Criminal Justice and the Polarization of Public Opinion

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Abstract

Policy feedback theory suggests that policy can shape public opinion about political events, but evidence is mixed. Why? Individuals have different preexisting beliefs, and, I argue, we should not expect all social groups to uniformly respond to policy. On social issues, policy's effect on opinions varies by race, partisanship, and other groupings. Using data from the Pew Research Center and the National Prisoners Statistics, I examine how criminal justice policy shapes individuals' attitudes about two grand juries' decisions not to charge white police officers with the deaths of Michael Brown and Eric Garner. I find that the overrepresentation of blacks within the penal system is associated with opinion polarization. Republicans are also less likely to agree with non-Republicans about the decisions in states which disproportionately incarcerate blacks. The findings highlight the need to test for group-specific feedback and help explain the racial and partisan divide on criminal justice attitudes.

Keywords: policy feedback, criminal justice, public policy

Introduction

Direct experience with policy changes attitudes and political orientations, such as efficacy and trust (Soss 1999, 2005). What about those who do not have direct experience with policy? Do "mass effects" occur? Scholars suspect that signals from policy are received by the general public, but studies of mass feedback are inconclusive. For example, Pacheco (2013) finds that smoking bans changed public opinion toward smokers, but Soss and Schram (2007) find no evidence that welfare reform affected mass attitudes. Why is the evidence for large-scale feedback so mixed? In this paper, I argue that individuals have different preexisting beliefs about politics, and we should not expect all social groups to uniformly respond to policy. Thus, policy may not always produce "mass" feedback. Instead, policy's effect on attitudes may be group-specific.

To test whether policy feedback varies by group, I examine a particular feedback effect—policy's ability to shape individuals' attitudes about political events. Scholars assume that policy shapes the general public's attitudes about the groups receiving the policy and their attitudes about the program itself. Policy may also have broader effects by changing how individuals understand political events, such as court decisions. This more general feedback effect is often ignored by current literature. Policy shapes how individuals view political events through cues about policy recipients. We know that policy sends signals that some groups are entitled to beneficial policies, such as tax cuts, while others deserve punishment, such as incarceration (Schneider and Ingram 1993; 2005). These signals cause individuals' underlying beliefs about the policy recipients or about the policy more generally to become salient. As policy activates these latent attitudes, individuals use these beliefs when forming opinions about political events. However, because individuals have different prior beliefs, it is unlikely that policy will produce a

uniform effect on the entire public. Some groups are predisposed to agree with policy's signals while others have prior attitudes that conflict with policy. When policy makes their underlying views important for interpreting politics, these groups should have conflicting responses. Thus, for many social issues, policy's effect on public opinion should vary by race, partisanship, and other social groupings with different latent beliefs.

Using survey data from the Pew Research Center and data from the Bureau of Justice Statistics' National Prisoner Statistics, I examine how criminal justice policy shapes individuals' attitudes about two grand jury decisions concerning the death of two black men, Michael Brown and Eric Garner, at the hands of white police officers in 2014. In both cases, grand juries decided not to charge the officers with killing these men. I argue that opinions about the outcome of the decisions and the role race played in the cases are shaped by exposure to criminal justice policy. But, the effect of criminal justice policy on these opinions differs by race and partisanship. I find that the overrepresentation of blacks in the penal system is associated with high levels of racial polarization. In these areas, blacks are more likely to disagree with the outcomes and are more likely to believe the decisions are racially motivated compared to whites. Republicans are also less likely to agree with Democrats and Independents about the decisions in states where blacks are disproportionately targeted. Racial disparities in the criminal justice system, thus, lead to increasingly polarized interpretations of current events. Policy may be part of the reason that we see such a racial divide in opinions about punitive policies.

Policy Feedback and Public Opinion

Policy shapes how individuals understand political events, in part, by targeting specific groups and attaching stereotypes to recipients. Policymakers socially construct these target

populations to have either positive or negative evaluations (Schneider and Ingram 1993). Social

construction theorists distinguish between four broad categories of target groups based on their

political power and valence: advantaged (powerful and positive), contender (powerful and

negative), dependent (weak and positive) and deviant (weak and negative) (Schneider and

Ingram 1993). The theory predicts that policies are designed specifically for each target

population and that these policies strengthen the group's social construction.

Target groups learn about policy through direct experience. But, the general public learns

about policy and its attached stereotypes through media and political discourse or by knowing

someone who is directly affected (Soss and Schram 2007, 121; Edelman 1971, 51-52), a process

known as indirect feedback. By socially constructing target populations, policy indirectly

conveys messages to all citizens about the status of target groups and the types of policy

outcomes they deserve (Schneider and Ingram 1993; Mettler and Soss 2004; Pacheco 2013). For

example, deviant populations are often burdened by policy through sanctions, incarceration, or

other punishments. This sends a message that deviant groups should be disliked by society and

that they deserve punitive policies. Upon receiving policy's cues, scholars expect that the

individuals will alter their opinions about the target group and future policies. However, indirect

policy feedback may also change how citizens view current or future political events.

How do policy's signals shape citizens' opinions about political events? V. O. Key (1961,

264) explains that citizens have "ingrained sets of values, criteria for judgment, attitudes,

preferences, [and] dislikes," but these prior or latent attitudes only "come into play when a

relevant action, event or proposal arises." For example, scholars have found evidence that news

stories and current events can "activate" individuals' latent preferences (Kinder and Kam 2009;

Hurwitz and Peffley 2005; Valentino, Hutchings, and White 2002; Valentino 1999). Once

activated, these prior attitudes bias how individuals interpret and use political information (Redlawsk 2002; Taber and Lodge 2006). Signals from policy may also trigger citizens' prior beliefs about the policy recipients or about the policy more generally which are then used to form opinions about political events.

When policies activate individuals' latent beliefs, we should not expect all individuals to react in the same way. Political cues can lead to persuasion or resistance when prior beliefs are activated (Peffley and Hurwitz 2007). For citizens with latent attitudes that support policy's signals, indirect feedback works in the way that is predicted by policy feedback scholars. After their attitudes are activated by policy, these individuals are more likely to uphold the social constructions promoted by policy or to approve of political events that reinforce policy's cues about the target group. However, some groups have latent beliefs that conflict with policy's signals. Because individuals are more likely to reject messages that contradict prior beliefs (Peffley and Hurwitz 2010, 168; Brewer 2001; Haider-Markel and Joslyn 2001), these groups are more likely to dismiss policy's signals. Studies show that, once presented with arguments that are inconsistent with their prior beliefs, individuals often develop opinions that are counter to those arguments (Peffley and Hurwitz 2010, 175; 2007; Johnson and Eagly 1989; Taber, et al. 2009). Thus, when policy activates opposing attitudes, individuals may be more likely to disagree with political events that match policy's message and may oppose the social construction promoted by policy.

In sum, policy sends signals about the status of target groups and the types of policies they deserve. These signals activate citizens' latent opinions about the policy or recipients which they then use to understand future political events. But, individuals' reactions to policy are conditioned by their prior beliefs. Those inclined to agree with policy's cues interpret future

political events in a way that agrees with these cues. Those predisposed to disagree with policy's messages alter their interpretation of politics accordingly.

Criminal Justice Policies and Policy Feedback

By arresting and incarcerating offenders, the criminal justice system promotes a deviant social construction for policy recipients. Although these laws are theoretically color-blind, criminal justice in the US has a long history of targeting blacks. Blacks are far more likely to be arrested and incarcerated compared to whites (Western 2006; Burch 2013), and blacks receive harsher punishments than whites for similar crimes (Albonetti 1997). As a result of this "mass incarceration," imprisonment has become an expected stage in life for many black men, especially those without a high school education (Pettit and Western 2004; Western 2006). By arresting and incarcerating blacks at significantly higher rates than whites, criminal justice enforcement sends a signal that blacks are more deserving of burdensome policies than whites.

Many direct feedback effects from criminal justice policies are well-documented. Incarceration leads to lower wages, family instability, and, often, disenfranchisement (Lynch and Sabol 2004; Pettit and Western 2004; Manza and Uggen 2002; Owens and Smith 2012). Even minimal criminal justice contact can lead to reduced trust in government and lower efficacy (Lerman and Weaver 2014; Manza and Uggen 2006). Negative feedback effects are not limited to policy recipients. Family members and neighbors of those incarcerated also have low levels of trust in government and are less likely to participate in politics (Burch 2013). Experience with the criminal justice system shapes racial identity as well by increasing blacks' sense that their fate is linked to other blacks (Lerman and Weaver 2014, 159).

Interaction with the criminal justice system affects resources, orientations, participation, and identities. But, how does the criminal justice system shape individuals' opinions about political events? By disproportionately targeting blacks, criminal justice laws send signals to the public that the target group, blacks, deserve punitive policies. This signal is especially strong in areas where criminal justice enforcement overwhelmingly targets blacks compared to whites, such as areas where many more blacks are incarcerated compared to whites. These policies activate citizens' underlying attitudes about whether the criminal justice system is racially fair which individuals then incorporate into their views of political events.

Not all groups have the same latent beliefs about the fairness of the justice system. Individuals have different perceptions of whether the legal system is biased based on personal experience, race, ideology, and other factors (Gabbidon and Jordan 2013; Peffley and Hurwitz 2010; Stewart, et al. 2009; Weitzer and Tuch 2002). Some groups, such as blacks or liberals, are more likely to view the criminal justice system as discriminatory against blacks while others, such as whites or conservatives, have latent beliefs that the system is unbiased (Nelson, Gabbidon, and Boisvert 2015; Peffley and Hurwitz 2010; Unnever 2008). Those who find the system to be racially biased are more likely to reject the cues promoted by criminal justice policies and will be more likely to oppose political events, such as arrests, which support these signals. Individuals with latent beliefs that the system is fair accept the signals from criminal justice laws. Once their opinions are activated, these citizens are more likely to support subsequent events that promote criminal justice policy's message. As the signals from criminal justice policy become stronger, such as where criminal justice enforcement is more racially imbalanced, the opinions of these groups will drift apart.

I test these arguments by examining how the enforcement criminal justice policies shape views of the Michael Brown and Eric Garner grand jury decisions. In August 2014, Michael Brown, a black teenager, was shot several times by a white police officer, Darren Wilson, after the two had a brief altercation in Ferguson, Missouri. Brown was unarmed, but the details of the exchange and shooting were disputed. In late November, a grand jury decided not to indict Wilson in the killing. Earlier that year, in July 2014, Eric Garner, a middle-aged black man, was arrested for selling untaxed cigarettes in New York City. During the arrest, white officer Daniel Pantaleo placed Garner in a chokehold which led to Garner's death. On December 3, 2014, a grand jury chose not to indict Pantaleo in Garner's death. To examine what effect criminal justice policies have on how individuals view these events, I use survey questions about individuals' attitudes about whether the grand juries came to the right decisions and whether race affected the outcome.

Examining opinions about both grand jury decisions assures that my findings are not unique to one case. Additionally, while both cases have similar features, the public's reaction to the juries' decisions differ. Roughly 63% of the respondents in this study believe the jury made the right decision in the Michael Brown case, but only 33% of those surveyed agreed with the jury's decision in the Eric Garner case. However, respondents were equally likely to say that race was involved in the outcome of both cases.

Feedback from criminal justice policy may help explain reactions to these decisions. In environments that disproportionately incarcerate blacks, policy sends strong signals about the status of blacks and the types of policies they deserve. Policy in these areas activates individuals' latent attitudes about the fairness of the criminal justice system which they then incorporate into their opinions about the grand juries' decisions. In these contexts, groups with latent beliefs that

the system is unfair will be less likely to support the decisions and more likely attribute the decisions to racial bias. Groups with latent perceptions that the system is fair will be more likely to agree with the decisions and less likely to attribute the outcomes to race. To test this argument, I compare two groups who have latent beliefs that the criminal justice system is fair, whites and Republicans, to two groups with prior attitudes that the system is racially biased, blacks and non-Republicans (Democrats and Independents).

Blacks and whites have distinct latent opinions about the fairness of the criminal justice system (Gabbidon 2000; Hagan, et al. 2005; Unnever 2008; Hurwitz and Peffley 2005). In part due to a shared history of discrimination, blacks nearly universally believe that justice system is biased against their race (Unnever, Gabbidon, and Higgins 2011; Unnever 2008, 515; Gabbidon and Jordan 2013, 292-293). Whites, on the other hand, have underlying attitudes that the system is fair and are more likely to deny that the criminal justice system discriminates against blacks (Ogletree 2002; Tonry 2009). For example, Peffley and Hurwitz (2010, 88) find that blacks are about 30% more likely to characterize the justice system as "unfair" or "biased against Blacks" than whites. These perceptions of fairness affect blacks' and whites' views on punitive policies, attitudes towards police, and may affect how they understand political events such as the Brown and Garner grand jury decisions. However, these opinions are not always incorporated into blacks' and whites' interpretation of politics. Perceptions of fairness in the criminal justice system are, instead, triggered by new political information or frames (Hurwitz and Peffley 2005). Criminal justice policy may also be able to activate latent perceptions of fairness by sending signals about the status of blacks and the types of policies they deserve. This activation occurs only in contexts where the signals from policy are strong, areas where blacks are disproportionately targeted by criminal justice laws. In these contexts, blacks' latent belief that

the system is unfair makes them more likely to disagree with the grand juries' decisions and believe the outcomes were racially motivated. Whites in these contexts are more likely to support the outcomes and less likely to attribute the decisions to racial bias as a result of their underlying beliefs. In environments where signals from criminal justice policy are weak, such as areas with relatively equal rates of incarceration for both races, latent fairness attitudes will not be activated and blacks' and whites' attitudes about the Garner and Brown decisions should be similar.

Latent attitudes about the fairness of the criminal justice system are also related to political predispositions such as partisanship. Republicans tend to view the justice system as fair while their Democratic and Independent counterparts are more likely to believe that discrimination is a serious problem in the criminal justice system (Peffley and Hurwitz 2010, 61-62). Similarly, Republicans tend to attribute social problems, such as crime and mass shootings, to individual predispositions rather than external causes which indicates that they do not see any structural bias in politics (Joslyn and Haider-Markel 2013; Atkeson and Maestas 2012). For example, Unnever (2008, 524) finds that Republicans are less likely to attribute the mass incarceration of black men to environmental causes such as poverty or police bias compared to other partisans. In areas where criminal justice laws disproportionately target blacks, policy activates partisans' latent beliefs about the fairness of the justice system which then affect how individuals' view the Brown and Garner decisions. Because they believe the system is inherently fair, Republicans in these areas will be more likely support the outcomes of the cases and believe the decisions were unaffected by race. For Democrats and Independents, criminal justice laws activate latent beliefs that the criminal justice system is discriminatory. They will more likely to oppose the decisions and attribute the outcomes to racial bias in these contexts.

Data and Methods

I test my hypotheses using data from a December 2014 public opinion survey conducted by the Pew Research Center. The survey was in the field from December 3-7, 2014 and used random digit dialing, including cell phone numbers, on a nationally representative sample of 1,500 respondents.[1] The survey asks respondents about their perceptions of the Michael Brown and Eric Garner grand jury decisions. In order to compare the effect of criminal justice policy on groups with distinct latent attitudes about the fairness of the justice system, the models include only black and white respondents who identify Republican, Democrat or Independent.[2] Within the sample, 9% of the respondents are black, and 44% are Republican.

My dependent variables measure two different aspects of respondents' attitudes toward the Brown and Garner decisions. The first set of questions asks whether or not respondents agree with the outcomes of the cases. The questions read:

- "All things considered, do you think the grand jury made the right decision or the wrong decision not to charge Darren Wilson in the death of Michael Brown? (Right decision, Wrong decision)"

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[1] The survey was already in the field when the grand jury's decision not to indict Daniel Pantaleo in the death of Eric Garner on December 3, 2014. As a result, the questions about the decision were not included in the survey until December 5, 2014, and only 1,114 respondents were asked about the decision.

[2] Latinos and other races/ethnicities are excluded from this analysis because there is less evidence of their latent opinions about injustice in the criminal justice system. While some argue that Latinos' perceptions of fairness in the justice system falls somewhere in between the views of blacks and whites, there is mixed evidence of a racial hierarchy of criminal justice opinions (see Gabbidon and Jordan 2013; Hagan et al 2005; Buckler and Unnever 2008). The models are robust to alternate specifications. For example, the results do not change when individuals who belong to an "other" party or have no preference are included in the models.

- "All things, considered, do you think the grand jury made the right decision or the wrong decision not to charge a police officer in the death of Eric Garner? (Right decision, Wrong decision)"

The next set of questions asks what role race played in the juries' decisions. They read:

- "Do you think that race was a major factor, minor factor, or not a factor at all in the decision not to charge Darren Wilson in the death of Michael Brown? (Major factor, Minor factor, Not a factor at all)"

- "Do you think that race was a major factor, minor factor, or not a factor at all in the decision not to charge a police officer in the death of Eric Garner? (Major factor, Minor factor, Not a factor at all)"

Due to their latent beliefs that the justice system is biased, blacks as well as Democrats and Independents should be more likely to oppose the decisions and say the outcomes were racially motivated when they are in environments with racially imbalanced criminal justice enforcement. However, whites and Republicans, who are more likely to believe the system is fair, should have the opposite reaction in these contexts.

Data on criminal justice policy comes from the Bureau of Justice Statistics' National Prisoner Statistics, 1978-2014. The National Prisoner Statistics provides the size of the nation's prison population as well as some demographic characteristics about those incarcerated. From this data set, I used the total number of white and black prisoners in a state's custody as of December 31 of 2014.[3] I measure the strength of criminal justice signals using states' black to

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[3] The NPS does not include data on the prison population in the District of Columbia. The models therefore exclude DC.

white incarceration ratios in 2014. My incarceration ratio measure is the ratio of the black

incarceration rate (the number of blacks incarcerated per 1,000 black residents in a state) to white

incarceration rate (the number of whites incarcerated per 1,000 whites in a state). As more

blacks are incarcerated than whites, the signals from policy, and thus the feedback from policy,

should be stronger. In all states, blacks are arrested at a higher rate than their white counterparts.

However, the incarceration ratio does vary. Survey respondents live in states where the black-

white incarceration ratio ranges from 2.6 (Hawaii) to 13.81 (New Jersey) with an average ratio of

3.17.

My theory suggests that the effect of black-white incarceration ratios varies by race and

partisanship. I use two interaction terms to test these this argument. First, I test whether policy

environments differently affect the opinions of blacks and whites by interacting the incarceration

ratio with a respondent's race. In separate models, I interact incarceration ratios with whether or

not a respondent is a Republican to see how the effect of policy environment differs by party

identification. Since support for the decision is a dichotomous variable, I use logit analysis for

these models. When asked about the role of race in the decisions, respondents could report that

race was a major, minor, or not a factor in the outcomes. For these models, I use ordinal logit

analysis. In all models, the standard errors are clustered by state.

The Pew Survey also included questions about key demographic characteristics. From

these, I am able to control for several individual-level characteristics that are thought to affect

perceptions of fairness of the criminal justice system and are likely to shape opinions about these

cases including education, gender, age, income,[4] church attendance, and urban residence. I also

include the percentage of the state that is black (American Community Survey 2014). Those who

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[4] Because many respondents do not report their income, I impute the missing income values.

reside in states with larger black populations may be more aware of inequalities in the criminal

justice system which may affect their attitudes about the decisions. Summary statistics for all

variables can be found in Table 1.

[Table 1 Here]

Analysis

Before presenting my full models, I ask whether blacks hold distinct views about the

Brown and Garner decisions from whites and whether Republicans hold distinct views from non-

Republicans without accounting for policy environment. Blacks are less likely to believe the

juries made the right decisions and are more likely to believe that race was a factor in the

outcomes than whites. Compared to Democrats and Independents, Republicans are more likely to

agree with the decisions and less likely to believe the decisions were racially biased. However,

the black to white incarceration ratio on its own does not have a statistically significant

relationship with views about the decisions (analysis not presented but available from the

author). This finding indicates that criminal justice policy does not have a uniform effect on the

opinions of the mass public. However, feedback effects are still possible. Policy may produce

opposing feedback effects for groups with different latent attitudes about fairness in the justice

system. If this is the case, it is unlikely that we would find a significant relationship between

policy environment and opinions without accounting for group-specific effects. But, how does

criminal justice policy shape groups' attitudes about the Brown and Garner decisions?

Tables 2 and 3 present my full models for how policy environment differently affects

blacks' and whites' attitudes and Republicans' and non-Republicans' attitudes. The first two

models in both tables show results for opinions about the Garner decision. The second set of

models show results for attitudes about the Brown decision.

[Table 2 Here]

The models in Table 2 provide some evidence that the cues from criminal justice policy affect blacks and whites differently. According to my theory, blacks should be less likely to support both decisions and more likely to believe that the outcomes are due to race compared to whites in areas that incarcerate many more blacks than whites. As Table 2 shows, I find support for this hypothesis with attitudes about the Garner decision. Looking at the first model, policy environment and the respondent's race do not directly affect support for the Garner decision. But, the interaction between policy and race does have a statistically significant relationship with believing that the grand jury made the right decision. This indicates that policy results in different feedback effects for blacks and whites. Similarly, policy context differently affects blacks' and whites' perceptions of the role of race in the Garner decision. The state's black-white incarceration ratio and a respondent's race do not have a direct effect on attitudes about the racial bias in the Garner decision. However, the interaction between policy and race does reach statistical significance. Since the coefficients of interacted terms are not directly interpretable, Figure 1 plots the predicted probability that blacks and whites report that race was a major factor in the Garner decision. Figure 1 shows that the effect of policy environment is different for groups with different latent beliefs about fairness in the justice system. When the black-white incarceration ratio is relatively equal (incarceration ratio = 3), blacks have a 0.53 probability of reporting that race was a major factor in the Garner decision. Whites in these areas have a 0.31 probability of responding that race was a major factor in the outcome. However, in these policy environments, the opinions of the two groups are statistically indistinguishable. As more blacks are incarcerated compared to whites, the opinions of these groups move increasingly further apart. In states with very unequal incarceration rates between races (incarceration ratio = 14)

blacks have a 0.83 probability of believing that race was a major factor in the decision while

whites have only a 0.23 probability of reporting that race played a major role. These findings

indicate that as the negative signals about blacks from criminal justice policy become stronger,

blacks and whites have opposite reactions. Blacks are more likely to reject the signal and view

political events as racially biased. Whites, on the other hand, accept policy's message and

believe that future political events that support the deviant social construction are legitimate.

[Figure 1 Here]

The second set of models in Table 1 show results for whether criminal justice policy

environments differently affect blacks' and whites' opinions about the grand jury's decision not

to charge Darren Wilson with the death of Michael Brown. These models do not provide support

for my argument. Blacks are less likely to agree that the jury came to the right decision and are

more likely to report that race affected the outcome. But, neither the state's black-white

incarceration ratio nor the interaction between race and the incarceration ratio reach statistical

significance in these models.

The signals from criminal justice policy produce race-specific effects, at least for the

Garner decision. But, do the feedback effects from criminal justice policy also vary by party

identification? I test this by interacting the incarceration ratio with whether a respondent is a

Republican. In areas where blacks are disproportionately targeted by criminal justice policy,

Republicans should be more likely to agree with the decisions and less likely to believe race

biased the outcomes compared to their Democratic and Independent counterparts. Table 3 shows

the results of these models. The models show mixed support that the effect of criminal justice

policy differs by partisanship for opinions for the Garner decision. While Republicans are more

likely than Democrats and Independents to believe the grand jury made the right decision in the

Garner case, racial biases in criminal justice policy do not affect this relationship. But, effect of policy environment does vary by partisanship for opinions about the role of race in the Garner decision. Although neither the state's incarceration ratio nor Republican Party identification has a direct effect on perceptions of whether race motivated the Garner decision, the interaction between policy context and party identification is statistically significant.

[Table 3 Here]

Table 3 also shows evidence that policy has a group-specific feedback effects on opinions about the Brown decision. The black-white incarceration ratio in a respondent's state has a direct, negative effect on support for the grand jury's decision not to indict Darren Wilson in Michael Brown's death, but Republican Party identification does not directly affect agreement with the decision. The interaction between the incarceration ratio and partisanship is significant which indicates that feedback from criminal justice policy varies by party identification. To interpret these effects, Figure 2 plots the predicted probabilities that Republicans and non-Republicans believe the grand jury made the right decision in the Brown case across a variety of policy contexts. In states where blacks are incarcerated at similar rates to whites (incarceration ratio = 3), Republicans have a 0.88 probability of believing that the Michael Brown jury reached the correct decision, and non-Republicans have a 0.69 probability of agreeing with the decision. However, the gap between these groups' opinions grows larger as the policy environment becomes more unequal. In states that overwhelmingly target blacks for criminal justice policy (incarceration ratio = 14), Republicans have a 0.93 probability of agreeing with the decision. Democrats and Independents in these areas, however, have only a 0.46 probability of agreeing with the outcome of the Brown case. This finding provides support for the argument that individuals' react differently to policy's signals based on their prior beliefs. The results from

Table 2 also indicate that the feedback effects from criminal justice policy vary by partisanship for opinions about the role of race in the Brown decision. Republican Party identification has a direct relationship with attitudes about whether the Brown decision was racially biased, but policy environment does not have a direct effect on these opinions. The interaction between the black-white incarceration ratio and partisanship is statistically significant indicating that criminal justice policy differently affects the attitudes of Republicans and non-Republicans.

[Figure 2 Here]

Tables 2 and 3 also show that several other variables are related to opinions about the decisions. As expected, when partisanship is not interacted with policy environment, Republicans are more likely to agree with both decisions and less likely to report that the decisions are biased by race compared to Democrats and Independents. Similarly, the results from Table 3 show that blacks are less likely to agree with the decisions and more likely to report that race was a major factor in the outcomes compared to whites. Other demographic factors are also important for opinions about the decisions. Highly educated respondents are less likely to agree with the decisions (though this relationship reaches statistical significance only for the Brown decision), and they are more likely to believe that the decisions were motivated by race. Women are also more likely to believe that race is a factor in both decisions compared to men. Age does not affect attitudes about whether or not the grand juries reached the right decision in either case, but age has a significant, nonlinear effect on attitudes about the role of race in the Michael Brown decision. Young and middle-aged individuals are less likely to report that race is a major factor in the Brown decision, but individuals in their 60s or older are more likely to believe that the outcome was influenced by race. Some variables only influence attitudes about one of the decisions. Respondents who live in an urban area are more likely to view race as a

major factor in the outcome of the Brown case. Individuals who regularly attend church are more likely to agree with the grand jury's decision not to charge Darren Wilson with Michael Brown's death and are less likely to believe that the decision was racially motivated. A respondent's level of income and the size of the black population in the state do not have a statistically significant relationship at the 0.05 level with opinions about either decision.

Conclusion

Policy alters citizens' desire and ability to become involved in politics, and, as this study shows, policy also shapes individuals' opinions about political events. By affecting how groups think about politics, policy changes future policy preferences, affecting what types of programs get adopted in the future. This argument is not new, but most studies on this topic have focused on mass feedback effects. In doing so, they have assumed that feedback effects are consistent across social groups. I argue that this assumption is, at times, untrue. I have further sought to clarify how policy changes the ways that individuals understand politics and explain why policy feedback scholarship needs to move beyond mass effects.

Policies send signals about target groups and the types of programs they deserve. Individuals receive these signals and react to them based on their prior beliefs about how government works. Those with latent attitudes that agree with these messages interpret future political events in a way that agrees with policy's cues. But, citizens with underlying attitudes that conflict with policy's signals are more likely to reject these messages. They then view oppose political events that support policy's message. Therefore, where policy's signals are strong, groups with different latent attitudes are increasingly likely to disagree with one another.

My results, which are based on the analysis of criminal justice policy on attitudes about the Michael Brown and Eric Garner grand jury decisions, have important implications for the study of policy feedback and criminal justice policy in particular. My results show some support for the argument that criminal justice policy does not shape attitudes of the public as a whole. However, policy is experienced by many different groups with unique underlying attitudes. In sum, we should not expect policy to have a singular, mass effect. Scholars need to explore how policy's effect on the general public may be group-specific.

Second, my results provide evidence that feedback from criminal justice policy varies by race and partisanship. When exposed to punitive policies that disproportionately target blacks, blacks as well as Democrats and Independents are more likely to view political events involving their race as illegitimate and racially motivated. Whites and Republicans in these contexts are more likely to support events that reinforce the negative black social construction promoted by these policies. Punitive laws, therefore, may help to explain the well-documented racial and partisan divide in criminal justice opinions. By disproportionately targeting blacks, criminal justice policy sends signals about the types of policies that blacks can expect from government. Blacks and other groups that are predisposed to viewing the criminal justice system as unfair, such as Democrats and Independents, respond to these signals by opposing future punitive policies. Whites and Republicans, who are more likely to believe the system is fair, internalize policy's signals, leading them to support tough criminal justice policies in the future. Thus, in areas where criminal justice overwhelmingly targets at blacks, policy drives apart blacks' and whites' as well as Republicans' and non-Republicans' policy preferences.

Policy feedback scholars have assumed that the signals from policy will be internalized by the public, resulting in mass attitudes that reflect policy's messages. However, policy is

received by groups with a multitude of preexisting opinions that affect how they react to new

information. The results here provide evidence that policy does change public opinion. But, the

process is more complicated than scholars have previously concluded.

Table 1. Summary Statistics

	Mean/Proportion	SD	Minimum	Maximum
Michael Brown Role of Race	1.69	0.85	1	3
Michael Brown Right Decision	0.63	0.48	0	1
Eric Garner Role of Race	1.80	0.88	1	3
Eric Garner Right Decision	0.33	0.47	0	1
Black	0.09	0.28	0	1
Republican	0.44	0.50	0	1
Black-White Incarceration Ratio	7.33	3.2	2.602	13.812
Education	4.92	1.96	1	8
Female	0.45	0.50	0	1
Age	51.23	18.03	18	96
Age^2	2949.21	1855.89	324	9216
Income	5.14	2.43	1	9
Church Attendance	3.61	1.6	1	6
% Black in State	0.12	0.08	0.004	0.371
Urban Residence	0.3	0.46	0	1

Table 2. Policy Environment, Race, and Attitudes about the Decisions

	Eric Garner Decision		Michael Brown Decision	
	Right Decision	Role of Race	Right Decision	Role of Race
Black-White Incarceration Ratio	0.024	-0.036*	-0.051*	-0.014
	(0.028)	(0.020)	(0.027)	(0.026)
Black	11.488*	0.435	-3.335***	2.049***
	(6.903)	(0.595)	(0.578)	(0.456)
Incarceration Ratio X Black	-3.560**	0.171**	0.092	0.005
	(1.718)	(0.072)	(0.066)	(0.064)
Education	-0.035	0.123**	-0.127***	0.097**
	(0.049)	(0.049)	(0.043)	(0.043)
Female	-0.047	0.351**	-0.038	0.308***
	(0.173)	(0.177)	(0.174)	(0.116)
Age	0.003	-0.055*	-0.01	-0.062***
	(0.030)	(0.030)	(0.027)	(0.020)
Age^2	0.0002	0.0004	0.0002	0.001***
	(0.0003)	(0.0003)	(0.0003)	(0.0002)
Republican	1.196***	-1.672***	1.852***	-1.840***
	(0.202)	(0.228)	(0.207)	(0.170)
Income	-0.04	-0.057	0.081*	-0.027
	(0.045)	(0.035)	(0.049)	(0.034)
Church Attendance	0.103*	-0.006	0.194***	-0.081**
	(0.060)	(0.048)	(0.049)	(0.041)
Percent Black in the State	-1.247	-0.764	0.811	-1.153
	(1.276)	(1.148)	(1.129)	(1.093)
Urban Residence	-0.316	0.276	-0.174	0.260**
	(0.209)	(0.188)	(0.163)	(0.123)
Cut 1 Constant	1.722**	-1.765**	-0.178	-1.681***
	(0.722)	(0.891)	(0.802)	(0.557)
Cut 2 Constant		-0.616		-0.452
		(0.927)		(0.581)
Observations	669	723	1014	1085
Pseudo R^2	0.183	0.163	0.294	0.189

Note. Table entries for "right decision" models are logit estimates. The dependent variable question wording for these models are: "All things considered, do you think the grand jury made the right decision or the wrong decision not to charge a police officer/Darren Wilson in the death of Eric Garner/Michael Brown?" (0-1: Wrong Decision, Right Decision). The entries for "role of race" models are ordered logit estimates. The dependent variables question wordings are "Do you think that race was a major factor, minor factor, or not a factor at all in the decision not to charge a police officer/Darren Wilson in the death of Eric Garner/Michael Brown?" (1-3: Not a factor at all, Minor factor, Major factor). All standard errors are clustered by state.
* $p < .10$, ** $p < .05$, *** $p < .01$

Do you think that race was a major factor, minor factor, or not a factor at all in the decision not to charge a police officer in the death of Eric Garner?
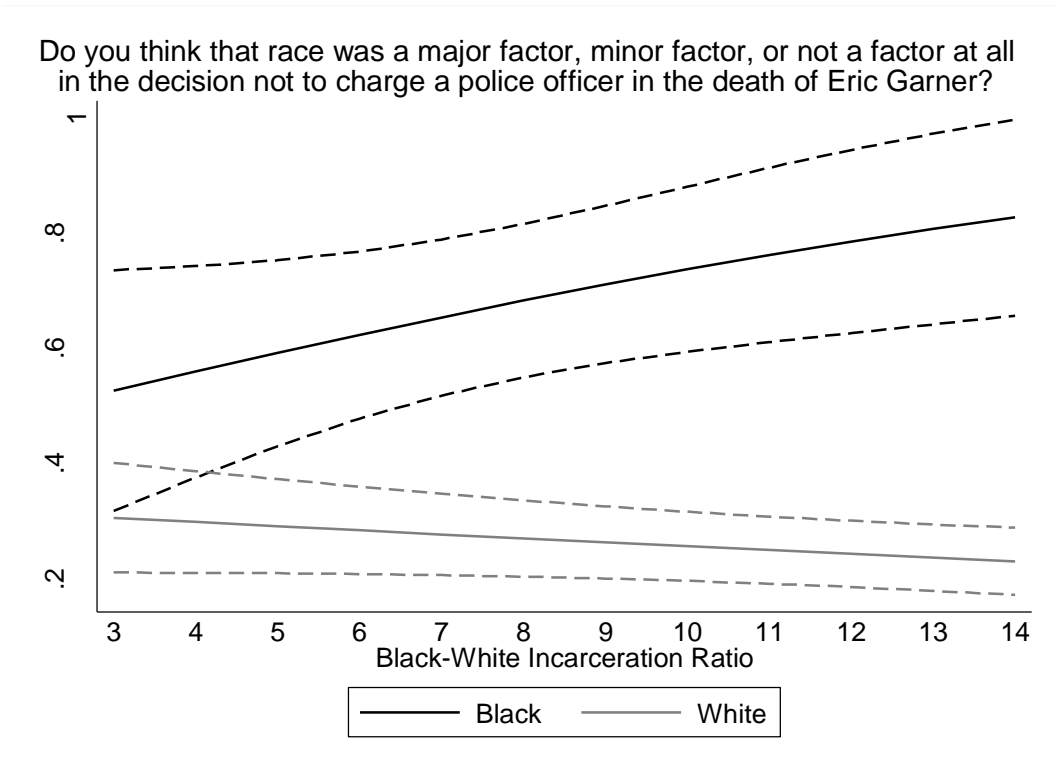

Figure 1. Data come from the Pew Research Center's December 2014 Political Survey, the National Prisoner Statistics, and the 2014 American Community Survey. The plot shows the predicted probability of an interviewee responding "major factor" to the item "Do you think that race was a major factor, minor factor, or not a factor at all in the decision not to charge a police officer in the death of Eric Garner?" The probability is predicted for various black-white incarceration ratios for black and white respondents. The dashed lines represent 95% confidence intervals. All other variables are held at mean, modal values.

Table 3. Policy Environment, Party ID, and Attitudes about the Decisions

	Eric Garner Decision		Michael Brown Decision	
	Right Decision	Role of Race	Right Decision	Role of Race
Black-White Incarceration Ratio	0.013	0.022	-0.093***	0.006
	(0.035)	(0.027)	(0.026)	(0.024)
Republican	1.107**	-0.752	0.726*	-1.363***
	(0.475)	(0.480)	(0.431)	(0.313)
Incarceration Ratio X Republican	0.013	-0.126**	0.156***	-0.067**
	(0.053)	(0.050)	(0.051)	(0.033)
Education	-0.034	0.123**	-0.125***	0.097**
	(0.050)	(0.050)	(0.042)	(0.043)
Female	-0.036	0.366**	-0.045	0.312***
	(0.169)	(0.179)	(0.176)	(0.116)
Age	0.004	-0.057*	-0.008	-0.063***
	(0.029)	(0.030)	(0.027)	(0.020)
Age^2	0.0002	0.0005	0.0002	0.001***
	(0.0003)	(0.0003)	(0.0003)	(0.0002)
Black	-2.659**	1.656***	-2.752***	2.098***
	(1.043)	(0.347)	(0.305)	(0.274)
Income	-0.037	-0.065*	0.080	-0.028
	(0.047)	(0.037)	(0.049)	(0.034)
Church Attendance	0.100*	-0.010	0.195***	-0.081*
	(0.059)	(0.047)	(0.049)	(0.042)
Percent Black in the State	-0.951	-1.305	0.784	-1.241
	(1.300)	(1.137)	(1.101)	(1.088)
Urban Residence	-0.335	0.291	-0.165	0.267**
	(0.211)	(0.194)	(0.169)	(0.126)
Cut 1 Constant	1.727**	-1.477*	-0.442	-1.559***
	(0.764)	(0.889)	(0.783)	(0.543)
Cut 2 Constant		-0.328		-0.329
		(0.920)		(0.565)
Observations	669	723	1014	1085
Pseudo R^2	0.175	0.163	0.299	0.190

Note. Table entries for "right decision" models are logit estimates. The dependent variable question wording for these models are: "All things considered, do you think the grand jury made the right decision or the wrong decision not to charge a police officer/Darren Wilson in the death of Eric Garner/Michael Brown?" (0-1: Wrong Decision, Right Decision). The entries for "role of race" models are ordered logit estimates. The dependent variables question wordings are "Do you think that race was a major factor, minor factor, or not a factor at all in the decision not to charge a police officer/Darren Wilson in the death of Eric Garner/Michael Brown?" (1-3: Not a factor at all, Minor factor, Major factor). All standard errors are clustered by state.
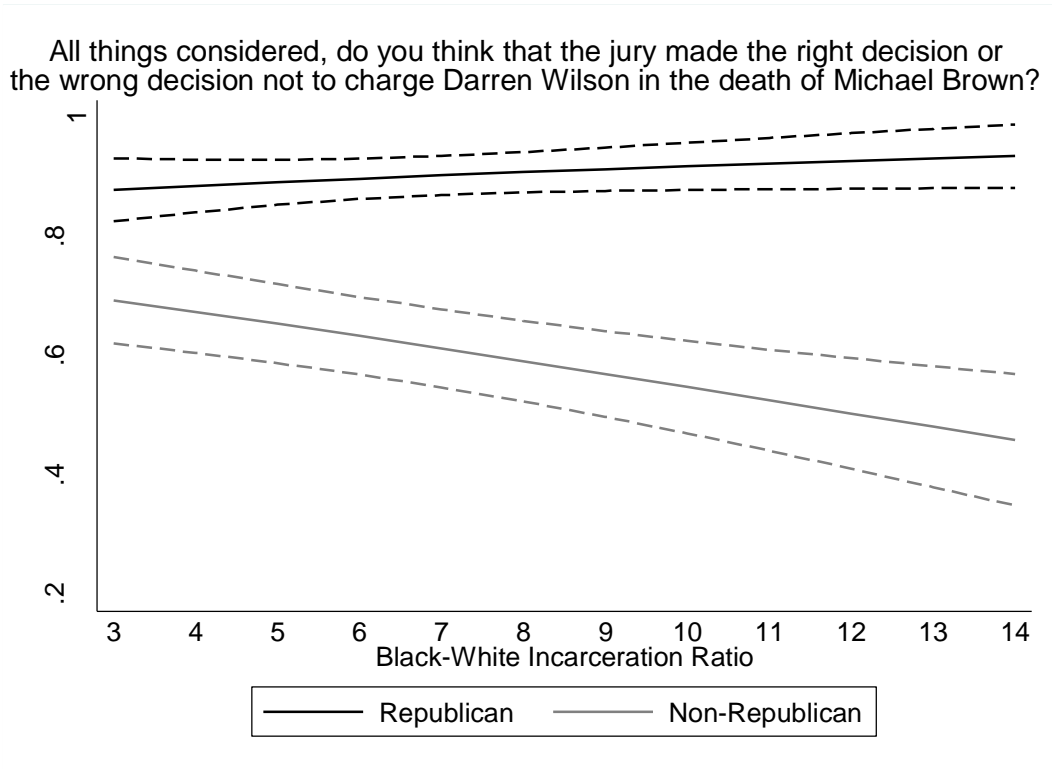* $p < .10$, ** $p < .05$, *** $p < .01$

Figure 2. Data come from the Pew Research Center's December 2014 Political Survey, the National Prisoner Statistics, and the 2014 American Community Survey. The plot shows the predicted probability of an interviewee responding "right decision" to the item "All things considered, do you think that the jury made the right decision or the wrong decision not to charge Darren Wilson in the death of Michael Brown" The probability is predicted for various black-white incarceration ratios for Republican and non-Republican (Democratic and Independent) respondents. The dashed lines represent 95% confidence intervals. All other variables are held at mean, modal values.

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