

Targeted: The Mobilizing Effect of Perceptions of Unfair Policing Practices

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Criminal justice contact is increasingly routine for Americans, and preemptive policing tactics render contact a feature of everyday life for minorities and the poor. Scholars interested in the impact of criminal justice contact on political outcomes largely find that all types of contact decrease voting and trust in government. Yet, qualitative evidence suggests that sometimes individuals are mobilized by their experiences. I leverage theoretical differences between custodial citizenship and having a loved one who is a custodial citizen, referred to as proximal contact, to identify the conditions under which criminal justice experiences catalyze political action. Individuals with proximal contact face fewer barriers to participation than do custodial citizens, and when they view negative experiences as a product of a system that targets people like them on the basis of group affiliation, contact can spur participation in activities other than voting.

Being Puerto Rican and Black, we thought this was something normal, that this is something that is supposed to happen to a Puerto Rican and Black in the neighborhood because it was happening so much,” Jose LaSalle, mobilized around New York City’s use of stop and frisk, explains the motivation of activists to the *New York Amsterdam News*: “We didn’t really understand it, but now we have a better understanding of it, and we don’t want the generation that comes behind us to feel like this is part of their culture” (Toulson 2012). LaSalle and others like him were frequent targets for street stops by the New York Police Department (Goldstein 2013). In 2013, a federal court made the NYPD’s tactics infamous, ruling them unconstitutional based on the disproportionate targeting of minorities. In the same year the court ruled against stop and frisk, Collette Flanagan founded Mothers against Police Brutality (MAPB) in the aftermath of the police killing of her son in Dallas, Texas (Mothers against Police Brutality 2017). About getting active Flanagan said: “As it stands now, the police department rallies around [officers who use excessive force] and they keep them and they send them to poor neighborhoods because history has taught them that these families don’t fight back. We have to change that” (Mothers against Police Brutality 2013).

Minorities and the poor disproportionately have involuntary interactions with law enforcement, and preemptive tactics like stop and frisk saturate their neighborhoods with

police, rendering the threat of contact a feature of everyday life. Consequently, nearly 30% of adults have a criminal record, and almost half of black men are arrested before they turn 25 (Friedman 2015). Researchers term personal contact via arrest and incarceration “custodial citizenship” (Lerman and Weaver 2014a). Firsthand criminal justice experience teaches lessons about citizenship, and these civic lessons extend to loved ones witnessing the system in action via custodial citizens. Scholars refer to this as vicarious or proximal contact (Stoudt, Fine, and Fox 2012; Walker 2014). In the 2006 General Social Survey roughly 40% of black Americans had at least one incarcerated family member, outstripping whites by a magnitude of four (Lee et al. 2015).

Researchers find that all types of contact decrease voting and trust in government (Lerman and Weaver 2014a). The corrosive civic effects of personal contact extend to those with proximal contact and accrue to neighborhoods, since specific communities are targeted for enforcement (Burch 2013; Lee, Porter, and Comfort 2014). Grounded in policy feedback theory, scholars argue that personal contact demobilizes by sending the message that one’s negative experiences are due to poor individual choices. Further, even those with proximal contact are subject to the negative political socialization of the carceral state. Individuals with proximal contact learn that their civic voices are of little interest to public officials, and so they also politically disengage.

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The dominant narrative in the literature contrasts with moments of resistance in New York, Dallas, Ferguson, Missouri, and elsewhere, with few exceptions. For example, reflecting on the fact that for some, maintaining contact with incarcerated loved ones was itself political, Lee et al. (2014, 57) write, “these experiences do not necessarily lead to a total retreat from civic engagement but rather lead to engagement in alternative forms of political behaviors.” Yet, these and other scholars who identify moments of mobilization only speculate about their origins, treating them as anomalies.

The primary task of this essay is to theorize and empirically test a mechanism linking proximal criminal justice contact to increased engagement. Proximal contact “confers less thoroughly negative, personal consequences,” than does personal contact, raising the possibility for mobilization (Walker 2014, 3). I do not contest the negative consequences of contact that pervade everyday life.¹ Rather, I leverage the targeted nature of the system to exhume its mobilizing capacity. When individuals reject the messaging conferred to their loved ones by contact, instead viewing negative proximal experiences as a product of systemic targeting, the material consequences of contact provide reason to mobilize. I call the belief that one was targeted by the system a sense of systemic injustice.

To develop this argument I bring research on the participation of minorities and the poor into conversation with theories of political learning. Narratives explaining negative experiences with the state in terms of institutional discrimination improve efficacy, indicate a group with whom to organize, and an actor or set of actors to target, laying the groundwork for collective action (Dawson 1994; Gamson 1968). Moreover, marginalized populations seeking to extract accountability from officials, who do not regard them as likely voters, often begin with protesting and other actions to garner attention from representatives (Gillion 2013). To wit, an activist interviewed in Ferguson after the failure to indict Darren Wilson remarked, “The people have spoken. We don’t always have to vote. We vote, we don’t get what we want. So poor people go out in the street, and we vote with our feet” (González and Goodman 2014). I argue that while political action catalyzed by contact may include voting, it is most likely to manifest nonelectorally.

1. Scholars have extensively documented the negative consequences of criminal justice contact. In brief, contact reduces physical and mental health, destabilizes families and increases their material hardship, diminishes earning potential, limits access to housing, education subsidies, and other social welfare goods (Comfort 2009; Pager 2003; Western and Wildeman 2009). Even misdemeanors can degrade the life chances of the offender and their loved ones, since assessments of the likelihood of recidivism, which inform probation and parole decisions, rely heavily on past criminal justice contact (Harcourt 2007).

In order to investigate the conditions under which proximal contact mobilizes, I draw on two nationally representative data sets, the 2013 National Crime and Politics Survey (NCPS), and the 2016 American National Election Study (ANES). The NCPS is unique in that it captures proximal contact as well as participation and evaluations of community policing used to measure a sense of injustice. The most frequently cited works on this topic rely on secondary data sets over a decade old and lack measures of evaluations of the criminal justice system. The NCPS offers an important opportunity to evaluate a key mechanism that I theorize underlies contact and mobilization. The ANES is used to corroborate the findings derived from the NCPS.

My strategy to disentangle the relationship between proximal contact, injustice, and participation is as follows: after demonstrating that proximal contact and injustice are independently associated with participation, I evaluate the moderating effects of injustice on the one hand and, on the other hand, employ mediation analysis to assess the contribution of injustice to participation among those with contact. Injustice is an important factor explaining the positive effects of proximal contact in both the NCPS and the ANES, offering support for my theory. From Ferguson to Phoenix, thousands of blacks and Latinos have protested, marched, and rallied against what they see as systemic injustice. Yet, current research lacks cohesive theory and consistent data to explain why and how negative criminal justice experiences catalyze political action. The theory of a sense of systemic injustice speaks to this gap in the literature.

THEORY AND LITERATURE

I begin from the premise that law enforcement targets minorities and the poor for contact and that this constitutes a threatening policy environment capable of catalyzing mobilization. Preemptive policing tactics, which intervene in low-level offenses before they escalate to more serious crime, are one example of targeted policies (Harcourt 2007). Such practices rely on behavioral and contextual indicators of potential criminal activity to determine whom to stop and where to deploy officers, permeating certain neighborhoods with police (Goel, Rao, and Shroff 2016). Fagan and Geller (2015, 62) describe scripts of suspicion used to justify stops shared among officers in a given department, writing: “Memos of suspicion among police . . . are articulated through repetition and practice, valued for their utility within social networks, and then adopted and applied in a probabilistic way to a set of recognizable circumstances and situations.”

Officers intent on deterring crime, meeting departmental goals, and deployed in poor neighborhoods target black, brown, and especially young men constructed as criminal for contact. For example, under New York’s stop and frisk, black

and Latino men under the age of 25 (5% of the population) accounted for 41% of stops in 2012; between 2004 and 2012 police seized weapons or drugs only once for every 143 and 99 stops of blacks and Latinos, respectively (NYCLU 2013). Comparatively, the stops-per-seizure rate for whites was 27. Versions of stop and frisk and related practices are widely used across agencies (Epp, Haider-Markel, and Maynard-Moody 2014). Even as police are “far less frankly racist . . . and less insulated from the communities they serve” than in previous decades, they engage tactics that reinforce racialized criminal justice outcomes (Epp et al. 2014, 9). As a result of disparate treatment, blacks and Latinos are much less trusting of the police and are more likely to attribute racialized inequality in criminal justice to institutional bias than are their white counterparts (Pedraza, Nichols, and LeBrón 2017; Peffley and Hurwitz 2010).

The belief that rights were respected matters to individuals because “fair treatment implies that a person is viewed as a full and equal member of the community. . . . Unfair treatment implies lower status, that you do not belong or deserve respect” (Epp et al. 2014, 15). Minorities subject to preemptive tactics find them degrading regardless of officer disposition and adherence to procedure (Epp et al. 2014). For those subject to targeted practices, then, the procedures themselves are considered unfair, and negative evaluations of policing manifest more generally as lack of trust in government (Peffley and Hurwitz 2010; Sunshine and Tyler 2003). The unequal application of the law, together with the profoundly negative material consequences of criminal justice contact, provides grounds for political action.

Proximal contact, political learning, and participation

Scholars leverage theories of political learning to argue that contact, both personal and proximal, is politically demobilizing. Public institutions impact sociopolitical outcomes in two ways, according to policy feedbacks (Mettler and Soss 2004; Soss 1999). First, policies impact the resources available to participate and the incentives to do so. Second, they teach lessons about one’s relationship to the polity. Pairing the negative impact of contact on material resources with a defining feature of criminal justice, its credible claim to punish, scholars predict demobilization (Lee et al. 2014; Lerman and Weaver 2014a). In their seminal work on the topic Lerman and Weaver (2014a) find that all types of personal contact, from incarceration to police questioning, diminish voting. They argue that contact confers such thoroughly negative consequences that individuals come to think of themselves as incapable of navigating politics or as having nothing worthwhile to say, writing, “The racial socialization of the criminal justice system holds little potential for resistance

because it regularly conveys to its wards that their fates were due to their choices alone” (Lerman and Weaver 2014a, 198). The spouses and children of the incarcerated likewise withdraw from voting, and scholars theorize that the system’s negative civic messaging spills over to those with proximal contact (Lee et al. 2014).

This perspective overlooks a key aspect of political learning: interactions with public institutions are subject to interpretation, filtered through preexisting frames of analysis and identities. Mettler and Soss (2004, 64) write, “A scholar cannot intuit the material and symbolic effects of public policies with confidence. Such effects depend ultimately on how public policies fit into the lives of individuals and social groups. Citizens must therefore be treated as active agents in the processes that give rise to policy-feedback effects.” Yet, in much of this research individuals are compliant students, internalizing the messages institutions convey about their civic worth. Policies that cultivate citizenship through benevolent service provision can “stimulate political organization, solidarity and accountability” (Soss and Jacobs 2009, 110).² Meanwhile, punitive policies devalue and individualize recipient experiences through behavioral monitoring and sanctions, making it “unlikely that they will recognize the interests they share with others . . . foster[ing] atomized publics with little sense of what they have in common and at stake in politics and government” (Soss and Jacobs 2009, 110).³

The interpretive aspect of political learning, however, raises the possibility that citizens may instead reject or externalize negative lessons taught by the carceral state. Institutional practices weighted with race and class bias create a dynamic relationship between criminal justice and the groups it targets, which has implications for political attitudes and behavior. For example, group consciousness and linked fate are political psychological mechanisms explaining black participation that exceeds what traditional socioeconomic models would predict (Dawson 1994; Shingles 1981). This research contends that collective racial identity develops from a shared history with institutional discrimination. The narrative of this shared identity holds that the outcome of an individual’s life is tied to that of the group, and racial oppression can be challenged via group-based mobilization (Dawson 1994). We would therefore expect that for black Americans who view criminal justice experiences as discriminatory, contact may mobilize.

Among Latinos, a politicized racial identity is context dependent and can be triggered by a threatening policy

2. For examples of mobilizing policies, see Campbell (2002) and Mettler (2002).

3. For examples of demobilizing policies, see Bruch and Soss (2018) and Soss (1999).

environment (Merolla et al. 2013; Ramírez 2013). Coded appeals by politicians vilifying immigrants, and policies that limit access to social goods and criminalize the undocumented create a hostile environment for the whole community, regardless of status. Such threat accelerated naturalization, registration, and voter turnout among immigrants and their families in California in the 1990s (Pantoja, Ramirez, and Segura 2001) and incited widespread participation in the 2006 immigration rallies to protest draconian federal legislation (Zepeda-Millán 2017). The rallying effect of threat extends to Asian immigrant communities, who were also mobilized by California's hostile environment, and Muslim Americans who organized to defend their rights after 9/11 (Cho, Gimpel, and Wu 2006; Ong 2011; Ramakrishnan 2005).⁴

Moreover, while group consciousness and linked fate primarily explain the behavior of nonwhites who have personally experienced discrimination, a nascent line of work documents the spillover effects of immigration policy among citizens and the documented (Aranda, Menjivar, and Donato 2014; Vargas, Sanchez, and Juárez 2017). An increased sense of immigrant-linked fate accompanies anxiety and fear of the detention and deportation of a loved one, with sociopolitical implications (Pedraza et al. 2017). Concurrent developments in criminal justice (Lee et al. 2014; Walker 2014), health care (Jacobs and Mettler 2016; Michener 2017), and welfare (Soss and Schram 2007) establish that policy feedback effects "are not limited to actual policy beneficiaries" and teach "entire communities about government and politics" (Michener 2017, 872–73). This recognition across a variety of issue areas relaxes the parameters of group consciousness to include the broader swath of individuals with proximal contact, who may view their experiences in terms of group-based grievances.

Toward a theory of mobilization

A different set of predicted behavioral outcomes follows from viewing one's negative criminal justice experiences

4. The sentiment that externalizing negative experiences from the self to the system can politically mobilize is found in social movement and political psychology research. Social movement research refers to this phenomenon as insurgent consciousness, required for collective action (Gamson 1968). Oskooii (2016) argues that discriminatory experiences can be sorted along two dimensions, institutional and societal. Institutional discrimination, in which public actors violate democratic norms, incites participation. Societal discrimination, where actions emanate from private individuals for reasons that are not always clear, can lead to depression and withdrawal (Ojeda 2015; Valentino et al. 2011). A sense of systemic injustice and the related concepts of linked fate and group consciousness complement this literature, situating anger within a larger narrative of systemic biases that signal a group to organize with and a specific institution toward which to direct action.

through the lens of institutional bias than from viewing those experiences as a product of personal failure. The principle message for custodial citizens sent by the state is that they are second class. Together with the degrading effects of contact on resources, scholars argue that negative contact will politically demobilize. This perspective overlooks the interpretive component of political learning. When a collective narrative locating negative interactions with the system in institutional biases mediates contact it can catalyze participation. Narratives of injustice recast individual grievances in terms of structural inequality and indicate a group with whom to organize, laying the groundwork for action. A few studies have noted that proximal contact is sometimes associated with increased nonvoting participation (Lee et al. 2014; Walker 2014). While these studies speculate about an underlying causal story, none offer systematic evidence for their conjectures. Building on this work, I theorize that such positive effects result, at least in part, from a sense of systemic injustice that develops around negative experiences with the criminal justice system.

The mobilizing potential of contact is greatest for those with proximal contact. Although those with personal contact likely often view their experiences as unjust, they face greater resource and efficacy barriers to participation than do those with proximal contact, dampening its mobilizing impact. Likewise, while it is possible that whites, who are targeted on the basis of class, view contact as unjust, research suggests that they are less likely to understand their carceral experiences as unfair. Thus, a sense of injustice should be particularly salient for nonwhites. Nevertheless, it may be that a sense of injustice operates differently for whites and nonwhites. Among whites, personal criminal justice experiences deemed unfair may be requisite to introduce feelings of group-based threat. Among nonwhites, for whom narratives are readily available that view the criminal justice system as a source of group-based threat, a sense of injustice may mobilize absent personal experiences with the system. On the other hand, it may also be that the threat of criminal justice contact (particularly for black Americans) is an established norm that absent personal experience does not catalyze action. I am ambivalent on this point, and the expectation regardless is that a sense of injustice underlies the mobilizing effects of proximal contact even in the instance that a sense of injustice mobilizes absent contact.

Finally, previous criminal justice scholarship focuses largely on voting, but research on the participation of marginalized populations directs our attention outside the ballot box for at least three reasons. First, politicians are most responsive to likely voters, a calculus leading to the neglect of the poor and nonwhites. Marching and attending political meetings are

often first steps to getting their issues on the agenda. Second, such actions offer citizens an immediate outlet for frustrations that arise from community policing and an “avenue through which they can express their most urgent concerns” (Gillion 2013, 13). Finally, criminal justice contact that degrades trust in government may also erode belief in the efficacy of elections, even as a newly politicized consciousness prompts political engagement outside formal politics (Gillion 2013). For all these reasons, the primary effects of proximal contact should manifest as nonvoting activities. This final theoretical turn is particularly important because it reconciles the finding in existing research that negative contact diminishes voting with the possibility for political mobilization.

RESEARCH DESIGN

In order to evaluate the relationship between proximal contact, a sense of systemic injustice, and political participation I draw on two survey data sets. The first is the 2013 National Crime and Politics Survey (NCPS), a nationally representative data set. The second is the American National Election Studies 2016 Time Series data (ANES). The use of survey data to evaluate the political consequences of negative criminal justice experiences is subject to various criticisms (Gerber et al. 2017; Lerman and Weaver 2014a). Generally speaking, surveys do a poor job of sampling the population of interest; self-reports of voting and criminal justice contact are threatened by social desirability bias; and one cannot effectively test causal relationships with cross-sectional data absent a plausibly exogenous treatment or a repeated cross-sectional design.

Scholars turn to administrative data on type, severity, and timing of criminal justice contact that can be matched with voting records to overcome these limitations (Gerber et al. 2017). Some of the most innovative work leverages shared households to assess proximity to the system (White 2018). While these designs overcome some issues associated with observational surveys, administrative data that measures participation in activities other than voting is not similarly available. Still other research draws on community-level administrative data to overcome selection and response bias or to compensate for the absence of measures of criminal justice proximity in a given survey (Burch 2013; Lerman and Weaver 2014b). In the first instance, these data are threatened by issues related to ecological inference. In the second instance, contextual measures of proximity do not accurately assess the relational aspect central to the concept of proximal contact.

Researchers may be inclined toward experimental methods to assess the causal relationship between criminal justice experiences and political outcomes, though ethical concerns

with the random assignment of contact direct scholars toward priming experiments, the strength and replicability of which are contested (Clark and Walker 2011; Weisburd 2000). Thus, administrative and survey data remain the best strategies for evaluating the political consequences of the carceral state. The limitations of individual-level administrative data lead scholars back to surveys even just to estimate the saturation of networks with custodial citizens (Lee et al. 2015; Mondak et al. 2017). Unfortunately, as scholars have lamented, data inclusive of measures of participation, the full spectrum of contact, and various other indicators important to political scientists are uncommon (Lee et al. 2014; Lerman and Weaver 2014a; Owens 2014). The analysis presented here makes use of the only study of which I am aware that includes all measures relevant to the questions at hand, the NCPS. In response to the increasing salience of issues related to policing, the ANES included questions measuring personal and proximal contact for the first time in 2016. The ANES is therefore used to corroborate the findings derived from the NCPS.

In order to assess the relationships between proximal contact, a sense of injustice, and nonvoting participation, my strategy is two pronged. After assessing the independent associations between proximal contact, a sense of injustice, and participation, I introduce an interactive term between contact and injustice. The use of an interaction term allows me to test the premise that without the perspective that one’s negative experiences resulted from an unjust system, proximal contact either depresses or has no effect on political behavior. However, this method identifies the conditions under which an outcome is likely to occur, without offering evidence of an underlying causal process (Baron and Kenny 1986). In order to evaluate the contribution of a sense of injustice to the mobilizing impact of proximal contact, I employ mediation analysis, drawing on the methods advanced by Imai, Keele, and Tingley (2010a). Mediation analysis makes a key assumption that may not be met by observational data, the sequential ignorability assumption (Ojeda 2015). This assumption holds that both the mediating variable (injustice) and the treatment variable (proximal contact) are randomly distributed within the sample, and to the extent that this does not hold, there are no omitted underlying variables that correlate with each. While there is no real solution to this problem, Imai et al. (2010a) entreat researchers to assess the fragility of their models to the violation of this assumption through sensitivity analysis. I therefore conclude by assessing the sensitivity of the models.

While mediation analysis of observational data may tell us whether or not there is a statically meaningful relationship between the independent variable and dependent variable,

which is accounted for at least in part by the proposed mediator, the validity of the estimates of effects size may be weak (Bullock and Ha 2011). For these reasons, I pair mediation analysis with an interaction term as a means of strategic triangulation. Despite the limitations associated with cross-sectional survey data, findings presented below set the stage, theoretically and empirically, for future data collection efforts specifically designed to sample those most impacted by the carceral state.

DATA

The NCPS was fielded between October and November in 2013. It is multimode with 521 phone and 419 online respondents ($n = 940$). The sampling design stratified on race and includes 200 blacks, 132 Latinos, 100 Asians, and 103 who identify some other way. Questions used in an analysis of the ANES were asked of the online sample, which amounts to an n -value of 2,570, including 650 nonwhite and 1,920 white respondents. As noted above, caveats include sampling and response bias arising from the social desirability of admitting voter participation (which would inflate positive responses), and criminal justice contact, which individuals potentially underreport. This suspicion bears itself out in a comparison of reports by mode in the NCPS, where online respondents were slightly more likely to report criminal justice contact and less likely to report participation. Thus, the inclusion of online panels strengthens the validity of the findings. Both data sets include sampling weights to bring their demographic profiles in line with national census estimates.⁵

Dependent variable: Political participation

The dependent variable of interest is political participation. Both the NCPS and the ANES include a traditional political participation battery. The NCPS included a battery of eight activities, asking the following: “Now we would like to know, in general, how politically and socially active you have been. Please indicate whether or not you’ve done any of the following activities in the last 12 months: 1) helped out in an election campaign, 2) Signed a petition, 3) attended a community event or meeting with people of your same race or ethnicity, 4) attended a political meeting, 5) joined an organization in support of a particular cause, 6) written a letter or email to a politician or civil servant, 7) donated money or raised funds for a social or political activity, and 8) Took part in a demonstration or protest.” Responses to the items were used to create a traditional participation index ranging

5. Weights are not included in racial subsamples in the NCPS due to low n -value.

from 0 to 8. Among respondents, 13% indicated that they had engaged in zero activities. Only 2.7% indicated they had taken part in all eight activities. The battery has a mean of 2.6 and a standard deviation of 2.2.

The ANES likewise asked respondents about their participation in a series of activities in the last 12 months. Respondents were asked whether they (1) signed a petition, (2) had done community work, (3) attended meetings on community or school issues, (4) had done volunteer work, (5) contacted a public official, (6) donated to a political or social cause, (7) donated to a religious organization, and (8) attended a protest. Responses were used to create a participation index ranging from 0 to 8, which has a mean of 1.9 and a standard deviation of 2. Less than 1% of respondents engaged in all activities.⁶

Independent variables: Contact and injustice

The key independent variable of interest is proximal contact. To measure proximal contact the NCPS asked: “What about someone you know, such as a close friend or family member? Do you know someone who has been arrested, charged or questioned by the police, even if they weren’t guilty, excluding minor traffic stops such as speeding?” Fully 46% of the sample had proximal contact, including 56% of blacks and 53% of Latinos.⁷ The 2016 ANES asked: “In past 12 months any family member stopped/questioned by the police?” About 20% of all respondents indicated they had proximal contact, which reached 27% among blacks. Proximal contact is coded dichotomously (0 = no contact, 1 = proximal contact).⁸

The NCPS includes questions designed to measure a sense of injustice. Respondents were asked to evaluate the activities of local police officers: “Thinking about some things that police officers who patrol your neighborhood may or may not do, please indicate how often you think the police who

6. Both surveys asked respondents whether or not they voted. Because voting is not the primary point of inquiry in this analysis, I have omitted it from the participation indices. Additional analysis, located in sec. 2 of the appendix, confirms that proximal contact is unrelated to voting.

7. The question in the NCPS used to measure proximal contact was adapted from a measure routinely used in Latino politics to assess whether a respondent has a loved one who has faced detention or deportation for immigration reasons. It was also piloted in a survey of Washington State in 2012, yielding a distribution similar to that found in the national sample used here.

8. Comparatively, estimates from the 2006 General Social Survey find that about 35% of blacks and 17% of whites knew someone who was incarcerated at the time of the survey (Lee et al. 2015). Likewise, the Kaiser Foundation’s African American Men’s survey (2006), which oversampled young black men ages 18–29, found that 28% of whites and 56% of blacks knew someone who had spent time in prison. Both the NCPS and the ANES therefore reach fewer blacks with proximal contact than in other samples, yet whether this is due to selection bias, response bias, or variation in question wording is unknown.

patrol your neighborhood do each of the following: 1) Stop people in their cars or public places without good reason, 2) use excessive physical force or verbally abusive language, and 3) treat people like me fairly and respectfully. Is it—very often, somewhat often, not that often, or almost never?”⁹ The first two items amount to a critical evaluation of the tactics police use, and the third item measures the degree to which you perceive that you and others in your group suffer from negative tactics. Conceptually, a sense of injustice is the externalization of negative experiences with the system, where individuals view themselves as targeted based on group affiliation. Thus, evaluations of community policing together with the belief that those tactics are unfair for people in your group, whether that means race, class, or something else, are appropriate measures of the underlying concept. In order to maximize variation on this variable I add these measures to constitute the injustice index. The index ranges from zero to nine. Scoring a nine indicates maximum dissatisfaction with community police. The injustice index has an alpha score of .74, a mean of 2.6, and a standard deviation of 2.4.

One caveat to this index is that the measures are neighborhood specific. Research demonstrates that perceptions of neighborhood disorder are important for participation. However, much of this work finds that poor evaluations of community context depress participation or that the relationship is curvilinear, such that extreme pessimism demobilizes while those who are moderately pessimistic try to create change (Manzo and Perkins 2006; Michener 2013). If the measures in question tap perceptions of neighborhood quality rather than a sense of injustice, this should bias the analysis against my theory. For this reason, while the neighborhood focus does present conceptual challenges that I am unable to address here, it is not fatal for the analysis should I find evidence of mobilization.

Unfortunately, the ANES does not include similar evaluations of policing tactics in one’s neighborhood. It does include measures of perceived discrimination. Specifically, the survey asked respondents how much discrimination they personally faced: none, a little, a moderate amount, a lot or a great deal. Nearly half (45%) reported never having experienced discrimination, compared to only about 9% who report experiencing a lot or a great deal.¹⁰ Nonwhite respondents are much more likely to report discrimination than are

9. The injustice battery was modeled from a similar set of questions used to evaluate police in Seattle in 2013 and fielded in the 2008 Pew Hispanic Survey.

10. Very few respondents indicated that they faced a lot or a great deal of discrimination. For example, less than 5% of respondents fell into either category, and less than 2% of whites indicated they had experienced a great deal of discrimination. I therefore treated the response options *a lot*

whites, where only 17% of nonwhites say they have never experienced discrimination compared to 55% of whites who say so. Theoretically, a sense of systemic injustice is related to feelings of discrimination, group threat, and linked fate. An externalization of negative group-based experiences with political institutions from the self to the state underlies each of these related concepts. A sense of systemic injustice speaks specifically to experiences with the criminal justice system. Thus, general perceived discrimination does not quite capture a sense of systemic injustice but is conceptually adjacent. If findings derived from the use of discrimination as a proxy for injustice point in the same general direction as those measures included in the NCPS, specifically designed to measure a sense of injustice, I would consider this evidence supportive of my theory.¹¹

In addition, I control for personal contact in order to differentiate the effects of proximal contact. Both the NCPS and the ANES ask corollary questions to those used to measure proximal contact, where the NCPS asks individuals whether or not they have personally ever been arrested, charged, or questioned by the police regardless of guilt, and the ANES asks if respondents have been arrested in the last 12 months. All models include additional controls for political efficacy, gender, age, education, income, political interest, church attendance, and party ID. The NCPS was collected via telephone and online, and I include a control for mode of interview.¹²

RESULTS

I begin by testing the impact of proximal contact on a sense of systemic injustice in the NCPS and perceived discrimination in the ANES. All models are estimated using ordinary least squares regression.¹³ After evaluating the independent relationships between proximal contact, a sense of injustice/discrimination, and participation, I proceed with the interaction and mediation analyses. I also investigate differences among racial subgroups. The NCPS is limited in

and *a great deal* as the highest value of this variable in order to increase the precision of any findings derived from this data set.

11. To the extent that a sense of injustice in the NCPS and perceived discrimination in the ANES generate substantively similar findings, readers may wonder whether a sense of injustice is just another way of measuring discrimination. There is some evidence from the NCPS to support the argument that they are conceptually distinct. Further discussion can be found in sec. 4 of the appendix.

12. Explanations of the coding and descriptive statistics for all variables from both data sets can be found in sec. 1 of the appendix.

13. The choice to model each of these variables using ordinary least squares (OLS) regression is strategic. I elaborate on this choice in sec. 3 of the appendix and include additional analyses of each model with alternative specifications. For example, I include models of the participation index using Poisson, as is appropriate when the outcome is a count variable.

this respect. While the survey oversampled blacks and Latinos relative to whites, neither subgroup is large enough to evaluate with multivariate analysis with any precision. I therefore group nonwhites. However, as outlined above, there is good reason to suspect that nonwhites, especially blacks and Latinos, react behaviorally in ways that are similar to perceived threat, especially when it triggers one's racial identity.

The impact of contact on injustice and discrimination

I begin by assessing the impact of proximal contact on a sense of injustice in the NCPS and perceived discrimination in the ANES, displayed in table 1. Among the total sample for both data sets proximal contact is positively associated with a sense of injustice/perceived discrimination. In the NCPS proximal contact is statistically associated with negative evaluations of community policing among only nonwhites, which suggests that a sense of systemic injustice is particularly salient for this group and corroborates research finding that nonwhites are more likely than whites both to have criminal justice contact and to view their experiences as unfair (Peffley and Hurwitz 2010). An examination of the marginal effects of proximal contact reveals that among whites proximal contact increases one's expected injustice score by less than one item, compared to nonwhites for whom it increases by about 1.5 items. Nonwhites begin with a stronger sense of injustice than do whites, where whites without any contact have an expected value of 1.5 compared to similarly situated nonwhites who begin with an expected value of 3.5. These patterns hold in the ANES: whites without contact have an expected value of perceived discrimination of about .5, which increases to .75 among those with proximal contact, where nonwhites begin with an expected value of 1.5 that increases to 1.9 among those with contact.

In both data sets personal contact is also associated with increased feelings of injustice/discrimination, indicating that individuals with personal contact also externalize their experiences as a sense of injustice. Even so, the socioeconomic and efficacy barriers to participation associated with personal contact should moderate the mobilizing potential of a sense of injustice derived from personal contact. Yet, this raises the possibility that even custodial citizens are mobilized by injustice, particularly when contact does not lead to a criminal conviction, which is instrumental to material hardship faced by this population.

Criminal justice contact and political participation

Table 2 exhibits the impact of proximal contact and a sense of injustice/perceived discrimination on political participa-

tion. In both data sets proximal contact and a sense of injustice/perceived discrimination are associated with increased participation among the whole sample. However, the effects vary among racial subgroups. In the NCPS, the marginal effect of proximal contact on participation for the whole sample is .55, increasing one's expected score on the participation index from 2.1 among those without contact to 2.9 for those with contact. Among nonwhites, proximal contact increases one's expected score on the index from about 2.2 to 3, where whites' score increases from 2.6 to 3. The relationship is not statistically significant among white respondents. Likewise, the impact of injustice on participation is statistically significant for nonwhites, and the marginal effect is about .14, compared to .09 for whites.

The same patterns hold in the ANES, although proximal contact is also statistically significant for whites. In the full sample, proximal contact increases one's expected participation score from 2.2 among those without contact to 2.6 among those with proximal contact. The size of the impact is larger for nonwhites than for whites, increasing one's expected participation by .5, compared to .3 among whites. Whites and nonwhites without contact participate at similar rates, each having an expected value of 2.2. Among nonwhites, participation increases to 2.7 among those with contact, exceeding similarly situated whites, whose expected participation score is 2.5.¹⁴

Throughout the analysis I use a traditional political participation index that includes a variety of nonvoting activities ranging from working on a campaign to attending protests. I have not addressed voting, which extant literature suggests should either be negatively or not at all associated with proximal contact. Further, much of the literature I draw on to build the theory of systemic injustice concerns protest behavior. In order to evaluate the appropriateness of the index and explore the possible divergent impacts of proximal contact on electoral participation versus protesting, I examined the impact of contact and injustice/perceived discrimination on individual items in the batteries. This analysis can be found in section 2 of the appendix (available online) and also includes voting. Among the total population in both data sets, either proximal contact or a sense of injustice/perceived discrimination statistically increases participation in

14. Models also suggest that personal contact is associated with increased political participation in the NCPS but decreased participation in the ANES. This most likely reflects differences in question wording, where the NCPS asked about all types of personal contact and included no time frame. In contrast, the ANES asked respondents whether or not they had been arrested in the last 12 months. This raises questions about the intensity of personal contact that leads to alienation and withdrawal and is an area for future research.

Table 1. The Impact of Proximal Contact on Injustice/Discrimination

| | NCPS | | | ANES | | |
|-------------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
| | Total | White | Nonwhite | Total | White | Nonwhite |
| Proximal | .378* (.173) | .283 (.236) | 1.300*** (.237) | .274*** (.043) | .223*** (.046) | .379*** (.093) |
| Personal | 1.113*** (.227) | .960*** (.324) | .921*** (.270) | .172*** (.047) | .219*** (.050) | .013 (.103) |
| Efficacy | -.224** (.082) | -.191 (.101) | -.368*** (.108) | -.021 (.018) | -.053** (.019) | .071 (.038) |
| Female | -.229 (.176) | -.142 (.231) | -.073 (.236) | -.009 (.037) | -.101** (.039) | .190* (.083) |
| Age 18-34 | .769*** (.200) | 1.361*** (.350) | .846** (.261) | .124** (.042) | .048 (.046) | .290** (.088) |
| Age 65+ | -.578* (.241) | -.576* (.251) | -.144 (.311) | -.169*** (.049) | -.220*** (.049) | .029 (.130) |
| Education | -.088 (.098) | .072 (.152) | -.120 (.138) | -.053** (.020) | -.059** (.021) | -.021 (.044) |
| 20K-40K | .350 (.333) | -.269 (.507) | -.094 (.378) | -.194** (.061) | -.344*** (.070) | -.045 (.118) |
| 40K-60K | .285 (.349) | -.258 (.477) | .043 (.404) | -.162* (.065) | -.377*** (.073) | .157 (.138) |
| 60K-80K | .433 (.362) | -.302 (.540) | -.174 (.425) | -.258*** (.067) | -.372*** (.073) | -.090 (.148) |
| 80K-100K | .108 (.385) | -.641 (.530) | -.204 (.492) | -.290*** (.072) | -.376*** (.079) | -.263 (.159) |
| 100K+ | .402 (.382) | -.457 (.507) | .125 (.452) | -.197** (.060) | -.313*** (.066) | -.013 (.137) |
| Missing income | .030 (.355) | -.251 (.511) | -.830 (.452) | -.125 (.109) | -.223 (.119) | -.021 (.234) |
| Political interest | .152 (.109) | .135 (.156) | .478** (.158) | .051** (.018) | .015 (.019) | .153*** (.041) |
| Religiosity | .029 (.181) | -.334 (.237) | .185 (.236) | .072 (.039) | .041 (.042) | .102 (.086) |
| Republican | -.844*** (.217) | -.495 (.286) | -.980** (.324) | -.094* (.046) | .022 (.046) | -.458*** (.128) |
| Independent | -.152 (.202) | -.234 (.257) | -.031 (.267) | .035 (.043) | .136** (.046) | -.139 (.094) |
| Mode | .944*** (.178) | 1.002*** (.263) | .764** (.232) | | | |
| Nonwhite | .748*** (.180) | | | .853*** (.041) | | |
| Constant | 1.925*** (.539) | 1.933* (.818) | 1.953** (.665) | .808*** (.106) | 1.187*** (.114) | .708** (.223) |
| Observations | 751 | 329 | 422 | 2,522 | 1,882 | 640 |
| Adjusted R ² | .186 | .202 | .241 | .242 | .087 | .091 |

Note. Data are modeled using OLS regression.

* $p < .05$.

** $p < .01$.

*** $p < .001$.

Table 2. The Independent Effects of Contact and Injustice/Discrimination on Participation

| | NCPS | | | ANES | | |
|--------------------------|--------------------|---------------------|-------------------|---------------------|---------------------|---------------------|
| | Total | White | Nonwhite | Total | White | Nonwhite |
| Proximal | .545*** (.156) | .248 (.233) | .468 (.244) | .386*** (.084) | .272** (.099) | .657*** (.164) |
| Personal | .512* (.207) | .302 (.323) | .700* (.272) | -.079 (.091) | .128 (.107) | -.512** (.178) |
| Injustice/discrimination | .170*** (.033) | .087 (.056) | .141** (.049) | .137*** (.039) | .085 (.049) | .170* (.070) |
| Efficacy | .270*** (.074) | .297** (.100) | .018 (.109) | .155*** (.034) | .146*** (.040) | .190** (.066) |
| Female | -.167 (.158) | .078 (.227) | -.158 (.234) | .128 (.071) | .067 (.082) | .259 (.145) |
| Age 18-34 | .323 (.181) | .383 (.352) | .473 (.262) | .026 (.082) | -.046 (.097) | .123 (.154) |
| Age 65+ | -.120 (.216) | -.494* (.249) | .688* (.309) | -.069 (.095) | .004 (.104) | -.359 (.226) |
| Education | .227** (.088) | .126 (.150) | .400** (.137) | .444*** (.039) | .459*** (.045) | .412*** (.076) |
| 20K-40K | -.455 (.299) | .427 (.499) | -.001 (.376) | .158 (.119) | .031 (.150) | .362 (.204) |
| 40K-60K | -.353 (.312) | .321 (.469) | .044 (.402) | .038 (.127) | -.014 (.155) | .084 (.239) |
| 60K-80K | .185 (.324) | .687 (.531) | -.039 (.422) | .184 (.130) | .138 (.155) | .379 (.256) |
| 80K-100K | -.469 (.345) | .265 (.522) | -.782 (.489) | .300* (.141) | .277 (.169) | .346 (.276) |
| 100K+ | .434 (.342) | .908 (.499) | .416 (.449) | .431*** (.118) | .342* (.141) | .728** (.237) |
| Missing income | .096 (.318) | .563 (.503) | -.147 (.450) | .275 (.212) | .296 (.251) | .273 (.406) |
| Political interest | .339*** (.098) | .510** (.154) | .653*** (.159) | .273*** (.035) | .254*** (.041) | .302*** (.072) |
| Religiosity | .699*** (.162) | .349 (.234) | .678** (.234) | 1.077*** (.077) | .977*** (.090) | 1.255*** (.149) |
| Republican | -.141 (.197) | -.380 (.283) | .217 (.325) | -.306*** (.089) | -.256** (.098) | -.618** (.224) |
| Independent | -.328 (.181) | -.455 (.253) | -.248 (.265) | -.121 (.083) | -.186 (.098) | .099 (.164) |
| Mode | -.896*** (.162) | -1.037*** (.265) | -.484* (.234) | | | |
| Nonwhite | -.543*** (.163) | | | -.072 (.087) | | |
| Constant | -.074 (.487) | -.450 (.811) | -1.682* (.668) | -1.228*** (.208) | -1.027*** (.247) | -1.726*** (.389) |
| Observations | 751 | 329 | 422 | 2,522 | 1,882 | 640 |
| Adjusted R ² | .203 | .159 | .166 | .200 | .186 | .243 |

Note. Data are modeled using OLS regression.

* $p < .05$.

** $p < .01$.

*** $p < .001$.

nearly every single item. In the ANES neither variable is associated with voting, while in the NCPS injustice increases voting but proximal contact does not.

The intervening effect of a sense of systemic injustice

I now turn my attention to interacting proximal contact with a sense of injustice/perceived discrimination. Theoretically, I expect that the interaction term will be positively related to participation but that independently contact will not have any effect. Injustice/discrimination may be independently associated with participation absent contact, particularly for nonwhites. I further anticipate that the mobilizing impact of proximal contact and injustice/perceived discrimination will be larger for nonwhites. The results are displayed in table 3, and the interaction term is statistically significant among the whole sample in both NCPS and the ANES, though it does not hold among any racial subgroup in either data set.

In order to appropriately interpret the interaction effects I derived the expected value of participation by level of contact and injustice/discrimination. The expected values derived from the NCPS are plotted in figure 1. While among the whole sample a sense of injustice has a slight positive slope, absent contact the relationship is not statistically significant. When combined with proximal contact, however, it is related to increased participation. Among those with proximal contact, a sense of injustice increases one's expected participation score from two to 4.5. This trend appears to hold among whites (displayed in the center pane of fig. 1). Among nonwhites (fig. 1, right pane), a sense of injustice appears to increase participation for both those with and without proximal contact, and proximal contact has an intercept effect. This offers some evidence that among nonwhites, a sense of injustice mobilizes individuals irrespective of level of contact. Relationships among racial subgroups are not statistically significant, however. The trends in the ANES are very similar, displayed in figure 2. Absent perceived discrimination, proximal contact has no impact on participation. However, when combined with strong feelings of discrimination contact increases one's expected participation score by about one point. The trend is similar for both whites and nonwhites, but the relationships once again are not statistically significant.

The findings presented here support the argument that a sense of injustice underlies the positive association between contact and participation. However, while interaction terms are useful to identify the conditions under which an outcome may occur, they do not illuminate the extent to which the same variable lies along the causal pathway between the two. I leverage mediation analysis to assess these relationships further. There are many caveats to using mediation analysis

to assess causality among observational data, as reviewed above. I therefore view the findings from this analysis as preliminary, interpret them with caution, and suggest that when paired with the moderating analysis the analyses overall are supportive of the theory of a sense of systemic injustice.

The mediation analysis was conducted following the methods developed by Imai et al. (2010a, 2010b). This process simultaneously estimates the mediator and outcome models to generate estimates of the average causal mediation effects (ACME) and the average direct effects (ADE). As such, the models used in this analysis are displayed in tables 1 and 2. Table 4 displays the mediation results. Although the size of the direct effect of proximal contact outstrips the proportion mediated by a sense of injustice in the total sample in the NCPS, a sense of injustice accounts for 10% of the overall impact and is statistically significant. Figure 3 displays these results graphically. When these relationships are examined among racial subgroups the effects hold primarily among nonwhites, among whom nearly a third of the impact of contact on participation is mediated by a sense of injustice. The direct effects of proximal contact are not statistically significant, even as the proportion mediated by injustice is bounded away from zero, suggesting that a sense of injustice is theoretically most appropriately applied to nonwhites.

Trends derived from the ANES corroborate those in the NCPS. Perceived discrimination accounts for about the same proportion of the overall impact of proximal contact as does a sense of injustice in the NCPS. When broken out among whites and nonwhites, the size and nature of the impact are similar to those in the NCPS, where for whites the impact of proximal contact on participation is explained by some other variable, but for nonwhites perceived discrimination accounts for a statistically significant proportion of participation resulting from contact. The mediation analysis thus supports the theory that a sense of injustice around the way one's loved ones have been treated by local police and the criminal justice system lies along the causal pathway connecting proximal contact and participation. As an explanation for participation, moreover, a sense of injustice is more appropriately applied to nonwhites than to whites. However, given the caution with which we should interpret the mediation analysis, and that injustice appears to at least moderate the relationship between proximal contact and participation among whites, further investigation is needed to fully evaluate the racial nuances of the theory of injustice.

Mediation analysis relies on unstable assumptions not testable with observational data. It is therefore important to assess how sensitive the results are to omitted variable bias. I examined the impact of variation of the sensitivity parameter ρ , which amounts to the correlation between the error terms

Table 3. The Interactive Effect of Proximal Contact and Injustice/Discrimination on Participation

| | NCPS | | | ANES | | |
|-------------------------------------|--------------------|---------------------|-------------------|---------------------|--------------------|---------------------|
| | Total | White | Nonwhite | Total | White | Nonwhite |
| Proximal | -.029 (.223) | -.048 (.306) | .475 (.396) | .148 (.122) | .148 (.131) | .256 (.330) |
| Injustice/discrimination | .055 (.046) | .014 (.074) | .142* (.070) | .083 (.044) | .045 (.056) | .116 (.080) |
| Proximal × injustice/discrimination | .219*** (.061) | .152 (.102) | -.002 (.093) | .208** (.078) | .156 (.108) | .219 (.156) |
| Personal | .432* (.206) | .261 (.324) | .700* (.274) | -.090 (.091) | .119 (.107) | -.513** (.178) |
| Efficacy | .271*** (.073) | .282** (.100) | .018 (.109) | .155*** (.034) | .145*** (.040) | .193** (.066) |
| Female | -.236 (.158) | .069 (.227) | -.158 (.235) | .134 (.071) | .072 (.082) | .259 (.145) |
| Age 18–34 | .373* (.180) | .378 (.352) | .472 (.263) | .027 (.082) | -.049 (.097) | .137 (.154) |
| Age 65+ | -.149 (.215) | -.505* (.248) | .689* (.310) | -.069 (.095) | .001 (.104) | -.345 (.226) |
| Education | .197* (.087) | .129 (.150) | .400** (.138) | .444*** (.039) | .456*** (.045) | .414*** (.076) |
| 20K–40K | -.440 (.296) | .452 (.498) | -.001 (.376) | .152 (.119) | .024 (.150) | .366 (.204) |
| 40K–60K | -.287 (.311) | .350 (.468) | .044 (.402) | .038 (.127) | -.013 (.155) | .076 (.239) |
| 60K–80K | .237 (.322) | .732 (.531) | -.039 (.423) | .188 (.130) | .136 (.155) | .381 (.256) |
| 80K–100K | -.332 (.344) | .341 (.523) | -.782 (.489) | .291* (.141) | .273 (.169) | .331 (.276) |
| 100K+ | .500 (.340) | .937 (.498) | .416 (.449) | .437*** (.118) | .343* (.141) | .741** (.237) |
| Missing income | .136 (.316) | .537 (.502) | -.148 (.451) | .273 (.212) | .299 (.251) | .274 (.406) |
| Political interest | .303** (.097) | .484** (.154) | .653*** (.159) | .274*** (.035) | .255*** (.041) | .305*** (.072) |
| Religiosity | .688*** (.161) | .329 (.234) | .678** (.235) | 1.068*** (.077) | .973*** (.090) | 1.250*** (.149) |
| Republican | -.149 (.195) | -.370 (.282) | .218 (.327) | -.301*** (.089) | -.258** (.098) | -.611** (.224) |
| Independent | -.343 (.180) | -.464 (.252) | -.247 (.267) | -.114 (.083) | -.188 (.098) | .105 (.163) |
| Mode | -.890*** (.161) | -1.010*** (.265) | -.484* (.235) | | | |
| Nonwhite | -.585*** (.163) | | | -.073 (.087) | | |
| Constant | .404 (.501) | -.227 (.823) | -1.687* (.699) | -1.186*** (.208) | -.990*** (.249) | -1.675*** (.391) |
| Observations | 751 | 329 | 422 | 2,522 | 1,882 | 640 |
| Adjusted R ² | .216 | .162 | .164 | .202 | .187 | .244 |

Note. Data are modeled using OLS regression.

* $p < .05$.

** $p < .01$.

*** $p < .001$.

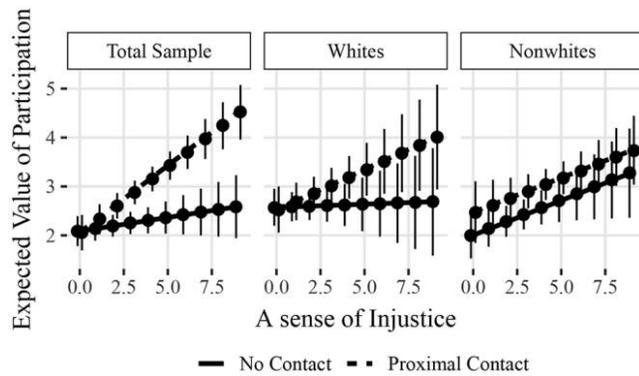


Figure 1. One’s expected value of political participation by sense of injustice and level of contact, among whites and nonwhites in the NCPS.

in the mediator and outcome models, on the ACME derived from the mediation analysis. The full analysis is located in section 5 of the appendix. The ACMEs displayed in table 4 assume that key assumptions hold and ρ is zero. Sensitivity analysis examining the value ρ must take in order for the ACME to equal zero finds that for the total population in the NCPS, ρ must fall above .21. This suggests that the model is somewhat sensitive to confounding factors. Relatively speaking, models of the subsamples of whites and nonwhites demonstrate that whites are particularly sensitive to variables unaccounted for in the existing models and nonwhites less so. A sensitivity analysis of the ANES generates similar findings, although the models derived from the ANES are more sensitive overall than in the NCPS. For example, among the total sample, for the ACME to equal zero ρ must fall above .1.

DISCUSSION AND CONCLUSION

The current era of law enforcement is characterized by the philosophy that the heavy deployment of officers and surveillance can preempt crime. Stopping crime before it happens requires identifying groups as potentially criminal, profiling individuals accordingly, and intervening for low-level offenses before they escalate to more serious crime. These tactics routinize involuntary contact for individuals living in low-income, minority communities, as neighborhood, hairstyle, and dress become codes for criminality. As a key public institution interfacing with citizens on the street, criminal justice experiences teach daily civics lessons about worth, membership and belonging. Those lessons, research finds, extend to bystanders on the street witnessing police in action even if they have personally never been stopped. Work examining the impact of negative personal and proximal criminal justice experiences on participation predominately argues that all types of contact lead to political withdrawal, causally linked by low political efficacy.

Yet, the rise of Black Lives Matter and ongoing protests against police brutality accentuate the dearth of knowledge in political science on the relationship between criminal justice and political outcomes. The theory of a sense of systemic injustice charts a path by which negative experiences with the system mobilize and, post-Ferguson, seems obvious. Even so, existing criminal justice scholarship offers little explanation for “mass resistance to governmental predation” in low-income, minority communities (Soss and Weaver 2016, 3). There are instances throughout the literature suggestive of the possibility that even personal contact can mobilize, leading Traci Burch to invoke Angela Davis, writing: “The negative consequences offenders experience because of convictions could increase their political activity. Punishment that is perceived to be harsh or unfair, for instance, could hasten the ‘transformation of convicts into political militants’” (Burch 2011, 723). Yet, scholars only guess at their source, treating instances of mobilization as outliers.

I take on the task of theorizing and empirically evaluating a mechanism linking negative experiences with the system to political mobilization, a sense of systemic injustice. I focus on proximal contact, since those with personal contact often face extreme resource and efficacy barriers to participation with which their loved ones do not contend. Findings demonstrate that proximal criminal justice experiences increase negative evaluations of community police and perceived discrimination. I further offer evidence for the claim that a sense of unfairness, and the belief that one was targeted by criminal justice policy on the basis of race, class, and place, motivates political action. Political action resulting from proximal contact is not limited to protest behavior, encompassing a wide variety of political activities. The findings, moreover, hold across two nationally representative data sets.

There are a number of important caveats. The measures of proximal contact used in this analysis regard low-intensity

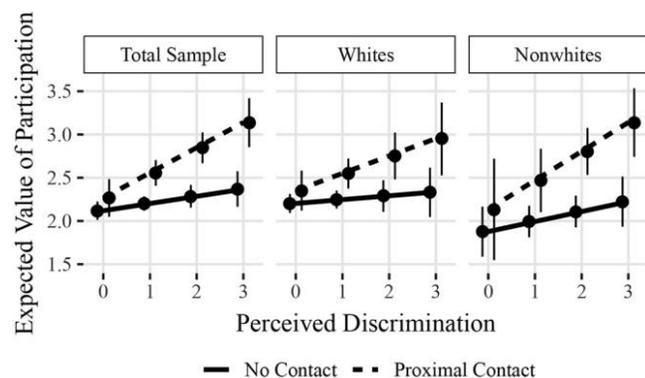


Figure 2. One’s expected value of political participation by perceived discrimination and level of contact, among whites and nonwhites in the ANES.

Table 4. Mediated and Direct Effects of Proximal Contact on Participation

| | NCPS | | | ANES | | |
|---------------------|--------|-------|----------|--------|-------|----------|
| | Total | White | Nonwhite | Total | White | Nonwhite |
| ACME | .06* | .02 | .18** | .04*** | .02 | .06* |
| ADE | .65*** | .25 | .47 | .39*** | .27** | .66*** |
| Total effect | .61*** | .28 | .65** | .42*** | .29** | .73*** |
| Proportion mediated | .10* | .05 | .28* | .09*** | .06 | .09* |

Note. ACME = average causal mediation effects; ADE = average direct effects.

* $p < .05$.

** $p < .01$.

*** $p < .001$.

interactions with the criminal justice system, inclusive of a loved one having been questioned by the police, arrested, convicted, or incarcerated. These measures are unable to capture whether one has several loved ones with contact or the nature of the proximal relationship. It may be that motherhood is an especially powerful motivator to engagement that does not extend to other relationships, and this raises the question: among those with proximal contact, does a network saturated by incarceration ultimately lead to political alienation and withdrawal from politics?

I pool nonwhite groups, since their n -value independently is too low for precise analysis. It may be that proximal contact functions differently for blacks than for Latinos, Asians, and other nonwhites, each of which have unique histories with policing and narratives available through which to understand their experiences as unjust. Similarly, although blacks and Latinos have particularly fraught histories with police, poor whites are also targeted, and this analysis demonstrates that, although the mechanisms appear different, they are mobilized by proximal contact. Future research should carefully attend to race, class, and gender intersections as we continue to uncover the role of the criminal justice system in shaping American democracy (Soss and Weaver 2016).

Finally, one should keep the underlying sample in mind when interpreting the findings presented here. Both the NCPS and the ANES stratified on race, all models include controls for variables that influence both contact and participation, and samples reflect estimates weighted to the overall population. Even so, large- n surveys often undersample those of lower socioeconomic status who are also most likely to be impacted by criminal justice. This highlights the ongoing need in political science for data that appropriately sample marginalized populations.

Despite these limitations, this analysis contributes to the literature in a number of ways. I bring research on the po-

litical participation of marginalized populations into conversation with policy feedbacks scholarship to amplify an often overlooked aspect of political learning: experiences with punitive policies are subject to interpretation and, when understood through narratives of injustice, lead to wholly different participation outcomes than we usually predict. Unlike previous scholarship, I leverage important theoretical differences between personal and proximal contact and voting and other political activities in order to identify a path to mobilization that speaks to the present political moment. While proximal contact often carries with it deeply negative material and psychological consequences, these consequences

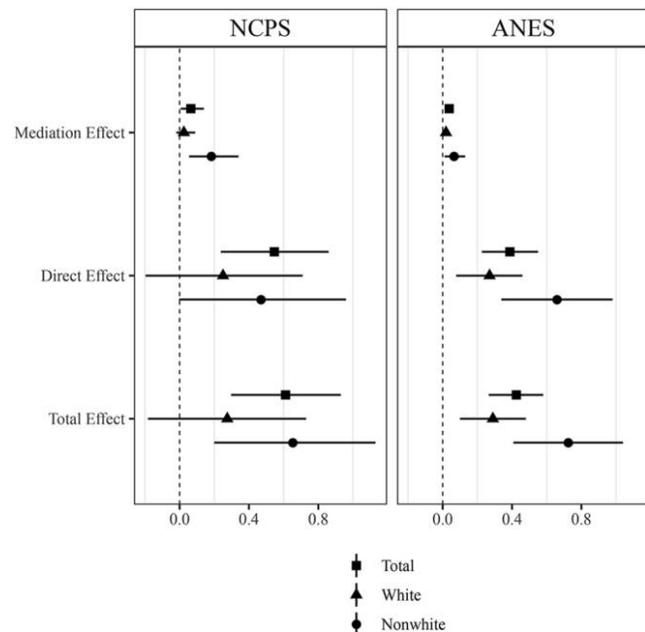


Figure 3. The mediated, direct, and total effects of proximal contact and injustice/discrimination on participation.

are less severe than those faced by custodial citizens. One need not check the box on an employment form, nor does one lose the right to vote or access to food subsidies and other social goods as a result of proximal contact. Rather than diminishing the negative consequences of proximal contact, I argue that this raises the possibility for political resistance among this population. Moreover, proximal contact increases the motivation to take political action, since individuals have a loved one caught up in the system.

Just as differences between personal and proximal contact are key to participation, so are differences between voting and nonvoting activities central to understanding the political lives of those impacted by criminal justice. Voting should be understood as one potential means of expressing political voice, and for marginalized populations routinely ignored by political institutions it is often not the most effective method. Instead, other activities like protesting, attending city council meetings, and petitioning public officials can elevate previously ignored issues onto the agenda. This may include voting, but by restricting our analysis to the franchise we miss the broad spectrum of behavior that ordinary citizens invest with political value. By turning attention to alternative modes of participation, this analysis does something rather rare: it identifies a negative feedback to mass incarceration, highlighting active resistance to the American carceral state.

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