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Perverse Politics: The Persistence of Mass Imprisonment in the Twenty-first Century

Background. Efforts to reduce prison time for nonviolent offenders have met with mixed success. In addition to ideological opposition to more lenient sentences, observers have also pointed to other factors that may be blocking criminal justice reforms. For example, a majority of prisons are located in rural areas and these institutions are perceived to be a significant source of economic activity in many of these communities. The presence of prisoners in a community can also be a source of political power because inmates are counted as residents of the communities in which they are held, increasing an area’s share of any resources distributed by population size. Can the impression that hosting prisons is seen as beneficial to a community help explain legislators support or resistance to sentencing reform?

Methods. WCPC Affiliate Rebecca Thorpe analyzed data from several states to systemically explore how these political and economic factors influence legislators’ votes on sentencing reform. Professor Thorpe combined data on the location, capacity, and year of origin for state, federal, and private prisons in California, New York, and Washington State from 2000-2010 with a comprehensive list of votes in these same states proposing to strengthen or weaken state-level sentencing laws for non-violent offenses during that same period. Professor Thorpe created measures of population density (e.g. rural/urban) and the number of prisons in a state legislative district and then tested whether reliance on prison infrastructure was associated with political support for more punitive policies. In an attempt to ensure that the relationship between legislators’ lack of support for more lenient sentencing and the presence of prisons within their districts was not due to other factors, the researcher controlled for a range of other factors, including crime and arrest rates in the district, demographic characteristics, legislator ideology, district ideology, and partisanship.

Findings. In these states, Dr. Thorpe found that rural districts were much more likely to contain prisons than were their more urban counterparts. Districts with greater economic need, lower social mobility and less social capital (marked by low population density, unemployment rates, and education level) were most likely to house prisons.

To examine the possible political impact of these rural prison development patterns, Dr. Thorpe categorized urban, semi-rural, and rural districts in each state by the number of prisons in the district and created an interaction term between population density and the existence and amount of prison infrastructure within the district. She then looked at the likelihood of legislators in each type of district voting to oppose more lenient sentencing. Dr. Thorpe found that state lawmakers representing rural districts that house prisons voted against penal reform efforts with greater frequency than their urban or rural counterparts with no prison infrastructure in their districts. For example, in New York, lawmakers from rural districts that had two or more prisons opposed nearly 100 percent of drug sentencing reform bills while their counterparts with no prisons were roughly 60 likely to oppose the same reforms. In most of the analyses, it was the presence of prisons that was among the strongest predictors of support for more punitive policies and/or resistance to more lenient sentences. Dr. Thorpe suggests that this relationship is particularly useful for understanding divisions within the Democratic party on sentencing laws: rural Democrats in areas containing prison infrastructure face pressures from their party for sentencing reform while the interests in their districts work against this reform.

Dr. Thorpe suggests that locating prison infrastructure in rural areas links the incarceration of mostly urban, disproportionately racial minority individuals to the economic fortunes of rural, mostly white communities. In addition, the practice of counting incarcerated individuals in the population, but denying them the right to vote creates a condition where those who benefit from incarceration “speak for” those living behind bars. These political interests have been submerged in discussions of prison reform, but Dr. Thorpe suggests that efforts to enact sentencing reforms must grapple with these dynamics in order to succeed.