public official identifying the benefits of a civil suit over a criminal one, where gang members brought into court under an injunction "don't have a right to council. They don't have a right to a jury trial. They don't have the right to a speedy—all of those rights that we have to deal with…why give the defendant back so much stuff" (Muñez 2012, 81).

In the "perilous…pursuit of administrative perfection" the carceral machinery has done away with such inefficiencies as due process (Murakawa 2014, 26). Likewise, because social castaways like sex offenders and gang members bear the brunt of the carceral machinery, its deployment is quiet and uncontested, operating largely within the electoral blind spot (Bawn et al. 2012). Racial inquiry across three subgroups, whites, Blacks and Latinos, unearths this aspect of the *New Jim Crow*, otherwise veiled when focusing on only one subgroup, or by an exclusive focus on the Black-white dichotomy.

I use Chapter 4 to establish the racial parameters of experiences with the criminal justice system, and explore the divergent narratives by which Blacks and whites arrive at a sense of injustice around their experiences. I begin with an overview of the means by which criminal justice policy targets the poor and minorities through race and class laden criminal codes. I argue that whites view their experiences with the criminal justice system through the lens of class. They employ a singular lens, evidenced by the fact that when asked to explain racialized outcomes they decentralize the instrumentality of race in favor of the central explanation of poverty. Even so, when they are politicized by their experiences they mobilize to create change.

In contrast, Blacks externalize their experiences through the dual lens of class and race. I leverage the Black politics literature to establish the long history of mobilization around shared group interest forged by decades of racial oppression. I argue that Blacks are much more likely than their white counterparts to understand experiences with the criminal justice system as systemically unjust, where they situate the criminal justice system as the successor of slavery and Jim Crow. Insofar as they externalize their experiences through race-based narratives, they will be mobilized. Drawing on the AAMS I demonstrate that criminal justice contact systematically increases Black linked fate, and likewise when combined with a sense of linked fate Blacks are mobilized by experiences with the system. I leverage the WCPS to confirm that narratives of

injustice mobilize both whites and Blacks, and that mobilization manifests as non-electoral participation.

Chapter 4 sets up the parameters of the *New Jim Crow* by demonstrating the mechanisms by which minorities and the poor are targeted by facially neutral policies. Whites are not immune to unjust experiences with the criminal justice system, which has implications for their attitudes and behaviors. Yet, whites and Blacks experience entirely divergent realities with regard to the system, and this is reflected in the rate of contact, the likelihood of understanding the system as unjust, and the narratives by which injustice is explained.

In Chapter 5 I turn my attention to the impact of experiences with the criminal justice system on the political attitudes and behaviors of Latinos. The focus of this chapter is the targeting of Latino communities by local police for reasons related to immigration enforcement. Chapter 4 leverages community-policing tactics to explain how it is that Blacks have extremely high rates of contact compared to whites. Chapter 5 builds on this by opening with an explanation of how these same tactics are employed to implement federal immigration policy. Undocumented immigrants are functionally criminalized through punitive immigration policy, detention and deportation. Community policing tactics target the Latino community more broadly, as language, accent and skin color become physical markers of potentially being undocumented. Insofar as it charts the means by which Latinos are increasingly targeted through standard community policing tactics and the negative consequences for those communities, Chapter 5 is the center of the racial analysis offered by this dissertation.

I leverage the extensive Latino politics literature, which demonstrates that Latinos are mobilized by a sense of group threat incited by an anti-immigrant policy environment to argue that Latinos will externalize negative experiences with the system primarily through the lens of immigration. When they perceive their negative experiences are a result of targeting for reasons

related to immigration, they will be politicized and contact will mobilize. I draw on the RWJF survey to support this argument, finding that having been treated unfairly by police and knowing someone who has faced detention or deportation increases perceived discrimination and immigrant linked fate. In turn, personal and proximal contact are statistically associated with increased participation in non-electoral activities.

Previous research has emphasized the extent to which the criminal justice system constitutes the *New Jim Crow*. This research focuses almost exclusively on the role of criminal justice contact in solidifying the second-class status of Blacks, though it often cites federal incarceration rates of Latinos on the way to making a Black-centric argument. Existing scholarship also documents the means by which Blacks are targeted by facially neutral criminal justice policy, and suggests that other minority groups are caught up in the criminal justice system by similar means. This project contributes to the existing body of research by explicitly exploring the means by which the carceral machinery is proficiently deployed against Latinos.

I approach questions around racial inequality in the criminal justice system through individual level political behavior. I situate the veiling of white supremacy behind facially neutral policy as an evolutionary development, where high rates of white incarceration acquit the system of charges of institutional racism. Ironically, it is this feature that may generate political opposition on the level required to challenge the carceral state. Referencing the legacy of the civil rights movement, Gillion writes that it "formed the foundation of a collective minority voice that continued to speak in the 1980s and 1990s, when protest over police brutality, immigration reform, and voter irregularities galvanized black, Latino, and Asian American communities alike" (2013, 12). He goes on to argue that these groups "have become linked through their similar appeals to national institutions for fairness and equality" (2013, 12). This dissertation builds on his argument to contend that not only is the possibility of a multi-racial coalition forged

by similar appeals to institutions for equality, but also by the fact that discrimination emanates from the same institution.

6.4 Outstanding Questions and Directions for Future Research

This project makes inroads into an understanding of the racialized nature of the criminal justice system and the impact of contact on political attitudes and behaviors. While the existing body of research largely focuses on the demobilizing impacts of contact, anecdotal evidence that contact mobilizes can be seen in anti-deportation demonstrations and Black Lives Matter protests almost daily. This dissertation offers empirical evidence that mobilization is happening systematically, and that it is not an artifact of the current moment. It further raises a number of additional questions, laying the groundwork for future research.

6.4.1 Personal Contact and CBOs

I began exploring the mobilizing impacts of experiences with the criminal justice system through a focus on secondary levels of contact, including proximal contact and living in a community where criminal justice intervention is very high (Walker 2014). I grounded my inquiry in research demonstrating the demobilizing impacts of personal contact with the system, and theorized that when individuals face lesser resource and efficacy barriers, they have a greater chance of being mobilized (Lerman and Weaver 2014a, Lee, Porter and Comfort 2014, Burch 2013, Miller 2008, Gilmore 2007). As findings presented in the preceding chapters demonstrate, individuals with personal contact are also mobilized. Moreover, many of the individuals interviewed for this project were incarcerated long term, and yet were politically active.

This finding is perhaps an artifact of method. I reached out to advocacy organizations that serve ex-offenders and their families to identify potential interviewees and found that these

organizations are themselves often staffed by ex-prisoners. Drawing on the CAS survey, I offer preliminary evidence in Chapter 3 that individuals who have had personal contact are mobilized when they have also had contact with a CBO.

Yet the quantitative findings from the CAS survey are themselves plagued with limitations. First, the sample and the extent to which it includes individuals most impacted by the criminal justice system is questionable. Less than 40 people in the sample had some type of personal contact. Findings derived from a multivariate analysis including this measure are unreliable. The sample is limited to the Chicago metropolitan area limiting the generalizability of the analysis. Lastly, while other surveys used for this project employed stratified sampling methods in order to ensure the inclusion of low income, low education, non-citizen Blacks and Latinos, this particular survey did not use such rigorous sampling methods. These limitations alone raise serious questions about the findings regarding CBOs and should be regarded as preliminary.

However, the mobilization of ex-prisoners emerges repeatedly across all chapters of the dissertation. Recall Tomás from Chapter 5 who started organizing resources for reentry from behind bars, and continued advocating for criminal justice reform after release, saying: "Our little reentry program – that is what was instilled in my heart to continue doing the work out here." Frank spent 18 years in prison, more than two years of it in solitary confinement. He now advocates for criminal justice reform in Washington State and works with current inmates. He explains the motivation for his activism:

> Its about railing against an unjust system, without taking the liability or the culpability of the individual…you know you did what you did, but you earned your second chance, that's what the whole thing is about...but I hate the DOC. I used to go in there [prison], and 'f*** the police,' that was my parting line. Don't support a system that doesn't support you…that's why I go back in there, so I can go in and hopefully spark a fire in some little radical idealist and they'll go over than they'll make a change, because the more people who can rail against the system, the more likely you are to make a change.

Interviews with activists who are ex-prisoners therefore suggest that political mobilization is not beyond the reach of those who have the most intense experiences with the criminal justice system. Ex-prisoners arguably have a large stake in policies that limit access to social goods, are excessively punitive around violations of probation and parole, and limit access to the ballot box for those with criminal records (Owens 2014). Moreover, experiences with the carceral state leave ex-prisoners will high levels of anger and a strong sense of injustice, providing a catalyst to act (Valentino et al. 2011). CBOs serve the double purpose of helping meet needs generated by experiences with the criminal justice system and returning to prisoners a sense of human dignity and self-efficacy (Owens 2014, Burch 2013).

Based on evidence from my qualitative interviews I theorize that the demobilizing impacts of intense contact with the criminal justice system, like long-term incarceration, can be mediated by contact with a CBO. The more intense the contact, the more important contact with a CBO becomes to mobilization. The less intense the contact, like having proximal contact or having simply been stopped, questioned or arrested, the less important contact with a CBO becomes. Preliminary findings from the CAS support this argument. However, the limitations of the CAS raise the need for future research.

6.4.2 Latinos and the *New Jim Crow*

An exploration of the means by which experiences with the criminal justice system mobilize people to action brings together a wide range of literatures. Criminal justice scholarship documents the racialized origins of many policies responsible for the rise in incarceration (Weaver 2007, Murakawa 2014). This body of work provides an historical account of the rise of law-and-order politics and race-sanitized criminal justice policy (Murakawa 2014). Lastly, it thoroughly documents racially divergent criminal justice outcomes, and the collateral

consequences of these outcomes (Feeley and Simon 1992, Lynch 1998, Travis and Lawrence 2002, Western 2002, Keegan and Cadora 2003, Pager 2003, Pettit and Western 2004, Braman 2004, Wacquant 2009, Harris, Evans and Beckett 2011, Travis, Johnson and Easterling 2012).

Lacking in the criminal justice literature is evidence for a path by which those who understand themselves as targeted by the system politically mobilize to resist this oppression. To speak to this, I draw on political science literature demonstrating the political capacity of marginalized populations. Black politics and Latino politics research offers ample evidence for the political psychological means by which criminal justice contact might mobilize people to action (Miller et al. 1981, Shingles 1981, Walton 1994, Dawson 1994, Barreto and Woods 2005, Sanchez 2006, Barreto et al. 2009).

Joining literature on the racialized nature of the criminal justice system to the Black politics literature is a straightforward task, thanks to the robustness of these bodies of work. It is less straightforward to connect targeting of Latino communities by local police to the literature on Latino mobilization. Literature on the Latino mobilization clearly suggests that if Latinos feel targeted for reasons related to immigration they will self-defensively mobilize. Research charting the legislative and political origins of key policy mechanisms by which local police enforce federal immigration law is comparatively lacking.

While targeting of immigrants for social exclusion and deportation is not a new phenomenon, it has resurged in the early part of the 21st century. Latino immigrants are under assault in localities across the nation, exemplified by Arizona's draconian SB 1070 and the myriad of copycat bills subsequently introduced into state legislatures. I locate the mechanisms by which the broader community of Latinos are targeted in programs that deputize local police to act as ICE officials, including Secure Communities, 287(g) and the Criminal Aliens Program (CAP). These programs were established under the 1986 and 1996 immigration reform bills, and

are largely technological, characterized by database sharing and procedural checks when individuals are processed into jails. Technological advances in criminology and policing not available in previous eras facilitate the current targeting by local police of Latino communities. Moreover, these programs are employed as a matter of administrative practice, where federal immigration officials employ systems already in place (local police) to efficiently execute the task of immigration enforcement. In contrast to work connecting mass incarceration to Jim Crow, where scholars can clearly point to racial motivations in the passage of certain policies, the increased use of programs like 287(g) and Secure Communities occurred outside the legislature and without fanfare.

The quiet, efficient deployment of these programs is made possible precisely because of the work done by law-and-order rhetoric and the misguided search for racial equality through liberal proceduralism (Murakawa 2014). Within the context of the current project, this underscores the qualities of the *New Jim Crow* that set it apart from previous iterations of racial control. However, thoroughly exploring the political, legislative, and administrative origins of these programs is outside the scope of the present project. It is a worthwhile task that promises to shed new light on the mechanics of the *New Jim Crow*, and is a direction for future research.

6.5 Conclusion: Moving Forward

The subfield of criminal justice in Political Science is small but rapidly growing. Yet, poor data hinders efforts to develop knowledge around the political impacts of the carceral state. Existing datasets measuring all types of contact with the system alongside political variables of interest to the field are few. Those that do exist are limited by their sampling techniques, including too few Blacks, Latinos, non-citizens and those of lower socioeconomic status. An important step forward is the routine collection of data that includes measures of contact with the

criminal justice system, exemplified by the inclusion of such variables in the ANES 2016 Pilot Study. Like previous surveys, however, the ANES lacks a sufficient number of Blacks and Latinos to allow for racial subgroup analysis. Criminal justice scholars need data that appropriately samples populations impacted by the criminal justice system. In addition to stratified sampling on race and socioeconomic status, data appropriate to the study of criminal justice should include oversamples of major metropolitan areas to facilitate the inclusion of census and crime data. This is particularly important for criminal justice research, since likelihood of contact is conflated with geographic space and community policing is idiosyncratic to local culture. The ideal dataset would therefore include oversamples of major cities like Chicago, Washington D.C., Los Angeles and Houston to facilitate the integration of contextual census and crime data.

While the struggle with data inadequate to large, socio-political questions is perhaps the defining feature of sociological research, Latino politics offers evidence of the importance of high-quality data to subfield development. Leaders in the field of Latino politics long recognized the inability of mainstream surveys to adequately capture representative samples of Latinos (DeSipio 1996, de la Garza 1998, Barreto et al. 2006). Frustration with polling techniques fitted to middle class whites led to the collection of the Latino National Political Survey (1989) and the Latino National Survey (2006). The Latino National Survey is one of the most widely analyzed datasets for questions pertaining to Latino politics and advanced the field immensely.

These datasets were made available to future students of racial and ethnic politics. Scholars concerned with inequality, asking critical questions that push the field of Political Science forward are also often first generation and scholars of color. The LNPS and the LNS forwarded the study of Latino politics by democratizing access to the academy for the next generation of scholars. The study of the criminal justice system in Political Science will be similarly defined. The collection of an analogous dataset promises to elevate an area of research

currently confined by mainstream surveys that do not properly sample the populations of interest, and legal scholarship that does not centralize quantitative analysis. At this political moment when nearly half the population has proximal contact and the legitimacy of the system is itself increasingly questioned, the need to develop systematic knowledge around the carceral state has never been more pressing.

The study of Latino politics teaches additional lessons of importance to this dissertation. The concept of a pan-ethnic Latino identifier is contested by scholars of Latino politics, given that Latinos in the U.S. are diverse in country of origin, family histories with immigration, language and culture (DeSipio 1996, Jones-Correa 1998, Beltrán 2010). Yet discriminatory government institutions that treat them as one group politically unify Latinos (Pantoja, Segura and Ramirez 2001, Pantoja and Segura 2003, Bowler, Nicholson and Segura 2006, Barreto and Woods 2005, Barreto et al. 2009, Zepeda-Millán and Wallace 2013).

In search for an explanation for why a wide cross-section of Latinos participated in the immigration rallies during the spring of 2006, Barreto et al. leverage the idea of solidarity (2009). They argue that individuals are mobilized by a sense of solidarity when some aspect of their identity is triggered by contextual factors. The concept of solidarity importantly suggests a mechanism by which a diverse coalition of actors may mobilize around a shared experience of injustice, even as their experiences with the system widely differ. I argue that race conditions the paths by which individuals arrive at a sense of injustice around the criminal justice system. Whites reflect their experiences through the narrative of class, Blacks reflect their experiences through the lens of racial capitalism, and Latinos add ethnicity, citizenship and immigration to class and race narratives. Kellen, an organizer and prison reform activist in Seattle articulates the shared burden of the criminal justice system:

> All prisoners are political…the reasons they are in prison, and the reasons that prisons exist are political. And when you start distinguishing between oh this person is a political prisoner and this person is not -- what that does is it creates this dynamic where some prisoners…are getting support, and the rest of them are seen as 'justly' in prison, and they're not. It's not a just system.

Whites are much less likely than their Black and Latino counterparts to have contact with the system and to evaluate their experiences as systemically unjust. When they do arrive at a sense of systemic injustice they are politically mobilized. An excavation of the *New Jim Crow* reveals the means by which whites are privileged within the context of the system while not exempted from its violence. Blacks and Latinos have long contended with state sanctioned racial violence, and the criminal justice system is a continuation of this struggle. I therefore turn to Audre Lorde's intersectional politics to conclude this dissertation. Lorde writes:

> Difference must be not merely tolerated, but seen as a fund of necessary polarities between which our creativity can spark like a dialectic…Without community there is no liberation, only the most vulnerable and temporary armistice between an individual and her oppression. But community must not mean a shedding of our differences, nor the pathetic pretense that these differences do not exist…in a world of possibility for us all, our personal visions help lay the groundwork for political action (2007, 111-112).

Even as political change requires the contribution of many, solidarity requires the recognition of privilege with respect to the criminal justice system.

References

Alexander, Michelle. 2010. *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*. New York: The New Press.

American Immigration Council. 2013. "The Criminal Alien Program (CAP): Immigration Enforcement in Prisons and Jails." August 1. http://www.americanimmigrationcouncil.org/just-facts/criminal-alien-program-cap-immigration-enforcement-prisons-and-jails

American National Election Studies. 2012. "Guide to Public Opinion and Electoral Behavior." http://www.electionstudies.org/nesguide/gd-index.htm

Apuzzo, Matt and Schmidt, Michael S. 2014. "U.S. To Continue Racial, Ethnic Profiling in Border Policy." *The New York Times,* December 5.

Aranda, Elizabeth, Menjivar, Cecilia, and Donato, Katherine M. 2014. "The Spillover Consequences of an Enforcement-First U.S. Immigration Regime." *American Behavioral Scientist,* 58(13): 1687-1695.

Ardery, Saundra. 1994. "The Political Behavior of Black Women: Contextual, Structural, and Psychological Factors." In *Black Politics and Black Political Behavior: A Linage Analysis,* ed. Hanes Walton. Westport: Praeger, 219-235.

Baer, Demelza, Bhati, Avinash, Brooks, Lisa, Castro, Jennifer, Nancy Lavigne, Kamala Mallik-Kane, Rebecca Naser, Jenny Osborne, Caterina Roman, John Roman, Shelli Rossman, Amy Solomon, Christy Visher, and Laura Winterfeld. 2006. "Understanding the Challenges of Prisoner Reentry: Research Findings from the Urban Institute's Prisoner Reentry Portfolio." Urban Institute Justice Policy Center.

Barker, Lucious, and McCorry, Jesse J. 1976. *Black Americans and the Political System*. Cambridge: Winthrop.

Barreto, Matt A., Woods, Nathan, Guerra, Fernando, Nuño and Marks, Mara. 2006. "Controversies in Exit Polling: Implementing a Racially Stratafied Homogenous Precinct Approach." *PS: Political Science and Politics,* (3): 477-483.

Barreto, Matt A., Sylvia Manzano, Ricardo Ramirez, and Kathy Rim. 2009. "Mobilization, Participation, and Solidaridad: Latino Participation in the 2006 Immigration Protest Rallies." *Urban Affairs Review* 44 (5): 736–64.

Barreto, Matt A., and Nathan D. Woods. 2005. "Latino Voting Behavior in an Anti-Latino Political Context: The Case of Los Angeles County." In *Diversity in Democracy: Minority Representation in the United States*, edited by Gary M. Segura and Shaun Bowler, 148–69. Charlottesville: University of Virginia Press.

Barreto, Matt. 2010. *Ethnic Cues: The Role of Shared Ethnicity in Latino Political Participation*. Ann Arbor: University of Michigan Press.

Barreto, Matt and Stephen Nuño. 2011. "The Effectiveness of Co-Ethnic Contact on Latino Political Recruitment." *Political Research Quarterly*. 64: 448-459.

Barreto, Matt. 2007. "*Si Se Puede!* Latino Candidates and the Mobilization of Latino Voters." *American Political Science Review*. 101: 425-441.

Baum, Dan. 2016. "Legalize it All: How to Win the War on Drugs." *Harpers Magazine,* April. https://harpers.org/archive/2016/04/legalize-it-all/

Beckett, Katherine. 1997. *Making Crime Pay*. New York: Oxford University Press.

Beckett, Katherine & Murakawa, Naomi. 2012. "Mapping the Shadow Carceral State: The Hidden Politics of Expanding Penal Power." *Theoretical Criminology* 16*, 221-244*

Beltrán, Cristina. 2010. *The Trouble with Unity: Latino Politics and the Creation of Identity*. New York: Oxford University Press.

Bennett, E., Cordner, A., Klein, P., Savell, S., and Baiocchi, G. 2013. "Disavowing Politics: Civic Engagement in an Era of Political Skepticism." *American Journal of Sociology, 119*(2), 518-548.

Bensonsmith, Dionne. 2005. "Jezebels, Matriarchs, and Welfare Queens: The Moynihan Report of 1965 and the Social Construction of African-AmericanWomen inWelfare

Policy," in *Deserving and Entitled: Social Constructions and Public Policy*, eds. Anne L. Schneider and Helen M. Ingram. Albany: SUNY Press, pp. 243–259.

Berestein, Leslie and Manolatos, Tony. 2006. "Bush Wants to Put More Money into Training that has yet to Catch on Locally." May 17. *San Diego Union Tribute.* Retreived from: http://www.sandiegouniontribune.com/uniontrib/20060517/news_1n17police.html

Bloomberg, Michael. 2013. "Michael Bloomberg: 'Stop and Frisk' Keeps New York Safe." *The Washington Post*, August 18.

Bowers, Melanie and Preuhs, Robert. 2009. "Collateral Consquences of a Collateral Penalty: The Negative Effect of Felon Disenfranchisement on the Political Participation of Non-Felons." *Social Science Quarterly* 90(3).

Bowler, Sean, Nicholson, Stephen, and Segura, Gary. 2006. "Earthquakes and Aftershocks: Race, Direct Democracy, and Partisan Change." American Journal of Political Science, 50(1), 146-159.

Braman, Donald. 2004. *Doing Time on the Outside: Incarceration and Family Life in Urban America*. Ann Arbor: University of Michigan Press.

Burch, Traci. 2011. Turnout and Party Registration among Criminal Offenders in the 2008 General Election. *Law and Society Review,* 45(3): 699-1027.

Burch, Traci. 2013. *Trading Democracy for Justice: Criminal Convictions and the Decline of Neighborhood Political Participation*. Chicago: The University of Chicago Press.

Carbado, D. 2002. "Race to the bottom." *UCLA Law Review, 49*(5), 1283-1312.

Chauhan, P., Fera, A.G., Welsh, M.B., Balazon, E., and Misshula, E. with an Introduction by Jeremy Travis. 2014, October. *Trends in Misdemeanor Arrest Rates in New York.* Citizens Crime Commission. New York: New York.

Chisti, Muzzafar, Bergeron, Claire, and Hoyt, Lang. 2011. "Unanswered Questions Surround ICE's Secure Communities Program." Washington, DC: Migration Policy Institute. Retreived from: http://www.migrationpolicy.org/article/unanswered-questions-surround-ices-secure-communities-program

Cho, Wendy K. Tam, Gimpel, James G., Wu, Tony. 2006. "Clarifying the Role of SES in Political Participation: Policy Threat and Arab American Mobilization." Journal of Politics, 68(4): 977:991.

Comfort, Megan. 2008. *Doing Time Together: Love and family in the Shadow of the Prison*. Chicago: University of Chicago Press.

Davis, Angela. 2003. *Are Prisons Obsolete?* New York: Seven Stories Press.

Dawson, Michael. 1994. *Behind the Mule : Race and Class in African-American Politics*. Princeton:

Princeton University Press.

de la Garza, Rodolfo. 1998. "Why Pollsters Missed the Latino Vote – Again!" Los Angeles: Tomás Rivera Policy Institute.

DeSipio, Louis. 1996. "Making Citizens or Good Citizens? Naturalization as a Predictor of Organizational and Electoral Behavior among Latino Immigrants." *Hispanic Journal of Behavioral Sciences, 18*(2).

Fagan, Jeffrey, and Davies, Garth. 2000. "Street Stops and Broken Windows: Terry, Race, and Disorder in New York City." *Fordham Urban Law Journal,* 28(2): 457-504.

Fandl, K. 2008. "Immigration Posses: U.S. Immigration Law and Local Enforcement Practices." *Journal of Legislation,* 34(1): 16-37.

Feeley, Malcolm, and Simon, Jonathan. 1992. The New Penology: Notes on the Emerging Strategy of Corrections and its Implications. *Criminology, 30(*4), 449-478.

Finifter, Ada. 1970. "Dimensions of Political Alienation." *The American Political Science Review,* 64(2): 389-410.

Alexandra Filindra, Noah Kaplan and Maria Krysan (2014) 2014 Chicago Area Study. Chicago, IL: University of Illinois at Chicago

Flores, R. 2014. "Living in the Eye of the Storm: How did Hazleton's Restrictive Immigration

Ordinance Affect Local Interethnic Relations?" *American Behavioral Scientist,* 58(13): 1743-1763.

Fraga, Luis, Garcia, John, Segura, Gary, Jones-Correa, Michael, Hero, Rodney, and Martinez-Ebers, Valerie. 2010. *Latino Lives in America Making It Home*. Philadelphia: Temple University Press.

Fragamen, Austin T. 1997. "The Illegal Immigration Reform and Immigrant Responsibility Act of 1996." *International Migration Institute* 31(2): 438-460.

Gamson, W. 1968. *Power and discontent*. Homewood: Dorsey Press.

Garland, David. 2001. *The Culture of Control: Crime and Social Order in Contemporary Society*. Chicago: University of Chicago Press.

Geller, Amanda, Irwin S. Garfinkel, and Bruce Western. 2011. "Paternal Incarceration and Support for Children in Fragile Families." *Demography,* 48:25–47.

George, Darren, and Mallery, Paul. 2003. SPSS for Windows Step by Step: A Simple Guide and Reference. Boston: Allyn & Bacon.

Gerteis, J., and Savage, M. 1998. "The Salience of Class in Britain and America: A Comparative Analysis." *The British Journal of Sociology,* 49(2): 252-274.

Gilens, Martin. 1999. *Why Americans Hate Welfare: Race, Media, and the Politics of Antipoverty Policy*. Chicago: The University of Chicago Press.

Gillion, Daniel. 2013. *The Political Power of Protest: Minority Activism and Shifts in Public Policy*. Cambridge: Cambridge University Press.

Gillion, D. 2012. "Protest and Congressional Behavior: Assessing Racial and Ethnic Minority Protests in the District." *74*(4), 950-962.

Gilmore, Ruth Wilson. 2007. *Golden Gulag: Prisons, Surplus, Crisis, and Opposition in Globalizing California*. London: University of California Press.

Girshick, Lori B. 1996. *Soledad Women: Wives of Prisoners Speak Out*. Westport: Praeger.

Godown, Jeff. 2009. "The CompStat Process: Four Principles for Managing Crime Reduction." *The Police Chief,* LXXVI(8).

Gottschalk, Marie. 2014. *Caught: The Prison State and the Lockdown of American Politics*. Princeton: Princeton University Press.

Gottschalk, Marie. 2006. *The prison and the Gallows: The Politics of Mass Incarceration in America.* New York: Cambridge University Press.

Green, Eva, Staerkle, Christian, and David O. Sears, David O. 2006. "Symbolic Racism and Whites' Attitudes Towards Punitive and Preventive Crime Policies," *Law and Human*

Behavior, 30(4): 435–454.

Hancock, Ange-Marie. 2004. *The Politics of Disgust: The Public Identity of the Welfare Queen.* New York: New York University Press.

Harder, Joshua. 2008. "Why do People Vote? The Case for Political Efficacy." The Center for the Study of the Presidency and Congress. Retrieved from: http://www.thepresidency.org.

Harris, Alexes, Evans, Heather, and Beckett, Katherine. 2010. "Drawing Blood From Stones: Legal Debt and Social Inequality in the Contemporary United States." *American Journal of Sociology,* 115(6): 1753-1799.

Harris, Alexes, Evans, Heather, and Beckett, Katherine. 2011. "Courtesy Stigma and Monetary Sanctions: Toward a Socio-Cultural Theory of Punishment." *American Sociological Review (76)*2, 234-264.

Harris, Fredrick. 1994. "Something Within: Religion as a Mobilizer of African-American Political Activism." *The Journal of Politics,* 56(1): 42-68.

Hartley, Richard D., and Louisa F. Armendariz. 2011. "Border Justice? Sentencing Federal Narcotics Offenders in Southwest Border Districts: A Focus on Citizenship Status."

Holbrook, Allyson, and Krosnick, Jon. 2010. "Social Desirability Bias in Voter Turnout

Reports." *Public Opinion Quarterly, 74*(1), 37-67.

Horwitz, Sari and Markon, Jerry. 2014. "Racial Profiling Will Still be Allowed at Airports, Along Border Despite New Policy." *The Washington Post.*

Hurwitz, Jon and Peffley, Mark. 2005. "Explaining the Great Racial Divide: Perceptions of Fairness in the U.S. Criminal Justice System." The Journal of Politics, 67(3): 762-783.

Institute for Crime Policy Research. ND. *World Prison Brief.* http://www.prisonstudies.org/highest-to-lowest/prison-population-total. London: Institute for Crime Policy Research. Accessed: January, 2016.

Jannetta, Jesse, Breaux, Justin, Ho, Helen & Porter, Jeremy. (2014). *Examining Racial and Ethnic Disparities in Probation Revocation: Summary Findings and Implications From a Multistate Study*. Washington, DC The Urban Institute.

Johnson, Elizabeth I., and Beth Easterling. 2012. "Understanding the Unique Effects of Parental Incarceration on Children: Challenges, Progress and Recommendations." *Journal of Marriage and Family,* 74:342–56.

Johnson, Jeh Charles. 2014. Memorandum to Thomas S. Winkowski on Secure Communities. U.S. *Department of Homeland Security*. Retrieved from: http://www.dhs.gov/sites/default/files/publications/14_1120_memo_secure_communities.pdf

Jones-Correa, Michael. 1998. *Between two Nations: The Political Predicament of Latinos in New York City*. Ithaca: Cornell University Press.

Karstedt, Susanne. 2006. "Democracy, Values and Violence: Paradoxes, Tensions, and Comparative Advantages of Liberal Inclusion." *Annals of the American Academy of Political and Social Science,* 605: 50-81.

Karstedt, Susanne, and Lafree, Gary Lafree. 2006. "Introduction: Democracy, Crime and Justice." *Annals of the American Academy of Political and Social Science, 605*, 6-311.

Kelly, Raymond. 2012. "The NYPD vs. Minorities? No Way." *The New York Daily News,* May 21.

Kelling, George L., and Wilson, James Q. 1982. "Broken Windows: The Police and Neighborhood Safety." *The Atlantic,* March. http://www.theatlantic.com/magazine/archive/1982/03/broken-windows/304465/

Kholi, Aarti, Markowitz, Peter L., Chavez, Lisa. 2011. "Secure Communities by the Numbers: An Analysis of Demographics and Due Process." *The Chief Justice Earl Warren Institute on Law and Social Policy*, University of California, Berkley Law School.

King, Ryan S. Mauer, Marc and Huling, Tracy. 2003. "Big Prisons, Small Towns: Prison Economics in Rural America." *The Sentencing Project.*

Kline, Rex. 2005. *Principles and Practice of Structural Equation Modeling*. New York: Guilford Press.

Klinker, Philip A., and Smith, Rogers. 1999. *The Unsteady March: The Rise and Decline of Racial Equality in America*. Chicago: University of Chicago Press.

Lee, Hedwig, Tyler McCormick, Margaret T. Hicken, and Christopher Wildeman. 2015. "Racial Inequalities in Connectedness to Imprisoned Individuals in the United States." *Du Bois Review: Social Science Research on Race* 12(02): 269–82.

Lee, Hedwig, Porter, Lauren C., and Comfort, Megan. 2014. "Consequences of Family Member Incarceration: Impacts on Civic Participation and Perceptions of the Legitimacy and Fairness of Government." The ANNALS of the American Academy of Political and Science, 651(44).

Lerman, Amy, and Weaver, Vesla. 2014a. *Arresting Citizenship: The Democratic Consequences of American Crime Control.* Chicago: University of Chicago Press.

Lerman, Amy, and Weaver, Vesla. 2014b. "Staying out of Sight? Concentrated Policing and Local Political Action." *The ANNALS of the American Academy of Political and Social Science,* 651(1): 202-219.

LeRoux, Kelly, and Krawczyk, Kelly. 2014. "Can Nonprofit Organizations Increase Voter Turnout? Findings From an Agency-Based Voter Mobilization Experiment." *Nonprofit and Voluntary Sector Quarterly,* 43(2): 272-292.

Linthicum, Kate. 2014. "Obama Ends Secure Communities Program as Part of Immigration Action." *Los Angeles Times*. Retrieved from: http://www.latimes.com/local/california/la-me-1121-immigration-justice-20141121-story.html

Linthicum, Kate. 2015. "Protesters Opposed to ICE in Los Angeles County Jails Arrested." *Los Angeles Times.* Retreived from: http://www.latimes.com/local/lanow/la-me-ln-protesters-ice-jails-arrested-20150715-story.html.

Loader, Ian. 2006. "Policing, Recognition and Belonging." *Annals of the American Academy of Political and Social Science,* 605: 202-221.

Lorde, Audre. 2007. *Sister Outsider: Essays and Speeches by Audre Lorde*. Berkley: Crossing Press.

Lowndes, Joseph. 2012. "The Past and Future of Race in the Tea Party Movement," in *Steep: Vertiginous Rise of the Tea Party*, eds Lawrence Rosenthal and Christine Trost. Oakland: University of California Press, pp. 152–170.

Lynch, Mona. 1998. "Waste Managers? The New Penology, Crime Fighting, and Parole Agent Identity." *Law & Society Review* 32: 839-869.

Lynch, James, and Sabol, William. 2001. *Prisoner Reentry in Perspective.* Washington, D.C.: The Urban Institute.

Manza, Jeff, and Christopher Uggen. 2006. *Locked Out: Felon Disenfranchisement and American Democracy*. New York: Oxford University Press.

Martinez, Lisa. 2008. "'Flowers From the Same Soil': Latino Solidarity in the Wake of the 2006 Immigrant Mobilizations." *The American Behavioral Scientist, 52*(4), 557.

Masuoka, Natalie. 2006. "Together They Become One: Examining the Predictors of Panethnic Group Consciousness Among Asian Americans and Latinos." *Social Science Quarterly,* 87(5): 993-1011.

McCluskey, John D., McCluskey, Cynthia Perez, and Enriquez, Roger. 2008. "A comparison of Latino and White citizen satisfaction with police." *Journal of Criminal Justice,* 36(6): 471-477.

McDonald, Michael. 2013. "Turnout in the 2012 Presidential Election." February 11, *The Huffington Post.*

McVeigh, Rory, and Smith, Christian. 1999. "Who Protests in America: An Analysis of Three Political Alternatives—Inaction, Institutionalized Politics, or Protest." *Sociological Forum, 14*(4), 685-702.

Meissner, Doris, Kerwin, Donald M., Chishti, Muzaffar, and Bergeron, Claire. 2013. "Immigration Enforcement in the United States: The Rise of a Formidable Machinery." *The Migration Policy Institute.*

Menjivar, Cecilia. 2006. "Liminal Legality: Salvadoran and Guatemalan Immigrants Lives in the United States." *American Journal of Sociology,* 111(4): 999-1037.

Menjivar, Cecilia, and Bajerano, Cynthia. 2010. "Latino Immigrants' Perceptions of Crime and Police Authorities in the United States: A Case Study from the Phoenix Metropolitan Area." *Ethnic and Racial Studies,* 27(1): 120-148.

Miller, Arthur H., Gurin, Patricia, Gurin, Gerald, and Malanchuk, Oksana. 1981. "Group Consciousness and Political Participation." *American Journal of Political Science,* 25(3): 494-511.

Miller, Lisa. 2008. *The Perils of Federalism: Race, Poverty, and the Politics of Crime Control*. New York: Oxford University Press.

Mink, Gwendolyn. 1998. *Welfare's End*. Ithaca, NY: Cornell University Press.

Morrell, Michael E. 2005. "Deliberation, Democratic Decision-Making and Internal Political Efficacy." *Political Behavior*, 27(1): 49-69.

Morse, Ann. 2011. "Arizona's Immigration Enforcement Laws." *National Conference of State Legislators.* Retrieved from: http://www.ncsl.org/research/immigration/analysis-of-

arizonas-immigration-law.aspx

Moyer, Justin. 2015. "'Baltimore Riots' Transform into 'Baltimore Uprising.'" The Washington Post. Retrieved from: http://www.washingtonpost.com/news/morning-mix/wp/2015/04/29/when-baltimoreriots-became-baltimoreuprising.

Muñez, Ana. 2015. *Police, Power and the Production of Racial Boundaries.* New Brunswick: Rutgers University Press.

Murakawa, Naomi, and Kathrine Beckett. 2010. "The Penology of Racial Innocence: The Erasure of Racism in the Study and Practice of Punishment." *Law & Society Review* 44 (3): 695–730.

Murakawa, Naomi. 2014. *The First Civil Right: How Liberals Built Prison America.* New York: Oxford University Press.

Nelson, William, and Meranto, Philip. 1977. *Electing Black Mayors: Political Action in the Black Community*. Columbus: Ohio State University Press.

New York Civil Liberties Union. 2013. "Analysis Finds Racial Disparities, Ineffectiveness in NYPD Stop-and-Frisk Program; Links Tactic to Soaring Marijuana Arrest Rate." http://www.nyclu.org/news/analysis-finds-racial-disparities-ineffectiveness-nypd-stop-and-frisk-program-links-tactic-soar. New York: New York Civil Liberties Union. Accessed: January, 2016.

The New York City Bar. 2013. "New York City Bar Association Report on the NYPD's Stop and Frisk Policy." http://www2.nycbar.org/pdf/report/uploads/20072495-StopFriskReport.pdf. New York: The New York City Bar Association. Accessed: April, 2016.

Ochs, H. 2006. "'Colorblind' Policy in Black and White: Racial Consequences of Disenfranchisement Policy." *Policy Studies Journal*, 34(1): 81-93.

Omi, M., and Winant, Howard. 1994. *Racial formation in the United State : From the 1960s to the 1990s*. New York: Routledge.

Owens, Michael Leo. 2014. "Ex-Felons' Organization-Based Political Work for Carceral Reforms." *The ANNALS of the American Academy of Political and Social Science*, 651: 256-265.

Pager, Devah. 2003. "The Mark of a Criminal Record." *The American Journal of Sociology* 108 (5): 937–75.

Pantoja, Adrian D., Ramirez, Ricardo, and Segura, Gary M. 2001. "Citizens by Choice, Voters by Necessity: Patterns in Political Mobilization by Naturalized Latinos." *Political Research Quarterly* 54:729–50.

Pantoja, Adrian D., and Segura, Gary M. 2003. "Does Ethnicity Matter? Descriptive Representation in Legislatures and Political Alienation Among Latinos." *Social Science Quarterly*, 84(2): 441-460.

Parenti, Christian. 2008. *Lockdown America: Police and Prisons in the Age of Crisis*, New Edition. New York City, NY: Verso Press.

Parker, Christopher S. 2009. *Fighting for Democracy: Black Veterans and the Struggle against White Supremacy in the Postwar South*. Princeton University Press.

Peak, Ken and Barthe, Emmanuel. 2009. "Community Policing and CompStat: Merged or Mutually Exclusive?" *The Police Chief,* LXXVI(12).

Peck, Jamie. 2003. "Geography and Public Policy: Mapping the Penal State." *Progress in Human Geography* 27 (2): 222-232.

Pedraza, Francisco. 2014. "The Two-Way Street of Acculturation, Discrimination, and Latino Immigration Restrictionism." *Political Research Quarterly,* 67(4): 889-904.

Peffley, Mark, and Hurwitz, Jon. 2010. *Justice in America: The Separate Realities of Blacks and Whites*. New York: Cambridge University Press.

Pengelly, Martin. 2016. "O'Malley and Sanders Take on Police Brutality after Protesters Disrupt Forum." *The Guardian.* Retrieved from: http://www.theguardian.com/us-news/2015/jul/19/martin-omalley-bernie-sanders-police-brutality-phoenix-protest

Pettit, Becky, and Western, Bruce. 2004. "Mass Imprisonment and the Life Course: Race and Class Inequality in U.S. Incarceration." *American Sociological Review,* 69(2): 151-169.

Pew Hispanic Center Survey National Survey of Latinos. 2008. *Pew Research Center. http://www.pewhispanic.org/category/datasets/?download=9998*

Philpot, Tasha, Shaw, Daron, and McGowen, Ernest. 2009. "Winning the Race: Black Voter Turnout in the 2008 Presidential Election." *Public Opinion Quarterly, 73*(5), 995.

Piven, Frances Fox, and Cloward, Richard A. 1977. *Poor People's Movements: Why They Succeed, How They Fail*. New York: Pantheon Books.

Piven, Frances Fox, and Cloward, Richard A. 2000. *Why Americans Still Don't Vote: And Why Politicians Want it That Way*. Boston: Beacon Press.

Porambo, R. 1971. *No Cause for Indictment: An Autopsy of Newark.* New York: Holt, Rinehart and Winston.

Quiroga, Seline, Medina, Dulce, and Glick, Jennifer. 2014. "In the Belly of the Beast: Effects of Anti-Immigration Policy on Latino Community Members." *American Behavioral Scientist,* 58(13): 1723-1742.

Rabinowitz, Joshua L., Sears, David O., Sidanius, Jim and Krosnick, Jon A. 2009. "Why do White Americans Oppose Race-Targeted Policies? Clarifying the Impact of Symbolic

Racism," *Political Psychology*, 30(5): 805–828.

Ramirez, Ricardo. 2013. *Mobilizing Opportunities: The Evolving Latino Electorate and the Future of American Politics*. Charlottesville: University of Virginia Press.

Roberts, Dorothy E. 2011. "Collateral Consequences, Genetic Surveillance, and the New Biopolitics of Race." *Faculty Scholarship.* Paper 437. http://scholarship.law.upenn.edu/faculty_scholarship/437

Roediger, David, 2007. *The Wages of Whiteness Race and the Making of the American Working Class* London: Verso.

Rosenbaum, D. 2005. "Attitudes Toward the Police: The Effects of Direct and Vicarious Experience." *Police Quarterly,* 8(3): 343-365.

Rosenstone, S., and Hansen, John Mark. 1993. *Mobilization, Participation, and Democracy in America* New York: Macmillan Publiching Company.

Sabo, Samantha, Shaw, Susan, Ingram, Maia, Teufel-Shone, Nicolette, Carvajal, Scott, De Zapien, Jill Guernsey, Rosales, Cecilia, Reondo, Garica, Gina and Rubio-Goldsmith, Raquel. 2014. "Everyday violence, structural racism and mistreatment at the US–Mexico border. "*Social Science & Medicine,* 109: 66-74.

Sabol, William, and Heather West. 2010. "Prisoners in 2009." Bureau of Justice Statistics, Department of Justice, Washington, DC.

Sanchez, Gabriel R. 2006a. "The Role of Group Consciousness in Political Participation Among Latinos in the United States." *American Politics Research,* 34(4): 427.

Sanchez, Gabriel. 2006b. "The Role of Group Consciousness in Latino Public Opinion." *Political Research Quarterly, 59*(3), 435-446.

Sanchez, Gabriel R. 2008. "Latino Group Consciousness and Perceptions of Commonality with African Americans." *Social Science Quarterly,* 89(2): 428.

Sanchez, Gabriel, Vargas, Edward, Walker, Hannah & Ybarra, Vicki. 2015. "Stuck Between a Rock and a Hard Place: The Relationship Between Latino/a's Personal Connections to Immigrants and Issue Salience and Presidential Approval. *Politics, Groups and Identities.*

Sanchez, Gabriel R., and Masuoka, Natalie. 2010. "Brown-Utility Heuristic? The Presence and Contributing Factors of Latino Linked Fate." *Hispanic Journal of Behavioral Sciences,* 32(4): 519-531.

Schlosser, Eric. 1998. "The Prison-Industrial Complex," *The Atlantic*, December.

Serwer, Adam and Lee, Jaeah. 2013. "Charts: Are the NYPD's Stop-and-Frisks Violating the Constitution?" *Mother Jones,* April 29.

Shingles, R. 1981. "Black Consciousness and Political Participation: The Missing Link." *The American Political Science Review,* 75(1): 76-91.

Skogan, W. 2006. "Asymmetry in the Impact of Encounters with Police." *Policing and Society,* 16(2): 99-126.

Skolnick, J., and Fyfe, James J. 1993. "*Above the Law: Police and the Excessive Use of Force*." New York: Free Press.

Solís, Dianne. 2015. "Deportation Arrests in Corsicana Bring Out Protesters." *The Dallas Morning News.* Retrieved from: http://www.dallasnews.com/news/state/headlines/20150727-deportation-arrests-in-corsicana-bring-out-protesters.ece

Soss, Joe. 1999. "Lesson of Welfare: Policy Design, Political Learning, and Political Action." *The American Political Science Review*, 93: 363-380.

Southwell, Priscilla. 2012. "Political Alienation: Behavioral Implications of Efficacy and Trust in the 2008 U.S. Presidential Election." *Review of European Studies,* 4(2).

Starr, Sonja. 2014. "Evidence Based Sentencing and the Scientific Rationalization of Discrimination." *Stanford Law Review* 66, 803-870.

Stokes, Atiya Kai. 2003. "Latino Group Consciousness and Political Participations. *American Politics Research,* 31(4): 361.

Stoudt, Brett G., Fine, Michelle, and Fox, Madeline. 2012. "Growing up Policed in the Age of Aggressive Policing Policies." *New York Law School Law Review,* 56(4): 1331-1370.

Swain, Randall. 2010. "Shall We March On?" *Journal of Black Studies, 40*(4), 566-582.

Tate, Katherine. 1993. *From Protest to Politics: The New Black Voters in American Elections*. New York: Harvard University Press.

Taxin, Amy. 2015. "May Day Rallies Address Police Brutality, Race in Cities Nationwide." *The Huffington Post.* Retrieved from: http://www.huffingtonpost.com/2015/05/01/may-day-rallies-new-york_n_7192238.html

The Kerner Commission Report. 1968. *Social Service Review, 42*(2), 261-263.

The Sentencing Project. 2015. "Fact Sheet: Trends in U.S. Corrections." http://www.sentencingproject.org/wp-content/uploads/2016/01/Trends-in-US-Corrections.pdf. Washington, D.C.: The Sentencing Project. Accessed: January, 2016.

Thompson, Heather Ann. 2012. "The Prison Industrial Complex: A Growth Industry in a Shrinking Economy." *New Labor Forum* 21: 39-47.

Thorpe, Rebecca U. 2015. "Perverse Politics: The Persistence of Mass Imprisonment in the 21st Century." *Perspectives on Politics*, Forthcoming.

Tonry, M. 2011. *Punishing Race: A Continuing American Dilemma*. New York: Oxford University Press.

Travis, Jeremy and Lawrence, Sarah. 2002. *Beyond the Prison Gates: The State of Parole in America*. Washington, DC: The Urban Institute.

Travis, Jeremy, and Western, Bruce. 2014. *The Growth of Incarceration in the United States: Exploring Causes and Consequences*. Committee on Causes and Consequences of High Rates of Incarceration, Committee on Law and, & Justice, Division of Behavioral and Social Sciences and Education, & National Research Council, Eds.. Washington, DC: The National Academies Press.

Travis, Jeremy, Keegan, Sinead, and Cadora, Eric. 2003. "A Portrait of Prisoner Reentry in New Jersey." Washington, D.C.: The Urban Institute.

Tyler, Tom. 2009. "Governing Pluralistic Societies." *Law and Contemporary Problems,* 72(2): 187.

Tyler, Tom, and Blader, S. 2003. "The Group Engagement Model: Procedural Justice, Social Identity, and Cooperative Behavior." *Personality And Social Psychology Review*, 7(4): 349-361.

Uggen, Christopher, Manza, Jeff, and Thompson, Melissa. 2006. "Citizenship, Democracy, and the Civic Reintegration of Criminal Offenders." *Annals of the American Academy of Political and Social Science* 605: 281-310.

Ullman, Jodie, and Bentler, Peter. 2004. "Structural Equation Modeling." In *Handbook of Data Analysis,* eds. Melissa Hardy and Alan Bryman.

Valdez, Zulema. 2011. "Political Participation Among Latinos in the United States: The Effect of Group Identity and Consciousness." *Social Science Quarterly,* 92(2): 466.

Valentino, Nicholas, Brader, Ted, Groenendyk, Eric, Gregorowicz, Krysha, and Hutchings, Vincent. 2011. "Election Night's Alright for Fighting: The Role of Emotions in Political Participation." *The Journal of Politics, 73*(1), 156.

Verba, Sidney, and Schlozman, Kay. 1977. "Unemployment, Class Consciousness, and Radical Politics: What Didn't Happen in the Thirties." *The Journal of Politics,* 39(2): 291-323.

Verba, Sidney, Schlozman, Kay, and Brady, Henry. 1995. *Voice and Equality: Civic Volunteerism in American Politics.* Cambridge: Harvard University Press.

Vidales, G., Day, K., and Powe, M. 2009. "Police and immigration enforcement: Impacts on Latino(a) residents' perceptions of police" *Policing: An International Journal of Police Strategies & Management,* 32(4): 631 – 653

Wacquant, L. 2000. "The new 'peculiar institution': On the prison as surrogate ghetto." *Theoretical Criminology, 4*(3), 377-389.

Wacquant, L. 2009. *Punishing the Poor: The Neoliberal Government of Social Insecurity*. Durham: Duke University Press.

Walker, Hannah and Bennett, Dylan. 2015. "The Wages of Wisconsin's Whiteness: Black Milwaukee, White Waukesha, and the Destruction of Public Sector Labor Unions." *New Political Science: A Journal of Politics and Culture,* 37(2): 181-203.

Walker, Hannah L. 2014. "Extending the Effects of the Carceral State Proximal Contact, Political Participation, and Race." *Political Research Quarterly* 67(4): 809–22.

Walton, Hanes, and Orr, Marion. 2005. African American Independent Politics on the Left. *Souls, 7*(2), 19-33.

Walton, Hanes. 1994. *Black politics and Black Political Behavior: A Linkage Analysis*. Westport: Praeger.

Weaver, Vesla, and Amy Lerman. 2010. "Political Consequences of the Carceral State." *American Political Science Review* 104 (4): 817–33.

Weaver, Vesla. 2007. "Frontlash: Race and the Development of Punitive Crime Policy." *Studies in American Political Development*, 12: 230-265

Western, Bruce. 2002. "The Impact of Incarceration on Wage Mobility and Inequality." *American Sociological Review,* 67(4): 526-546.

Western, Bruce. 2007. "The Prison Boom and the Decline of American Citizenship." *Society* 44:30–37.

Western, Bruce, and Christopher Wildeman. 2009. "The Black Family and Mass Incarceration." *The Annals of the American Academy of Political and Social Science* 621 (1): 221–42.

Wickham, DeWayne. 2008. "Are there still two Americas, separate and unequal? Yes, 40 years after the Kerner Report, a racial divide still exists." *Ebony, 63*(10): 132.

Wilbur, Maryanne, Marani, Jodi, Appugliese, Danielle, Woods, Ryan, Seigel, Jane A., Cabral, Howard, and Frank, Deborah. 2007. "Socioemotional Effects of Father's Incarceration on Low-Income, Urban, School-Aged Children." *Pediatrics,* 120(3).

Wong, Janelle. 2006. *Democracy's Promise: Immigrants and American Civic Institutions.* Ann Arbor: University of Michigan Press.

Wortley, Scot, Hagan, John, and MacMillon, Ross. 1997. "Just Des(s)erts? The Racial Polarization of Perceptions of Criminal Justice." *Law and Society Review,* 31(4): 637-667.

Zepeda- Millán, Chris and Sophia J. Wallace. 2013. "Racialization in the Times of Contention: How Social Movements Influence Latino Racial Identity." *Politics, Groups, and Identities*. 1(4): 510-527.

Appendix A

Qualitative Data

This dissertation draws on 59 semi-structured interviews conducted for the overall project. Interviews were conducted with activists, advocates and community members working with the populations of interest, or who themselves had personal or proximal contact, and were carried out across three locations: Seattle, Portland, and Los Angeles. Nineteen respondents were Latino, 14 were Black, 24 were white, one was East Asian, and one was Native American. Among all respondents, 40 had proximal contact and 19 had personal contact. The respondents ranged in age from 18 to over 65, although the majority were between the ages of 18 and 30.

Respondents were recruited largely through snowball, emergent, and convenience sampling. First, I reached out to 40 organizations that serve the immigrant population and ex-offenders and their families, soliciting interviews with organization employees and members. Six organizations in Seattle and five organizations in Los Angeles responded to requests.

In Seattle, I carried out interviews with activists and advocates affiliated with the organizations I contacted, and was able to build a snowball sample starting with these interviews. In total, 30 interviews were carried out with respondents in the Seattle area. Interviews carried out in Seattle consisted of a mix of students, community activists, paid advocates who worked for service organizations, and friends and family members of these initial points of contact. I interviewed a number of individuals active in the Black Lives Matter movement for the project, all of whom were located in Seattle.

The snowball sample extended to the Portland area, where I conducted 10 additional interviews with community members impacted by the criminal justice system. These additional interviews consisted of individuals who were neither affiliated with an activist or advocacy

organization nor affiliated with a campus. Socioeconomically, these individuals were working class, increasing the class and educational diversity of the overall sample. Among the interviews carried out in Portland, half the respondents were white, two were Latino and three were Black.

I arranged interviews in Los Angeles from Seattle, and traveled there to carry out pre-arranged interviews in person. Given my disconnection from the community in Los Angeles, and resource constraints that limited my time in-person to five days, interviews included activists working the organizations I contacted, students at the University of California, Los Angeles and a limited snowball sample. The majority of the respondents were Latino, though they ranged widely by class status and age.

Lastly, in both locations I reached out to students at the University of Washington and the University of California-Los Angeles through classroom announcements in the political science department, an announcement over the Chicano student list serve at UCLA, and in-person and email announcements to the Black Student Union and the Chicano Student Union at the University of Washington. Students at the University of Washington were offered a 5$ Starbucks gift card in exchange for participation. The interviews at the University of Washington were carried out first, and it was determined that 5$ was an insufficient incentive. Thus, students at UCLA were offered a 25$ credit on their student account in exchange for participation.

Appendix B

Quantitative Data

Throughout the dissertation I draw on five quantitative datasets. They include: the University of Washington Crime and Politics Survey (WCPS), the Chicago Area Study (CAS), the Harvard-Kaiser Foundation African American Men's Survey (AAMS), the University of New Mexico Robert Wood Johnson Center for Health Policy Immigrant Health dataset (RWJF) and the Pew Hispanic Center 2008 National Survey of Latinos (NLS). I draw on the WCPS in Chapter 3 and Chapter 4. I introduce the CAS in Chapter 3. The AAMS is used alongside the WCPS in Chapter 4, and the RWJF and the NLS are used to evaluate the impact of contact on participation among the Latino population in Chapter 5.

The Washington Crime and Politics Survey: The WCPS was fielded from October 11 – November 16 in 2013. The multi-mode survey was fielded over the phone and via the Internet. The phone sample consisted of 521 respondents, and 419 filled out the survey remotely. The survey is nationally representative and includes a nonwhite oversample. The telephone sample was collected by the University of Washington Center for Public Interest Polling and the Washington Institute for the Study of Ethnicity and Race. The web sample was collected via Pacific Market Research. Professor and co-founder of Latino Decisions, Dr. Matt Barreto served as the principle investigator on the survey. The sample demographics are slightly more highly educated, wealthier, and older than the overall population, and 53 percent is female. Controls are included in all models to speak to the ways the sample does not match the general population.

The WCPS asked the following to measure personal and proximal contact with the criminal justice system: *Have you ever been arrested, charged or questioned by the police, even if you weren't*

guilty, excluding minor traffic stops such as speeding? And what about someone you know, such as a close friend or family member? Do you know someone who has been arrested, charged or questioned by the police, even if they weren't guilty, excluding minor traffic stops such as speeding? As such, measures of personal and proximal contact are low threshold compared to measures used by the CAS and the AAMS. About 20 percent of the sample indicates they have had personal contact, and 43 percent report that they have a friend or family member who has had personal contact.

The Chicago Area Study: The CAS survey was fielded in the fall of 2014 by the University of Illinois-Chicago. The survey was fielded between March and August of 2014 via the Internet. The sample includes 1,794 respondents with a nonwhites oversample. The majority of respondents (1,294) live in the Chicago metropolitan area, and the remainder live elsewhere in Illinois. The CAS was collected as part of an ongoing project conducted by the Institute of Government and Public Affairs at the University of Illinois. Dr. Alexandra Filindra and Dr. Noah Kaplan served as the principle investigators of the survey.

The CAS included the following question used to measure contact with the criminal justice system: *We are interested in how much contact people have had with the police. In the past five years, have you... (please select all that apply)*…Options included having been questioned, been on probation or parole, and spent time in jail. Perhaps reflecting the fact that unlike other surveys used for this project the CAS did not employ any type of stratified sampling design to include hard to reach groups, only two percent of respondents had been on probation or spent time in jail. Only 12 percent indicated police had questioned them.

The African American Men's Survey: The AAMS was fielded from March 20-April 29 in 2006. The Henry J. Kaiser Foundation together with the Washington Post and Harvard University sponsored its collection. International Communications Research collected the data. The nationally representative sample consists of 2,864 respondents, and includes an

oversample of Black men and women. The sample includes 1,328 Black men and 507 Black women. Among Black men 400 fell between the ages of 18 and 29. Although the sample was not restricted to registered voters, 82 percent of respondents indicated they were registered.

Questions in the AAMS measuring contact with the criminal justice system included the following: *Have you or any of your close friends or family members ever been in prison or jail, or not?* If the respondent said yes, they received the follow up question, *Was that you or a friend or family member?* To measure whether or not one had been arrested, the survey separately asked: *Now I'd like to ask you if you have ever had the following experiences in your life…*Included in the battery of items were *been wrongfully arrested* and *been arrested.* These questions therefore capture more intense types of contact than captured by the WCPS. Even so, 35 percent of the sample indicated they had at least been arrested, and 45 percent indicated they knew someone who had been to prison. This likely reflects the fact that the survey oversampled young, Black men.

Robert Wood Johnson Foundation Survey: The RWJF Survey was fielded in between January 29th-March 12th (2015) and includes 1,005 land/cell phone interviews and 400 web surveys. Latino Decisions collected the data. Interviews were carried out in both English and Spanish depending on the preference of the respondent and the sample is nationally representative. Nearly 20 percent of the sample said that yes, they had experienced unfair treatment by the police (18.29%).

Questions included in the RWJF survey measuring contact with the criminal justice system differ slightly from questions in the WCPS and the AAMS, since they measure contact in relation to immigration enforcement. The survey that best captures proximal contact asks the following: *Do you personally know someone who has faced detention or deportation for immigration reasons?* 36 percent of

respondents confirmed that they knew someone who had faced detention or deportation. To measure personal contact respondents were asked if they had ever been treated unfairly by the police. The percent of respondents who said yes (20 percent) matches findings in the WCPS that suggest about 19 percent of the overall population has had some type of personal contact with the police.

National Survey of Latinos: The NLS 2008 is a survey of 2,015 Latinos in the U.S. with a non-citizen oversample of 868 fielded by the Pew Hispanic Center. The survey includes 1,302 foreign born respondents, and 892 registered voters. The RDD phone sample included 761 cell phone interviews, and 1,143 interviews in Spanish. To measure contact the survey asks whether or not the respondent or anyone in their close family had experienced any of the following: Attended court on a criminal matter, excluding minor traffic violations and/or jury duty, been questioned by the police, been arrested, been on probation or parole, or served time in jail and/or prison. Contact with the criminal justice system is also treated as a scale, ranging from 0-5. The mean score on the scale is .715, with a standard deviation of 1.25.