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# Extending the Effects of the Carceral State: Proximal Contact, Political Participation, and Race

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## Abstract

Rates of contact with the criminal justice system are geographically and racially sensitive such that some groups of people experience contact at much higher rates than others. The negative effects of personal contact with the criminal justice system are well documented. Less well understood are the effects of the criminal justice system on those who have not had personal contact but who are members of groups where contact is a common occurrence. This research explores the political effects of the carceral state for the second group, and finds that proximal contact mobilizes, an effect that is most pronounced for nonwhites.

## Keywords

mass incarceration, participation, race

## Introduction

Experience with the criminal justice system is increasingly common in the United States. According to a report by the National Employment Law Project, over 25 percent of the adult population has a criminal background (Rodriguez and Emsellem 2011). Unraveling the political ramifications of the growing rate of contact with the criminal justice system requires an exploration, first, of the effects on the individual who has had personal contact, and second, it requires exploring the effects on individuals who have not had personal contact but who experience the institution via their relationship to someone with personal contact. This research explores the effects on political engagement for the second group: those who have not had personal contact but who experience the institution via personal relationship. I ask the following question: *How does the criminal justice system affect individuals embedded in groups where members have directly experienced contact with the institution, even when they themselves have not personally had direct contact?*

In the field of political science, research around the extant effects of the criminal justice system is limited but growing. Recently, the study of criminal justice in political science has turned toward trying to understand the relationship between the carceral state and spatial communities (Burch 2013; Lerman 2013). This research emphasizes the degrading quality of high levels of surveillance and punishment on community social capital and resource deprivation. This research is even able to

capture negative effects for individuals. Yet, this research captures the effects of the criminal justice system by measuring criminal justice intervention at the community level. Thus, it fails to measure the influence of the carceral state in the lives of individuals with high precision. I build on this research and endeavor to develop a more precise understanding of the relational effects of the criminal justice system on those who have not had personal contact. I define individuals who have not had personal contact with the criminal justice system but who have had indirect contact, as having had *proximal contact*. This project focuses on the effects of proximal contact on political engagement, thus exploring how the American carceral state affects the democratic voice of groups of people who disproportionately experience its growing presence, where the impact on minorities is of central interest.

I theorize that proximal contact can mobilize individuals to action. While personal contact potentially leads to a conviction record, which in turn can lead to social stigma and lower earning capacity (factors relevant to participation), those with proximal contact experience no such direct, personal negative effects. Instead, when moments of personal contact are seen as unjust, this can lead to

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increased participation in politics around criminal justice issues. I further theorize that proximal contact will be especially mobilizing for nonwhites, insofar as nonwhites are more likely to view the carceral state as systemically unjust and particularly salient for their communities, given that they are targeted by the criminal justice system. This theory is supported by qualitative research in the field of criminal justice and quantitative research in the area of political threat.

I test this theory by drawing on survey data collected via a statewide poll in Washington State. These data are unique in the criminal justice literature in that they measure an individual's contact at varying levels, together with traditional measures of participation. I find support for the theory of proximal contact and show that proximal contact increases one's likelihood of high participation in political activities other than voting, compared with those without proximal contact. I then go on to confirm that the findings are not anomalous and that proximal contact is a unique, measurable concept, by incorporating neighborhood-level crime data into the models, in keeping with past research.

## Identifying and Defining Proximal Contact

For the purposes of this research, *personal contact* with the criminal justice system is defined as involuntary contact with police or other criminal justice officials that may lead to a civil or criminal conviction.<sup>1</sup> In contrast, *proximal contact* with the criminal justice system is defined as knowing one or multiple people who have had personal contact but not having had personal contact with the criminal justice system. Among those with personal contact, level of contact with the criminal justice system can vary from simply being questioned by the police to being arrested, convicted, and sentenced to short- or long-term incarceration (Weaver and Lerman 2010). Among those with proximal contact, interactions with the criminal justice system are made salient by the strength of tie to the individual with personal contact (Granovetter 1983; Leighly and Matsubayashi 2009).

Individuals who have personal contact with the criminal justice system experience a severe loss of social capital, degraded employment opportunities, and limited access to social welfare goods (Western 2006, Manza and Uggen 2006). Personal contact stigmatizes individuals and legitimizes the informal enforcement of that stigmatization in broader society (Frymer 2005; Gecas 1982; Pager 2003).<sup>2</sup> Thus, individuals who have personal contact with the criminal justice system constitute an institutionally and informally marginalized group, similar to and often overlapping with other marginalized groups, such as Blacks and Latinos. African American men

constitute the most significantly incarcerated population in the United States and are six times more likely to spend time in prison than their white counterparts (Sabol and West 2010). Latino men are incarcerated at three times the rate of their white counterparts, and the pattern across racial groups holds for women (Brown 2010; Hartley and Armendariz 2011). Furthermore, nonwhites pay a greater penalty for a conviction record than their white counterparts, where they are more frequently and strongly stereotyped, stigmatized, and locked out of economic opportunities (Alexander 2010; Murakawa and Beckett 2010; Pager 2003).

Just as criminal justice contact is racially disparate, so is it geographically disparate. In 2002, Essex and Camden counties in New Jersey received a third of the returning prison population in the state (Travis, Keegan, and Cadora 2003). Within these counties, nearly all ex-offenders returned to Camden (Camden County) and Newark (Essex County). In 2001, Chicago and Baltimore received more than half of the individuals returning from prison in their respective states (Baer et al. 2006). In Chicago, six of 77 communities housed over 30 percent of those individuals returning home. In Washington State, patterns appear to hold at the county level, where King and Pierce Counties received a combined 39 percent of returning prisoners in 2010 (Washington State Department of Corrections 2012). Those communities with high levels of criminal justice intervention experience above average rates of single parent homes, poverty, and unemployment, and are disproportionately communities of color (Baer et al. 2006; Cadora, Swartz, and Gordon 2003; Pager 2003; Roberts 1992; Sampson and Loeffler 2010).

In very concrete terms, the effects of the carceral state extend beyond ex-offenders to their family members through the structure of social policy. For example, federal policy allows landlords to restrict access to housing to families of individuals who have a drug conviction (The New Jersey Institute for Social Justice [NJISJ] 2006). The Adoption and Safe Families Act (1997) mandates the termination of parental rights for individuals sentenced to longer than one year of imprisonment, dramatically increasing the number of children in foster care (NJISJ 2006). In 2002, two percent of all children had an incarcerated parent, a number that reached seven percent among minorities (Baer et al. 2006). When parents are incarcerated, their children experience residential and economic instability, the disruption of care arrangements, and increased risk of dropping out of high school, juvenile arrest, emotional maladjustment, and other behavioral problems (Clear 2007; Johnson and Easterling 2012; Western and Wildeman 2009).

The distinction between personal and proximal contact is designed to differentiate between criminal justice contact that has the potential to degrade life chances and

the spillover effects of the criminal justice system on broader groups of individuals who exist on its periphery. The geographic nature of the criminal justice system provides impetus to question the effects of the carceral state on broader groups of people beyond those with personal contact, and research suggests that for children of incarcerated parents, the implications of proximal contact are negative. Yet, the full effects of proximal contact are unknown: Do the spillover effects extend beyond the children of the incarcerated? How does the criminal justice system function to effect the political incorporation of networks of people affected by its impact? What is the impact on minority communities?

### Proximal Contact and Political Participation

I theorize that the difference between proximal and personal contact plays a key role in generating political behavioral outcomes. Personal contact has the power to stigmatize and degrades the life chances of the person with contact. Proximal contact, on the other hand, confers less thoroughly negative, personal consequences. One likely suffers by proximity from living in a community with lower levels of economic vibrancy; one potentially suffers the pain of watching a loved one experience incarceration; children with an incarcerated parent certainly suffer upheaval in their lives that potentially reduces overall life chances. But one does not lose the right to vote by proximity to a felon; one is never required to check the box indicating they have a criminal history on a job application as a result of knowing someone who was arrested. All of these experiences have the potential to reduce political efficacy and socioeconomic resources important to participation. Indeed, a review of the extant literature on the negative impacts on spatial communities and the children and families of the incarcerated paints a dismal picture for their participation in politics.

Rather than downplaying the lived experience of proximal contact, I leverage the political threat literature, which effectively demonstrates the role that a sense of injustice at being member of a group targeted by policy can play in overcoming socioeconomic barriers to participation faced by those with proximal contact. Instead, experiencing the criminal justice system by proxy teaches individuals about the criminal justice system, their relationship to it, and its role in governing society, and that experience is refracted through their own conceptions of what the government should and should not do. Simply put, experiences with the criminal justice system are judged by democratic norms and the extent to which it either upholds or violates those norms. Thus, I argue that in instances where individuals with proximal contact perceive interactions with the criminal justice system as

unjust or unsatisfactory, when this sense of injustice combines with a preexisting healthy sense of political efficacy, proximal contact mobilizes.

Politically speaking, the most obvious and extreme manifestation of demobilization as a result of personal contact is felon disenfranchisement (Uggen and Manza 2002). Work that documents the political impact of the carceral state by race shows that 7.5 percent of the African American voting age population is disenfranchised because of a felony conviction, compared with about two percent of the overall population (Uggen and Manza 2003, 52). Going further, Weaver and Lerman (2010) establish that nearly all levels of personal contact depress multiple forms of participation. The authors draw on the policy feedback literature, suggesting demobilization follows from decreased political efficacy and increased alienation as a result of potent, negative interactions with the criminal justice system (Mettler and Welch 2004; Parker 2009; Soss 1999; Weaver and Lerman 2010). While Weaver and Lerman do not test efficacy directly, they demonstrate that all levels of contact degrade trust in government, theoretically a component of increased alienation, suggesting tentative support for their theory.

Research that speaks to the effects of the carceral state on the political incorporation of broader communities is limited, and the findings are mixed. Traci Burch (2013), in her book *Trading Democracy for Justice: Criminal Convictions and the Decline of Neighborhood Political Participation*, argues people living in communities with high criminal justice contact are also demobilized. She tests several mechanisms and finds some evidence to support the idea that people living in highly policed neighborhoods experience social disorganization and have lower access to resources. She finds no evidence that extends the efficacy mechanism posited by Weaver and Lerman to those without personal contact and does not firmly establish a mechanism by which individuals are personally demobilized by criminal justice proximity. Thus, Burch's research raises a number of questions. The first part of her analysis firmly establishes that in the aggregate, criminal justice intervention leads to lower levels of voter turnout. The second part of her analysis tests this at the individual level using block group prisoner and homicide data and generates less certain conclusions. Her measures of criminal justice intervention are intermittently associated with lower participation. Yet, they fail to consistently obtain across all measures of engagement. Thus, Burch's strongest evidence speaks more closely to theories that suggest high crime degrades overall community quality than it does to questions of the effect of social ties to the criminal justice system on participation. Her measures of criminal justice proximity are contextual, and the mechanisms she finds support for are also community level (social disorganization and resource

deprivation). Proximal contact is conceived of as relational, and more precise measures than community context of crime are needed to measure its effect.

Qualitative research that is more directly related to proximal contact and political participation suggests the opposite effect detected by Burch: proximal contact with the criminal justice system mobilizes individuals. In her work on the expansion of the carceral state in California, Ruth Wilson Gilmore (2007) documents the founding and development of the interest group Mothers Reclaiming Our Children (Mothers ROC). Mothers ROC emerged and expanded in South Central Los Angeles in the early 1990s in response to the criminal justice system's unfair treatment of youth the Los Angeles police department identified as involved in gang activity. One such young man, George Noyes, was shot and killed by a police-woman, the circumstances of his death creating much controversy. Gilmore (2007, 169) writes:

The still raging controversy concerns whether he was armed, whether he was kneeling, and whether he was begging for his life. According to members of the George Noyes Justice Committee, he was executed by a notoriously brutal policewoman. According to the LAPD, he was a gangster run amok. No charges were ever filed in the case.

In response to this incident, Noyes' aunt began to organize community members and local gangs in an effort to address police brutality in the community. Mothers ROC and a daylong gang truce were the fruit of her labors. The pages of Gilmore's account of the development of Mothers ROC are filled with stories of women, who realized while working on behalf of their children that they faced a system fundamentally working against them. For example, Gilmore tells the story of Bernice, a woman whose son was arrested for taking part in an armed robbery. Yet, evidence and motive for his involvement were lacking; he had been identified as a member of gang and was arrested on these grounds. Gilmore (2007, 213) writes:

Bernice found that while she was struggling to free her child, because his arrest was simply a mistake, the state was working systematically to hold onto him, because his arrest was part of a program to take people 'like him' off the streets.

In sum, Gilmore's account of Mothers ROC suggests that when individuals experience injustice administered by the law and the courts, that sense of injustice can move individuals to action. Importantly, the case of Mothers ROC concerns clear proximal contact, where the mobilized individuals have not personally had negative contact but instead are advocating on behalf of family members. However, it is also a narrow case. Does the

mobilizing influence of the criminal justice system extend beyond the powerful motivator of motherhood? Need the experience of injustice be as egregious as those that emerged in South Central LA during one of the most contentious periods of community-police relations in the city's history?

Lisa Miller (2008) explores citizen activism around crime further in case studies of communities in Pittsburg and Philadelphia. Miller's study identifies the following: at the local level, in communities beleaguered by poverty and crime, criminal justice is a regular issue of concern for local governments. Urban environments have a long, rich history with citizen activism around many issues, where criminal justice is a chief concern. Broad citizen groups are more active than professional organizations such as the American Civil Liberties Union (ACLU). There is no limit to the kinds of issues such groups are concerned with; they are equally interested in issues of public safety, neighborhood improvement, civil liberties, and prisoner reentry, and are much less punitive than activists at other levels of government. On this point, Miller (2008, 156) writes:

Perhaps the most striking aspect of the local crime policy environment is its focus on the people who have to live with both the realities of day-to-day threats of victimization as well as the contentious and often unproductive encounters with the justice system.

Finally, Miller argues that while indeed such individuals do vote less, they engage in other forms of participation that target their local government and focuses on specific issues of concern such as crime. Thus, the existing literature underestimates poor, urban minority community members' level of engagement in politics.

The idea that proximal contact, when combined with a sense of injustice or dissatisfaction around the criminal justice system, can compel people to engage in politics emerges from Gilmore and Miller. While these two studies are most closely related to questions of proximal contact, they are qualitative and limited to three communities in two states. There is no systematic research on the criminal justice system that supports the idea that it has more widespread, mobilizing effect. Yet, the idea that experiencing systematic injustice at the hands of a government institution can be a catalyst for mobilization finds empirical, quantitative support in the broader literature on political discrimination and participation.

Political discrimination is the sense that one has received disparate treatment by a government institution based on some characteristic such as gender, religion, or race. Research on the African American community during the civil rights era confirms the idea that political discrimination can mobilize (Bobo and Gilliam 1990;

Dawson 1994; Matthews and Prothro 1966; Parker 2009; Tate 1994). For example, Parker (2009) locates the beginning of the civil rights movement in black World War II veterans returning to their communities with a strong sense of citizenship. A sense of citizenship combined with a feeling of injustice around being denied the vote to generate action among ex-soldiers. This body of literature further identifies the means by which a historically disadvantaged group is able to overcome socioeconomic barriers: through martialing group-based resources, including the development of an ideology that encourages participation, and membership in community organizations (Bobo and Gilliam 1990; Rosenstone and Hansen 1993; Sanchez 2006; Tate 1993).

Political threat as a mobilizing force is not limited to African Americans during the civil rights era. Work on the participation of the growing Latino community documents their mobilization in response to a threatening political environment in California in the 1990s and again in response to immigration debates in 2006 (Barreto 2010; Barreto et al. 2009; Barreto and Woods 2005; Pantoja, Ramirez, and Segura 2001; Ramakrishnan 2005; Sanchez 2006). Pantoja, Ramirez, and Segura (2001) find that immigrants were compelled to naturalize in response to the particularly threatening policy environment in the state, where several racialized propositions were considered by elites and voters.<sup>3</sup> Barreto and Woods find that Latinos naturalized during this time in California were more likely to vote than their counterparts naturalized in other states where no such contention existed. Summarizing the point that political threat mobilizes, Cho, Gimpel, and Wu (2006, 978) write:

A solid body of evidence . . . indicates that political mobilization is a direct response to the degree of threat and discrimination a group experiences. If the political learning process includes the encounter of worrisome events, say, about particular government policy actions, it may provide the motivation to participate from those who have the ability to participate but heretofore have chosen not to do so.

The political threat literature supports qualitative studies that suggest experiencing injustice at the hands of the criminal justice system leads to mobilization, where high levels of political efficacy, individual and collective resources all mitigate the negative effects of experiencing that discrimination.

In sum, systematic studies that attempt to capture the extant effects of the criminal justice system on participation do not generate robust findings that it has a blanket and deep demobilizing effect within highly policed communities (Burch 2013; Weaver and Lerman 2010). Instead, the most definitive conclusions that arise from this body of literature are that (1) personal contact that leads to a

criminal background demobilizes individuals across all measures of participation and (2) all levels of contact, including high levels of neighborhood incarceration, degrades the likelihood of voting but not necessarily non-electoral participation. Instead, when combined with qualitative studies that more closely capture the concept of proximal contact, the following emerges: (1) Support for the idea that political threat mobilizes, and personal and proximal contact with the criminal justice system can be perceived as a form of institutional injustice; (2) the mobilization of proximal contact is most poignant for those with a close relationship with the individual who has had personal contact; and (3) we should not expect to see mobilization reflected in increases in voting; instead, it should be reflected in alternative participation measures.

### Argument: Proximal Contact Mobilizes

I theorize that there is an important distinction between personal and proximal contact with the criminal justice system. Individuals with proximal contact can experience the results of a voracious, racialized, and geographically sensitive criminal justice system through living in communities with lower levels of economic vibrancy and higher levels of state surveillance. Yet, those with proximal contact do not experience the social stigma, lowered earning potential, and reduced access to social goods incurred by those with a conviction record as a direct result of criminal justice contact. Thus, it is unreasonable to assume that the negative effects of personal contact on political efficacy and other resources important to participation extend to those with proximal contact. Instead, I theorize that when an individual has a close tie with someone who has personal contact, and they view the criminal justice system as being unjust as a result of that tie, they will be mobilized to action. Insofar as individuals with proximal contact do have relatively low socioeconomic status, a sense of injustice at the hands of a government institution helps overcome socioeconomic barriers to participation. However, I theorized that this point of contact compels people to mobilize around issues of criminal justice specifically, rather than in politics more broadly. Thus, I theorize that the mobilizing effects of proximal contact will be apparent in political activities other than voting. This generates the following research hypotheses:

**Hypothesis 1:** Personal contact with the criminal justice system leads individuals to withdraw from politics across all measures.

**Hypothesis 2:** Proximal contact will have no effect on likelihood of voting.

**Hypothesis 3:** Proximal contact with the criminal justice system leads individuals to participate in political activities other than voting at higher levels than those without proximal contact.

**Hypothesis 3a:** The closer the relational tie to someone with personal contact, the greater the size of the impact on political participation in activities other than voting.

Finally, I theorize that because the criminal justice system targets urban, minority communities, and is an issue of special import to nonwhite communities (Alexander 2010), nonwhites will be more likely to experience the criminal justice system as unjust than whites. Thus, the mobilizing impact of proximal contact will be greater for nonwhites than for whites. The mechanism of effect linking proximal contact to political participation outcomes is an emotional response to a perceived injustice, which combines with an existing sense of external political efficacy, to generate resistance to the institution the individual experiences as unjust. This generates the final hypothesis:

**Hypothesis 4:** Among those with proximal contact, the size-mobilizing effect of proximal contact will be larger for nonwhites than that for whites.

## Method and Analysis

The analysis proceeds in three sections. In the first section, I test Hypotheses 1 through 3, to establish that personal and proximal contact affect political engagement and do so at varying levels. In the second section, I test Hypothesis 4, to determine whether or not the effects of proximal contact differ between whites and nonwhites. In the final section, I confirm the findings by testing them against neighborhood-level crime. This helps to establish that (1) proximal contact is conceptually distinct from neighborhood context, tested in the past and (2) that my findings are not an anomaly; rather, the concept of proximal contact adds a new dimension to the current understanding of the spillover effects of the carceral state. The first two sections draw on individual-level survey data collected via a statewide poll in Washington State. The third section further includes crimes per capita for 2011 in the census tract where survey respondents live for those living in 14 cities in Washington.

## Data and Measures

The critical observation for the analysis is level of political engagement given level of contact with the criminal justice system (no contact, proximal contact and varying levels of strength of relationship, and personal contact). I

draw on data from a statewide survey of residents of Washington State, fielded in the fall of 2012,<sup>4</sup> which included both measures of level of contact and measures of political engagement. The key independent variable in the analysis is level of contact with the criminal justice system. The survey asked the following two questions that measure contact with the criminal justice system: (1) Have you ever been arrested, charged, or questioned by the police, even if you were not guilty, excluding minor traffic stops such as speeding? (2) 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 were not guilty, excluding minor traffic stops such as speeding?

The first question measures personal contact. This measure allows me to compare the effects of personal contact to the effects of proximal contact, given that the theory of proximal contact posits different and opposite political behavioral outcomes for each. Much of the criminal justice literature I used to build this theory focuses on the effects of incarceration, and Weaver and Lerman establish that the strength of the demobilizing effect of personal contact depends on the level of contact. Comparatively, the measures I use for both personal and proximal contact are loose, and I am unable to differentiate between conviction, incarceration, and lesser levels of contact. Therefore, these are not precise measures of my conceptualization of levels of contact. They are blunt. However, rather than overestimating the effects of contact, the use of such loose measures likely underestimates the full extent of the effects of conviction and incarceration on groups where each are prevalent. Thus, I would consider any evidence generated from the use of these measures strong support for my theory, and impetus for future research.

In addition to simple proximal contact, I am further interested in the intensity of the proximal relationship to the criminal justice system. I theorize that the more intense the proximal relationship, the stronger the effect on political behavior. Thus, for individuals who affirm that they know someone who has had personal contact, the survey asked the follow-up question: How close would you say your relationship is with that person? Would you say you are not very close, somewhat close, or very close with that person?

The first question measures personal contact with the criminal justice system and is dichotomous. The second question and its follow-up measure proximal contact and strength of proximal relationship, and are collapsed into one variable, ranging from zero (no contact) to three (strong, proximal relationship). Fully 83 percent of the sample said that they did not have personal contact with the criminal justice system.<sup>5</sup> Nearly half said that they did have a close friend or family member who has had

contact (48%). Nearly 30 percent of the sample (27%) indicated they knew someone who had been arrested, charged, or questioned by the police and that they had a strong relationship with that person.

The dependent variable, political engagement, is operationalized using two separate measures: (1) validated vote history<sup>6</sup> and (2) number of political actions taken in the last twelve months. Vote history from the years 2006 to 2012 was provided with the sampling frame used by the poll and is, therefore, a scale from 0 to 7. The poll asked the following to measure political activities, generating a political participation scale ranging from 0 to 8: Now we would like to know, in general, how politically and socially active you have been. Please indicate whether or not you have done any of the following activities in the last twelve months:

1. Signed a petition
2. Helped out in an election campaign
3. Done volunteer work in the community
4. Attended a political meeting
5. Joined an organization in support of a particular cause
6. Took part in a demonstration
7. Contacted, or attempted to contact, a politician or civil servant to express your views
8. Donated money or raised funds for a social or political activity

In terms of vote frequency, the distribution is skewed to the right, with a full 30 percent of respondents having voted every year between 2006 and 2012. In terms of actions taken in the past year, the data are approximately normally distributed. Eight percent of respondents took no action, and only about two percent said yes to all items offered in the battery.<sup>7</sup> Negative binomial logistic regression is used to model voter frequency because the scale amounts to a count with an upper bound. Ordered probit is used to model political actions taken in the last year.

The second part of the analysis interacts personal and proximal contact with race to test the hypothesis that the effects of level of contact with the criminal justice system on political engagement are more dramatic for nonwhites than for whites.<sup>8</sup> The final part of the analysis incorporates measures of neighborhood-level crime for the census tracts where respondents live. Neighborhood-level crime is operationalized by the measure crimes-per-capita by census tract. All models control for the following: race (dichotomously coded as nonwhite), income,<sup>9</sup> party identification (coded as Republican), gender (female), frequency of church attendance, political knowledge, education (coded as a scale ranging from having less than a high school degree, to having a post graduate degree, and is labeled post graduate), and age.

**Table 1.** The Effects of Personal and Proximal Contact on Political Participation.

	Article I. Validated vote history <sup>a</sup>	Article II. Participation scale <sup>b</sup>
Personal contact	-0.542* (0.277)	0.322*** (0.084)
Proximal contact	-0.003 (0.084)	0.117*** (0.023)
Nonwhite	0.329 (0.382)	-0.145 (0.104)
Education	-0.001 (0.112)	0.173*** (0.032)
\$20k-\$40k	-0.283 (0.645)	0.055 (0.162)
\$40k-\$60k	-0.405 (0.604)	0.168 (0.153)
\$60k-\$80k	-0.300 (0.605)	0.200 (0.153)
\$80k-\$100k	-0.684 (0.597)	0.248 (0.157)
\$100k+	-0.567 (0.568)	0.189 (0.146)
Missing income	-1.022* (0.582)	0.125 (0.154)
Age	0.028*** (0.007)	-0.005*** (0.002)
Conservative	0.025 (0.084)	-0.087*** (0.023)
Republican	0.008 (0.157)	-0.012 (0.044)
Female	-0.162 (0.224)	0.213 (0.062)
Political knowledge	0.369*** (0.143)	0.220*** (0.038)
Church attendance	-0.003 (0.069)	0.100*** (0.019)
Observations	1,301	1,269

Standard errors in parentheses.

<sup>a</sup>Validated vote history is modeled using negative binomial.

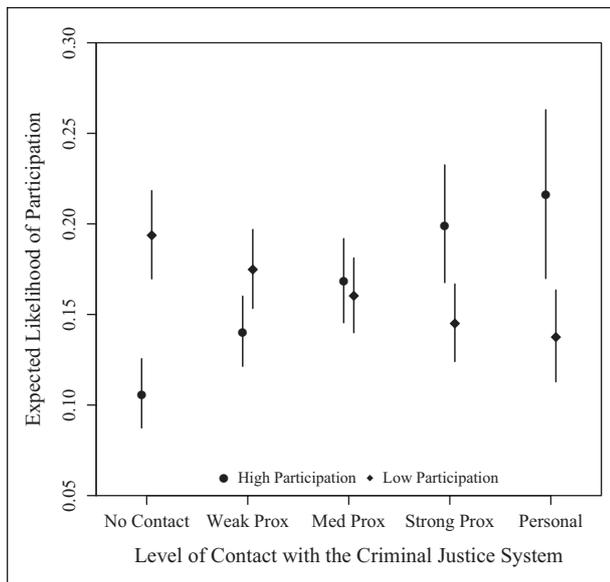
<sup>b</sup>The participation scale is modeled using ordered probit.

\* $p < .05$ . \*\* $p < .01$  \*\*\* $p < .001$ .

## Results: Personal and Proximal Contact

Hypothesis 1 posits that personal contact will lead to withdrawal across all measures of political behavior. While personal contact is negatively associated with frequency of voting, it is positively associated with participation in activities other than voting (Table 1). That is, personal contact with the criminal justice system is a positive and statistically significant predictor of political engagement when measured by the following question: (1) Have you ever been arrested, charged, or questioned by the police, even if you were not guilty, excluding minor traffic stops such as speeding? This is interesting, given that the broader literature suggests that personal contact leads to withdrawal. The second and third hypotheses suggest that proximal contact will have no effect on voting but will lead individuals to engage at higher levels in activities other than voting. The results of the analysis support these hypotheses (Table 1). All levels of proximal contact are statistically and positively associated with participation in activities other than voting.

In Table 1, the relationship between all levels of contact and number of political acts is significant. Ordered probit predicts the likelihood of falling into a given numerical category of participation. Thus, it is difficult to interpret the relationship between two variables by simply looking at the direction and size of the model coefficients.



**Figure 1.** Likelihood of participation by level of contact.

The above figure indicates that both personal contact and proximal contact decrease the likelihood of low participation and increase the likelihood of high participation. Low participation is defined as having said yes to only one or no items on the participation battery, while high participation is defined as having said yes to six or more items, or falling outside one standard deviation below/above the mean.

Accordingly, Figure 1 explores this relationship in graphical form, displaying the expected likelihood of participating at high and low levels by level of contact. As level of contact increases, likelihood of high participation (having said *yes* to six or more items in the participation battery) increases, and likelihood of low participation (having said *yes* to only zero or one items in the battery) decreases.<sup>10</sup> Substantively, having direct contact with the criminal justice system increases your likelihood of participating at high levels by approximately 12 percentage points, compared with those with no contact whatsoever. Similarly, having a strong relationship with someone who has had personal contact increases your likelihood of high participation by about 9 percent, compared with those individuals who have no such relationship. It seems, then, that both personal and proximal contacts have a mobilizing effect. Furthermore, the stronger the tie to someone with personal contact, the stronger the demobilizing effect of that tie.<sup>11</sup>

In sum, the analysis confirms the hypotheses regarding proximal contact: (1) proximal contact has no effect on voting, but (2) increases participation in other, non-electoral political activities, and (3) the impact on participation increases as the strength of the proximal relationship gets stronger. Surprisingly, however, the analysis further revealed that personal contact with the criminal justice system also has a mobilizing effect.<sup>12</sup> My hunch is that the finding regarding personal contact is due

**Table 2.** The Effect of Interacting Race and Levels of Contact on High Participation.

	Personal contact <sup>a</sup>	Proximal contact
Personal × Nonwhite	0.408* (0.248)	—
Proximal × Nonwhite	—	0.166** (0.074)
Personal contact	0.277*** (0.088)	0.318*** (0.084)
Proximal contact	0.117*** (0.023)	0.101*** (0.024)
Nonwhite	0.232** (0.116)	0.392*** (0.152)
Observations	1,269	1,269

Standard errors in parentheses.

<sup>a</sup>The model control for education, income, age, ideology, party ID, political knowledge, church attendance, race, and gender. This table reflects only the interaction and base terms of interest in the model.

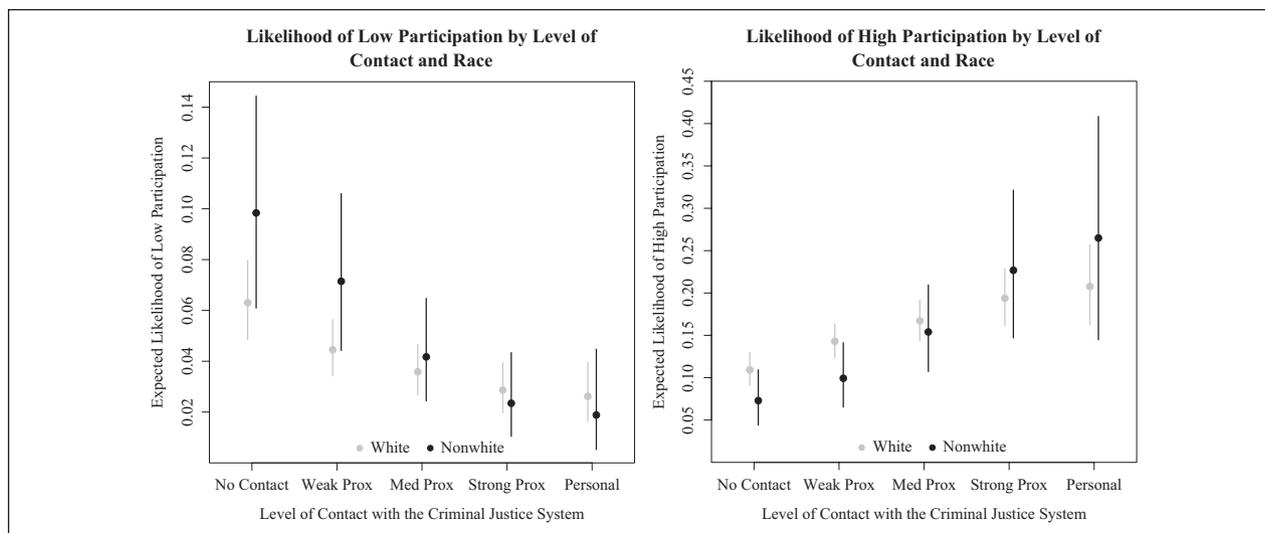
\* $p < .05$ . \*\* $p < .01$ . \*\*\* $p < .001$ .

to the way the question measuring personal contact is worded. It sets a low threshold for personal contact, simply asking if the respondent has ever been questioned or stopped by the police, without asking about arrest, conviction, or incarceration. Weaver and Lerman's research, which measures levels of contact, does not find strong, consistent demobilizing effects until individuals experience conviction. At the levels of questioning and arrest, their data show an inconsistent and weak relationship. When combined with the findings presented above, this suggests that like proximal contact, low levels of personal contact that may not lead to a conviction record do not necessarily lead to potent negative outcomes in terms of nonelectoral participation.

## Results: Proximal Contact and Race

The second part of the analysis asks whether or not the effects of proximal contact differ by race, given the racialized nature of the carceral state. I theorize that because issues surrounding the criminal justice system are so salient for nonwhite communities, where their overrepresentation is itself facially unjust, nonwhites will be more likely to experience the criminal justice system as unjust, and as a form of systemic political threat or discrimination. Because the experience of injustice or dissatisfaction with the criminal justice system is more likely to be interpreted by nonwhites as a facet of institutional and systemic discrimination, the mobilizing impact will be greater for them than for whites. Table 2 shows the results of the analysis, predicting participation in activities other than voting, and Figure 2 displays the expected likelihood of nonelectoral participation at low and high levels (falling outside one standard deviation below/above the mean) among whites and nonwhites.

Table 2 shows that, among those without proximal contact, being nonwhite is negatively associated with political participation. Among those with proximal



**Figure 2.** All levels of contact decrease the likelihood of low participation and increase the likelihood of high participation. The impact is greater for nonwhites than for whites.

contact, being nonwhite is positively associated with political participation. Again, the results of an ordered probit regression are difficult to understand just by looking at the strength and direction of the beta coefficient. Instead, I plot the predicted probability of participating in nonelectoral activities at low and high levels, between whites and nonwhites, displayed in Figure 2. Figure 2 demonstrates that nonwhites with personal and proximal contact are statistically more likely to participate at high levels than nonwhites without either personal or proximal contact. The same is true for whites, but the substantive size of the impact for nonwhites is larger than it is for whites. Nonwhites with no contact have about a seven percent likelihood of participating at high levels, compared with nonwhites with proximal contact, who have about a 24 percent likelihood of participating at high levels. Comparatively, whites without contact have about an 11 percent likelihood of high participation, and those with proximal contact have only about a 17 percent likelihood of high participation. While both are statistically significant, the size of the impact of nonwhites is larger than for whites, leading them to be three times more likely to participate at high levels, compared with whites whose participation is predicted to increase only about six percent.

### Proximal Contact Is Distinct from Community Criminal Justice Intervention

The previous two sections spoke to each of the four hypotheses generated from a theory of proximal contact. Proximal contact is conceived of as relational, where

individuals witness the criminal justice system in action via their relationship with someone who has personal contact. Because individuals with proximal contact do not personally experience the collateral consequences of the carceral state, such as social stigma and losses to earning power, their preexisting levels of efficacy also remain intact. I have theorized that when those with proximal contact interpret the criminal justice system as unjust or inadequate, this sense of injustice combines with existing levels of efficacy to lead to increase participation in nonelectoral activities. The preceding analysis confirms this theory, showing that proximal contact is a positive and statistically significant predictor of nonelectoral political participation. This relationship gains strength as the strength of the proximal relationship increases, and the effect is more substantial for nonwhites than for whites.

Yet, other research that tackles similar questions finds that individuals who live in neighborhoods where rates of contact with the criminal justice system are high are less likely to participate, contrary to the findings presented here (Burch 2013). To establish that proximal contact is distinct from other methods of understanding the spillover effects of the criminal justice system, I take the extra step of modeling the data in keeping with the research that most closely speaks to the question of proximal contact. Work that captures the impact of being criminal justice system adjacent faces the problem of measuring the relationship to the criminal justice system alongside political participation. Past research has solved this problem by incorporating contextual measures of criminal justice intervention, such as community-level crime (Burch 2013; Lerman 2013). Burch (2013), for example, uses number of incarcerated persons and number of

**Table 3.** Predicting Political Participation: Comparing the Findings to Neighborhood Context of Crime.<sup>a</sup>

	Model 1	Model 2
Personal contact	—	0.753*** (0.243)
Proximal contact	—	0.243*** (0.066)
Crimes per capita	-0.124 (0.611)	0.030 (0.613)
Nonwhite	-0.413 (0.283)	-0.584** (0.282)
Education	0.325*** (0.089)	0.385*** (0.090)
\$20k–\$40k	0.233 (0.448)	0.391 (0.443)
\$40k–\$60k	0.386 (0.431)	0.448 (0.428)
\$60k–\$80k	0.514 (0.424)	0.633 (0.419)
\$80k–\$100k	0.604 (0.432)	0.704 (0.429)
\$100k+	0.452 (0.396)	0.635 (0.392)
Missing income	0.710 (0.427)	0.954*** (0.424)
Age	-0.015*** (0.006)	-0.013*** (0.006)
Conservative	-0.178*** (0.064)	-0.133*** (0.065)
Republican	0.051 (0.128)	-0.006 (0.130)
Female	0.273 (0.173)	0.468*** (0.180)
Political knowledge	0.351*** (0.109)	0.344*** (0.110)
Church attendance	0.207*** (0.055)	0.224*** (0.055)
Observations	490	490

<sup>a</sup>Political participation is operationalized using an eight-item participation battery, and is modeled using an ordered logit regression.

\* $p < .05$ . \*\* $p < .01$  \*\*\* $p < .001$ .

homicides per census block. Burch, who offers the most precise of this research by matching the location of survey respondents to context variables, finds that a context of crime leads lower levels of participation.

In keeping with this, I collected instances of crime for 2011 for fourteen cities across Washington State, aggregated them to the census tract level, and matched them to the location of survey respondents for the Washington Poll.<sup>13</sup> I then modeled the effects of crimes-per-capita on political participation, using the nonelectoral participation scale. I followed this by then integrating the survey measures of personal and proximal contact. The results of each model are displayed in Table 3.

While crimes-per-capita does not achieve statistical significance, Model 1 shows that, in keeping with the findings of previous research, the direction of affect is negative. Model 2 adds in the survey measures of personal and proximal contact. While crimes-per-capita maintains a weak, negative association with participation in activities other than voting, proximal and personal contact maintains a positive relationship with participation. This provides strong evidence for the relationship between proximal contact and participation. Furthermore, the fact that crimes-per-capita performs in keeping with past research confirms that proximal contact is a distinct concept from neighborhood-level

criminal justice intervention. Finally, that this piece of the analysis demonstrates patterns similar to Burch's, whose data come from urban cities in the South, not only supports her work but is also encouraging in the face of critiques that question the generalizability of analysis based solely on data from Washington State.<sup>14</sup>

## Conclusion

Incarceration rates in the United States have reached unprecedented heights in the last forty years, and levels of contact with the criminal justice system are geographically and racially sensitive. Given that the purview of political science is to study the role of political institutions in shaping the political and social landscape in the lives of individuals, it is an issue of special import for the field. This research tackles an important set of questions: What are the political effects of a voracious criminal justice system on individuals beyond those who have had personal contact? How do those effects impact minorities, for whom the criminal justice system is of special concern?

In speaking to questions, I began by developing a theory of proximal contact, defining the phenomenon, and its importance to understanding the full impact of the criminal justice system on American democracy. I then identified what we know about the effects of proximal contact and how we might expect it to generate political behavioral outcomes. I drew on the political threat literature to develop a theory regarding the mechanisms by which proximal contact operates. I specified four hypotheses regarding proximal contact and political participation, with a special interest in race.

The results suggest that while high levels of personal contact with the criminal justice system lead to political withdrawal, proximal contact and very low levels of personal contact instead have a mobilizing effect. Furthermore, the mobilizing effects of proximal contact increase as strength of proximal relationship increases. Finally, the mobilizing effects of personal and proximal contact were of greater magnitude for nonwhites than for whites, where nonwhites with a strong proximal relationship and personal contact were more likely to participate at high levels than their nonwhite counterparts.

This analysis points to a number of areas for future research. While this project establishes that proximal contact is a definable and measurable concept with political implications, it leaves a full understanding of the work proximal contact does to theory. Fundamentally, proximal contact is a theory that endeavors to explain how political institutions help shape citizens' understanding of American democracy even when one does not personally experience those institutions at work. I

posit that in the case of proximal contact with the criminal justice system, negative contact that potentially leads to a conviction record has the possibility of being viewed as systemically unjust or dissatisfying, particularly for nonwhites. When a sense of injustice combines with a preexisting, healthy sense of political efficacy, it leads to mobilization. Yet, while I clearly establish a positive link between proximal contact and participation, I am unable to test the mechanism of effect, and a robust understanding of the concept is beyond the reach of this analysis. Furthermore, while I have established that proximal contact is a stronger mobilizer for nonwhites than for whites, whether this holds across African American, Latino, and Asian American communities independently and how each community experiences the criminal justice system differently should be further explored, given that each has a unique experience with the project of American democracy.

In addition, the most interesting finding in the analysis is that not only does proximal contact mobilize but so do low levels of personal contact. This raises the need for a clearer theory of levels of contact with the criminal justice system and how they affect individuals within the periphery of the institution. I theorize that the difference between those who are demobilized by personal contact and those who are mobilized by it is whether or not they incur a conviction record that leads to other negative and stigmatizing outcomes in their lives. Those with a conviction record are more likely to be demobilized, whereas those without have a higher likelihood of mobilization. Again, this bears investigation but is beyond the scope of the present analysis, given that I use blunt measures of contact that do not differentiate between levels of contact. Furthermore, the fact that low levels of personal contact mobilize calls into question the generalizability of analysis of data drawn from a single state. While this research has established proximal contact as a distinct concept with political behavioral implications, it is preliminary and calls for analysis of a nationally representative dataset.

Despite these limitations, this project adds to a growing body of literature around the effects of political discrimination on targeted communities. Furthermore, it builds on existing criminal justice research that endeavors to capture the full effects of an increasingly entrenched carceral state. I take a unique and important approach by expanding the scope of inquiry to include individuals who have not had personal contact and make more precise the measurement of effects by turning the focus to relational ties. I join a growing chorus of voices that point to the criminal justice system as a mechanism by which racial hierarchy is maintained, using an analysis of the effects of this institution to critique the quality of

American democracy (Alexander 2010; Burch 2013; Lerman 2013; Murakawa 2006, 2014; Murakawa and Beckett 2010; Weaver and Lerman 2010). Finally, this inquiry uncovers a story of resistance, where all other research would indicate we should expect withdrawal. Among criminal justice research that speaks to proximal contact, only qualitative documentation of single or few moments in time indicated the possibility of mobilization in the face of injustice; this analysis systematically supports the possibility of the broader reach of grassroots resistance in response to what has been termed *The New Jim Crow* (Alexander 2010).

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### Notes

1. The conceptualization of proximal contact is limited to involuntary interactions because analytical leverage is gained from distinguishing between contact that degrades personal life chances and that which has secondary effects. Thus, limiting it to involuntary contact sharpens the conceptualization of proximal contact and points to a clearer operationalization.
2. Pager's (2003) experimental work testing the effects of having a conviction record on employment opportunities demonstrates that employers discriminate against individuals with a record, even when the candidate is well qualified for the position. This is an example of informal enforcement of stigmatization insofar as it is social enforcement, not legal enforcement.
3. An example of a proposition includes Proposition 187 that would prevent illegal immigrants from accessing social welfare services (Barreto and Woods 2005).
4. The Washington Poll was a statewide survey of residents of Washington State and was fielded October 1 through November 2 of 2012. It was fielded via landline and cell phone, and used weighting and quotas across gender and region in an effort to achieve a representative sample. A total of 1,667 surveys were completed, with a response rate of 4 percent, a cooperation rate of 22 percent, and a margin of error of  $\pm 2.4$ .
5. Frequency tables for personal contact, proximal contact, vote history, and political participation are found in Online Appendix A, located in the supplemental materials of the electronic manuscript, at <http://prq.sagepub.com/supplemental/>.
6. The vote history variable is a count that measures the number of general (November) elections a person voted in

- from 2006 to 2012, and has a mean of 4.49 and a standard deviation of 2.42.
7. A nationally representative sample collected via the Washington Poll in 2013 asked a similar participation battery. When compared with this national sample, respondents in Washington State appear to participate at slightly higher rates than their national counterparts. The mean for the 2012 Washington sample was 3.2 acts, with a standard deviation of 2.01. The mean for the 2013 national sample was 2.6 acts with a standard deviation of 2.2.
  8. There are 154 nonwhites in the sample, or 10 percent of all respondents.
  9. 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 me to control for income effects while preserving the cases for which income is not reported.
  10. Ordered probit predicts the likelihood of falling into a given, ordered category. Thus, when simulating predicted outcomes, one generates the predicted probability of falling into a single category. For example, one might predict the likelihood of participating at the highest level, or having said "yes" to all eight items in the participation battery. To demonstrate the substantive impact of proximal contact, I chose to predict the likelihood of participating at the level of, or higher than, one standard deviation above the mean. The mean number of political acts in the sample is 3.22, with standard deviation of 2.02. Thus, high participation is defined as having said yes to six or more items in the battery.
  11. Literature surrounding political alienation suggests that not all political participation acts are equal and that low resource participants are sometimes more likely to engage in volunteer activities and less likely to donate to a politician. This raises questions around scaling the participation battery. Thus, I tested the effects of direct and indirect contact on likelihood of participating in each item in the scale. The results of the analysis show that direct and indirect contacts have a demobilizing effect across all items in the scale. Thus, the use of the participation battery remains sound. The full results of the analysis are found in Online Appendix B, located in the supplemental materials of the electronic manuscript, at <http://prq.sagepub.com/supplemental/>.
  12. The data are modeled such that personal and proximal contacts are not mutually exclusive; many individuals who have personal contact also have proximal contact. Additional analysis was conducted where personal and proximal contacts were interacted, to isolate the effects of proximal contact, independent of personal contact. Here, only the base term *proximal contact* maintained statistical significance, suggesting that those with proximal contact (but no personal contact) are mobilized to participate in activities other than voting. I then examined the predicted probability of high participation for those with and without

personal contact at each level of proximal contact. The predicted probabilities suggest a possible compounding effect of proximal contact and low levels of personal contact at the very highest levels of proximal contact. Yet, given the blunt measure of personal contact, the fact that the sample is composed of registered voters, and the fact that the interaction term itself does not achieve statistical significance, I interpret these findings with caution. Instead, the interaction term serves to support the claim that proximal contact has a mobilizing effect.

13. The 40 cities in Washington State with the largest populations were targeted in this data collection effort; 14 cities provided comparable data. Instances of crime were then aggregated to the census tract level using ArcGIS software and divided by the total population in the census tract. The sample size is 490 individuals for whom a crimes-per-capita score could be calculated. The crimes-per-capita scale has a minimum of 0.0017, a maximum of 0.918, a mean of 0.083, and a standard deviation of 0.111.
14. Additional analysis was conducted mirroring Burch's work that looked at the effect of crimes-per-capita on voter turnout in the aggregate, where precinct-level turnout was aggregated up to census tracts and modeled across three elections. After controlling for other relevant factors such as poverty rate and racial makeup, crimes-per-capita was negatively, statistically associated with turnout, in keeping with Burch's analysis. This provides firm support for the claim that findings from Washington State are not anomalous. The full analysis can be found in Online Appendix C, located in the supplemental materials of the electronic manuscript, at <http://prq.sagepub.com/supplemental/>.

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