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Public Opinion about Punishment and Corrections

ABSTRACT

"Get tough" control policies in the United States are often portrayed as the reflection of the public's will: Americans are punitive and want offenders locked up. Research from the past decade both reinforces and challenges this assessment. The public clearly accepts, if not prefers, a range of punitive policies (e.g., capital punishment, three-strikes-and-you're-out laws, imprisonment). But support for get-tough policies is "mushy." Thus citizens may be willing to substitute a sentence of life imprisonment without parole for the death penalty. Especially when nonviolent offenders are involved, there is substantial support for intermediate sanctions and for restorative justice. Despite three decades of criticism, rehabilitation—particularly for the young—remains an integral part of Americans' correctional philosophy. There is also widespread support for early intervention programs. In the end, the public shows a tendency to be punitive and progressive, wishing the correctional system to achieve the diverse missions of doing justice, protecting public safety, and reforming the wayward.

In the not-too-distant past, rates of imprisonment were stable and showed no hint of escalating (Blumstein and Cohen 1973), experiments in decarcerating offenders were taking place (Scully 1977; Miller 1991), and talk of the "end of imprisonment" did not seem foolhardy (Mitford 1971; Sommer 1976). Commentators wrote of the "crime of punishment" (Menninger 1968), and criminologists characterized punishment as a "vestigial carryover of a barbaric past" that would "disap-

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pear as humanitarianism and rationality spread" (Toby 1964, p. 332). Today, however, much has changed—so much so that the policy and ideological landscape of that previous era is unrecognizable. "Get tough" thinking and policies have replaced calls for more humanistic correctional practices, and their dominance appears unassailable. Virtually all contemporary commentaries on correctional policy begin, almost ritually, by chronicling—and most often decrying—the seemingly endless roster of policies designed in recent years to inflict increasing amounts of pain on offenders (Clear 1994): prison populations rising sixfold in a quarter century from 200,000 to over 1.2 million; the spread of mandatory prison sentences; the implementation of draconian drug laws that snare big and little "fishes" alike; the passage of three-strikes-and-you're-out statutes; the renewed use of the death penalty; attempts to reduce inmates' amenities, from weight lifting and television to support for college education; the return of chain gangs; and the invention of "scared straight" programs and boot camps.

We have moved, in short, from a time in which punishment and prison were unfashionable to a time in which punishment dominates policy discussions and the prison is embraced as the linchpin of the nation's response to crime. But why has this striking shift occurred? The sources of this transformation in thinking and policy are complex (Beckett 1997), but a commonsense, parsimonious explanation for harsher penalties is frequently offered: punitive policies simply reflect what the public wants. Fed up with intractable crime rates—fed up with coddled offenders victimizing them, people they know, and people they hear about—citizens collectively have made the rational assessment that more offenders should be locked up for longer periods (cf. Beckett 1997; Dilulio 1997). In this scenario, then, the movement to get tough on crime is an instance of "democracy at work"—of politicians implementing the harsh sanctions demanded by their constituents (Scheingold 1984; Cullen, Clark, and Wozniak 1985; Beckett 1997). This view rests on the assumption that citizens do, in fact, desire a correctional system that does little else than inflict as much punishment as possible. It is noteworthy that commentators make this precise claim; after all, do not public opinion polls demonstrate convincingly that Americans wish to get tough with crime?

Thus, in an opinion editorial in the *Wall Street Journal*, the noted, if controversial, historian Paul Johnson (1994, p. A10) asserts that "public opinion, in its attitude toward crime, is overwhelmingly repressive." As crime increases, says Johnson, "ordinary people not sur-

prisingly become more and more hostile toward criminals." They lose their interest in "reforming" offenders and instead "want them punished, as severely and cheaply as possible. . . . They favor punishment that is deterrent and retributive." Echoing these sentiments, Dilulio (1997) contends that "with respect to crime control, all that Americans have ever demanded from government, and all that they have been demanding since the mid-1960s, are commonsense policies that result in the detection, arrest, conviction, and punishment of violent and repeat criminals." In particular, citizens want "policies that do not return persons who assault, rape, rob, burglarize, deal drugs, and murder to the streets without regard to public safety" (p. 2). It is noteworthy that the portrayal of harsh sentencing and correctional policies as the mere reflection of "what the public wants" is not unique to the United States but also is found, for example, in Great Britain and Canada (Hough and Roberts 1999; Roberts, Nuffield, and Hann 1999).

One immediate concern is whether public opinion should be the arbiter of sentencing and correctional policies. Public sentiments on policy issues must be accorded some weight in a democratic society, but justifying policies on the basis of what citizens want confronts a dismaying reality: much of the public—in the United States and elsewhere—is ignorant about many aspects of crime and its control. Pockets of insight occasionally surface. Thus research by Warr (1980, 1982) suggests that the public is generally aware of variations in the extent of different types of crimes (cf. Roberts and Stalans 1997). But in most other areas—including knowledge of trends in crime rates, of the prevalence of violent crimes, of recidivism rates, of specific criminal laws, of legal reforms, of legal rights in the criminal justice process, and of the extent to which the insanity plea is used successfully—the lack of knowledge is widespread (for a summary of research, see Roberts 1992; Roberts and Stalans 1997).

Most salient for our purposes, people's understanding of sentencing severity and options is restricted and often distorted. For example, it is not clear that citizens comprehend what sanctions, apart from imprisonment, can be given to offenders and, if alternatives to incarceration are handed out (e.g., probation, intensive supervision community service), what these community-based penalties actually entail (Roberts and Stalans 1997; Hough and Roberts 1999; Roberts, Nuffield, and Hann 1999). It also appears that in the United States and in other Western nations, the public underestimates the harshness of the sentences that are imposed on offenders (Roberts and Stalans 1997). Thus

questions included in the 1996 British Crime Survey asked respondents to estimate the percentage of male offenders aged twenty-one and over who receive a prison term for rape, mugging, and burglary. For these three offenses, 83 percent, 82 percent, and 70 percent of the respondents, respectively, underestimated the actual rate at which imprisonment is used in England and Wales (Hough and Roberts 1998, 1999; in relation to Canada, see Doob et al. 1998).

The public's lack of knowledge about crime is not an isolated domain of ignorance. Citizens have large gaps in their knowledge about the political process and about most policy issues; they are "awash in ignorance" (Kinder 1998, p. 784) and have "fundamental public ignorance of the central facts of political life" (Neuman 1986, p. 14). When polled about fictitious policy issues, for example, substantial minorities express their views—obviously without any knowledge about these matters (Bishop, Tuchfarber, and Oldendick 1986). An analysis of almost any list of political issues, moreover, will reveal a "depth of ignorance" that is "breath-taking" (Kinder 1998, p. 785). To name but a few examples, large majorities of the American public in surveys did not know the name of their representative to the U.S. House, did not know the length of term served by U.S. Senators, did not know—despite enormous publicity in 1994—that the U.S. House "passed a plan to balance the federal budget," and did not know in 1987—despite "seven years of debate" on the issue of "giving aid to the Contras"—where Nicaragua was located (Kinder 1998, p. 785; see also Delli Carpini and Keeter 1996). Further, much of the information citizens are able to convey is "surface" rather than "deep" knowledge. When probed to relay more detailed, substantive information on political issues, the proportion of the public able to do so plummets to low levels (Delli Carpini and Keeter 1996, pp. 91–92).

Findings such as these often do, but perhaps should not, prompt excessive lamentation about the quality of political socialization and civics education in the United States. A lack of knowledge is not to be celebrated, but opinion researchers have long argued that public ignorance about political and policy issues is "rational" (Kinder 1998). Given the exigencies of everyday life and the endless array of issues to learn about—from crime to health care to welfare to the environment, to name but a few—these commentators suggest that the opportunity costs of being a "political junky" are unacceptably high for most citizens. Being knowledgeable about public policy issues, including crime and its control, simply is not cost-effective.

Yet, how can democracy, which depends on the will of an informed citizenry to make good policies, be effective when the public's political ignorance is rational? The solution, notes Kinder (1998, p. 797), is the "miracle of aggregation." Although individual citizens lack knowledge, when aggregated or taken as a whole, public opinion appears to "get things right." Thus support for the U.S. president declines when the country falls on hard or tumultuous times, and people favor shifts in social policies when the nation tilts excessively in one ideological direction or the other. As Page and Shapiro (1992, p. 388) observe in *The Rational Public*, the "public generally reacts to new situations and new information in sensible, reasonable ways."

The implications of the "miracle of aggregation" for crime-related policies are clear: even if individual citizens are not exquisitely knowledgeable about the punitiveness of current sentencing practices, their support for "getting tough" is a collectively rational assessment of the government's need to use stricter sanctions to afford greater societal protection (Page and Shapiro 1992, pp. 90–94; DiIulio 1997). Particulars aside, they have gotten the basic point right that the weakness of the criminal justice system has imperiled their well-being. As Bennett, DiIulio, and Walters (1996, pp. 34–37) put it, "the people know best."

This reasoning will not seem miraculous to all students of public opinion about crime. Levels of knowledge aside, public punitiveness does not seem to fluctuate—as one might expect of a rational public—as crime rates have risen, steadied, and fallen over the past two decades (cf. Page and Shapiro 1992). Instead, preferences for harsher penalties have remained entrenched at high levels. Critics will also note that the Pollyannaish view that the "people know best" ignores the role of politicians in manipulating public opinion and in ushering in a mean sea-son in crime control. They have used rhetoric, too often racially tinged, to incite concern about public safety and have portrayed the crime problem as solvable only through measures that get tough with predators who otherwise would be allowed to roam free on the streets (Scheingold 1984; Beckett 1997).

A more fundamental problem, however, confronts those who claim that punitive policies reflect the wishes of a punitive public, whether in the United States or elsewhere: the empirical accuracy of this portrayal of the public as exclusively and unyieldingly punitive. Is it really true that citizens want only to heap more punishment on offenders and preferably to do so through imprisonment? Or is public opinion about sanctioning offenders complex and judicious—more balanced and

moderate than authoritarian and harsh (Thomson and Ragona 1987)? The chief purpose of this essay is to assess what the public thinks about punishing offenders and about the use of varying correctional options. Based on a growing body of research, we propose that public opinion, while clearly punitive in important ways, nonetheless is progressive in equally important ways.

Adequately addressing the empirical question of what the public thinks quickly leads to the methodological issue of how public opinion is to be measured (for a summary of methodological issues in the measurement of crime-related opinions, see Roberts 1992; Roberts and Stalans 1997; more generally, see Schuman and Presser 1981; Biemer et al. 1991; Muirheartaigh 1997). Public views on crime have frequently been investigated through telephone surveys that measure opinions by asking respondents a limited number of questions—as few as one or two—about a major policy issue (e.g., support for capital punishment; what should be the main purpose of imprisonment). The best of these opinion polls use nationally representative samples and are conducted by reputable polling organizations (e.g., Louis Harris, Gallup). These surveys are especially influential because they often are reported in, if not commissioned and publicized by, the local and national news media.

These polls comprise an invaluable repository of data. Because polling organizations have asked a limited number of questions repeatedly over the years (e.g., whether the courts are harsh enough), the surveys are the main source of information on trends in public opinion about punishing offenders. When a “hot” policy issue bursts on the political scene (e.g., three-strikes-and-you’re-out laws), they also are flexible enough to be used, with little notice, to question people on their views (i.e., quickly draw a sample and by telephone ask respondents one or two questions about the initiative). And perhaps most important, due to the representativeness of the samples employed in these surveys, their results can be generalized to the nation’s population as a whole. Even so, these polls face an important limitation: Can public opinion be adequately measured by asking one or two questions? The answer depends on what “opinion” is being assessed.

If the interest is in a general or “global” view of an issue, then broadly worded polls may provide considerable insight (e.g., whether, in general, a person supports the practice of capital punishment). But opinions can be complex, with support for a policy, such as capital punishment, varying under different conditions (e.g., depending on what

sentencing options respondents are given to choose from). Capturing this attitudinal complexity, sometimes called “specific” opinions, requires the use on surveys of a series of carefully designed questions or scales of questions. These surveys can be conducted by telephone or by mail. Most often, they are carried out by university researchers with a substantive interest in crime and not by major polling organizations. Although exceptions exist (Flanagan and Longmire 1996; Rossi and Berk 1997; Hough and Roberts 1998; Jacoby and Cullen 1998), researchers generally do not give these highly detailed surveys to national samples but rely on representative, and at times nonrepresentative, samples drawn from individual states or local communities. The results most often are published in scholarly journals and are not highly publicized.

Importantly, the methodological approach used in a survey not only constrains the type of opinion that can be assessed but also influences, if not biases, the conclusions that are reached about what the public thinks should be done with lawbreakers. Those arguing that the public favors an increasingly punitive response to crime invariably cite the national telephone polls that ask respondents only one or two questions about policy issues. Used by themselves, these polling data can result in a distorted picture of public opinion about punishment and corrections, for two reasons.

First, as noted above, complex opinions cannot be measured if complex questions are not used in an opinion survey. In the area of crime-related attitudes, public opinions often change not only quantitatively but also qualitatively when multiple questions, as opposed to single questions, are used on a survey to assess citizens’ views. In particular, respondents tend to express less punitive sentencing preferences when, on surveys, they are given detailed information about the nature of the offender and his or her criminal offense, are provided with a menu of potential sentencing options that include community sanctions as well as imprisonment, and are asked to assign concrete sanctions (e.g., a particular prison term) to concrete offenders (e.g., a burglar) as opposed to answering broadly worded policy questions about punishing unspecified criminals (e.g., using “harsher punishments against criminals”). Accordingly, the failure to attend to data drawn from these more specific, if not sophisticated, surveys leads commentators to overestimate the public’s punitiveness.

Second, progressive opinions cannot be discovered if they are not measured by an opinion survey. Many of the single-question or two-

question national polls ask only about punishment-oriented issues, such as support for capital punishment or for harsher penalties by the courts. Taken alone, responses to these questions prompt the conclusion that the public is punitive (i.e., people favor capital punishment and harsher courts). These polls, however, do not simultaneously question the respondents about their views on correctional policies that might be considered more progressive, such as support for rehabilitation or early intervention programs. When released to the media, these polls thus publicize what they have measured—the citizenry's punitiveness—but remain silent on what they have not measured—the public's progressive, nonpunitive policy preferences. Notably, surveys that include questions that assess diverse ideological views on correctional policies find that public opinion is complex, progressive under certain conditions, and not unyieldingly punitive.

In this essay, we attempt to draw on multiple data sources in presenting what we believe is a textured portrait of public opinion about punishment and corrections. In assessing these data, we revisit the methodological issues touched on above and shape our interpretations accordingly. Our review leads to seven primary conclusions.

First, consistent with the claims of commentators such as Johnson and Dilulio, the public is punitive toward crime. Get-tough attitudes are real and not simply a methodological artifact. Second, this punitiveness is not fixed on a single point but is "mushy." Even when expressing punitive opinions, people tend to be flexible enough to consider a range of sentencing options, including sanctions that are less harsh than those they may have favored either at first thought or when provided with only minimal information on which to base their views. Third, members of the public must be given a good reason not to be punitive. They moderate their punitiveness when less stringent interventions have utility for victims, the community, and offenders. Fourth, violent crime is the great divide between punitiveness and nonpunitiveness. Citizens are reluctant to take chances with physically dangerous offenders; they generally want them behind bars. For nonviolent offenders, however, a range of correctional options will be entertained. Fifth, despite the sustained attack leveled against the concept of offender treatment, the public continues to believe that rehabilitation should be an integral goal of the correctional system. Sixth, people strongly support "child saving," encouraging both the rehabilitation of youthful offenders and the use of early intervention programs that seek to direct children at risk for future criminality into a conventional life

course. In fact, compared to imprisonment, early prevention is favored by a wide margin as a solution to crime. Seventh, the central tendency in public opinion is to be punitive and progressive—to endorse the use of a balanced response to lawbreakers, which includes an effort to do justice, protect society, and reform offenders. When the full body of survey data are taken into account, it thus appears that with regard to punishment and corrections, the public is more rational than irrational in the policy agenda it embraces.

Before initiating our review, we must note that this essay has a specific assignment: to update, admittedly in a limited way, Roberts's (1992) comprehensive and informative analysis of public opinion that appeared earlier in *Crime and Justice* (see also Roberts and Stalans 1997, 1998). Our specific focus is on public opinion about policy proposals that, as the 1990s progressed, either continued to earn attention or freshly emerged as salient correctional issues. We are interested in mapping how citizens, at the turn of century, answer the question, What should be done with those who have broken the law?

Our effort to address this question comes in five parts. Section I assesses the degree to which Americans support capital punishment. We consider trends over time in death penalty attitudes. Most important, we show how support for capital punishment varies by the survey methods employed, especially by whether respondents are presented with the option of sentencing offenders to life in prison without the possibility of parole. We also review research on the controversial topic of the juvenile death penalty and on the impact of religion on support for executing offenders. Section II examines survey research on citizens' support for punitive crime control policies, such as harsher sentences and the use of imprisonment as a sanction. We focus as well on the issue of public support for three-strikes-and-you're-out laws. In contrast, Section III explores the degree to which the public endorses the use of community-based alternatives to incarceration. Special attention is given to whether intermediate sanctions and restorative justice are viewed favorably. Section IV reviews people's sentiments toward rehabilitation as a correctional goal. Views about specific features of correctional treatment and about juveniles' rehabilitation also are assessed. Further, we present data on public attitudes toward early intervention, especially with regard to whether citizens prefer to fight crime through prevention or through imprisonment. Finally, Section V, the essay's conclusion, sketches a portrait of "American public opinion" about punishment and corrections as a way of demarcating the

responses to crime that citizens will support. We also offer brief thoughts on where future research on public opinion in this area might proceed and on what broader policy implications might be suggested by the substantive conclusions we distill from the extant body of survey research.

I. Public Support for Capital Punishment

As the ultimate penalty imposed by the criminal justice system, it is perhaps unsurprising that, compared with other crime-related matters, Americans are most often polled on their attitudes on capital punishment (Bohm 1991). The stakes in the battle to characterize the public's views on this issue are high. After all, if most Americans are willing to execute fellow citizens—and the proportion is especially high when offenders have committed egregious crimes—then it would be difficult to dispute that the use of severe punishments reflects the will of the people.

The existing research, however, reaches complicated conclusions about people's sentiments regarding the death penalty. When asked if they support capital punishment for convicted murderers, approximately seven in ten respondents say they do. The public's endorsement of executing murderers has been at or near this level since the early 1970s. However, support for capital punishment declines markedly when respondents are asked not simply if they support the death penalty (favor or oppose), but whether they would choose the death penalty or life in prison without the possibility of parole. Similar results are found when the public is questioned about capital punishment for juveniles convicted of murder. Finally, we also explore recent research on religion and the death penalty, again finding complex effects. Although religious fundamentalism tends to be related to support for capital punishment, a belief in religious forgiveness diminishes the embrace of punitive attitudes.

A. Current Attitudes

We examined eight national-level polls conducted by various organizations between 1995 and 1998. The respondents were asked a single-item question that varied slightly from survey to survey but typically focused on whether they supported capital punishment "for persons convicted of murder." The response categories usually were "favor," "oppose," and some amalgam of "don't know/not sure/no opinion/it depends." Across the eight polls, the percentage of respon-

dents favoring capital punishment did not fall below two-thirds. Support for the death penalty ranged from a low of 66 percent to a high of 79 percent; in six of the eight polls the level of support exceeded 70 percent. The average of those endorsing capital punishment for all eight polls was 72 percent.¹

These results suggest, then, that public support for capital punishment is substantial; other polling data reinforce this view. Although Americans generally oppose executing those who do not murder, this opposition is not complete and is fairly strong for some kinds of non-capital offenders. Thus, in a national poll, support for the death penalty was only 17 percent for armed robbers and 8 percent for home burglars. Nonetheless, respondents were evenly split on using the death penalty for convicted rapists, and by more than a 2:1 margin supported its use for those who sexually molest a child (Time/CNN/Yankelovich Partners Poll 1997).

Further, in a report titled "Americans Firmly Support Death Penalty," Gallup polling data revealed that citizens may embrace capital punishment even when innocent people are executed (Moore 1995). To be sure, the prospect of the innocent being put to death gives the public reason to reflect on the wisdom of capital punishment. One poll showed that 73 percent of a national sample agreed that the possibility that "innocent people may be wrongly convicted and executed is among the best reasons to oppose the death penalty" (Princeton Survey Research Associates/Newsweek Poll 1997). Similarly, a 1995 survey found that among those who supported capital punishment, 77 percent stated that they would be "more likely to oppose the death penalty" if they "learned that innocent people receive the death penalty" (Longmire 1996). Nonetheless, the Gallup Poll found that 57 percent of respondents—including 74 percent of those who initially said that they favored the death penalty—continued to support capital punishment even under the condition that "one out of a hundred peo-

¹ For seven of the surveys, we obtained the polling data over the Internet from a site that provides access to POLL, the Roper Center for Public Opinion Research's database of public opinion questions and results (<http://dialog.carl.org>). Information on accessing POLL may be obtained from the Roper Center (<http://ropercenter.ucom.edu/index.htm>). The seven polls, including the year each was collected and the percent of each sample favoring the death penalty, were: Harris Poll, 1996, 75 percent; Gallup Poll, 1996, 79 percent; General Social Survey, 1996, 71 percent; CBS News Poll, 1997, 67 percent; Princeton Survey Research Associates/Newsweek Poll, 1997, 66 percent; Time/CNN/Yankelovich Partners Poll, 1997, 74 percent; Fox News/Opinion Dynamics Poll, 1998, 74 percent. The eighth poll was from Longmire (1996), which reported data on a 1995 national survey, with 71 percent favoring the death penalty.

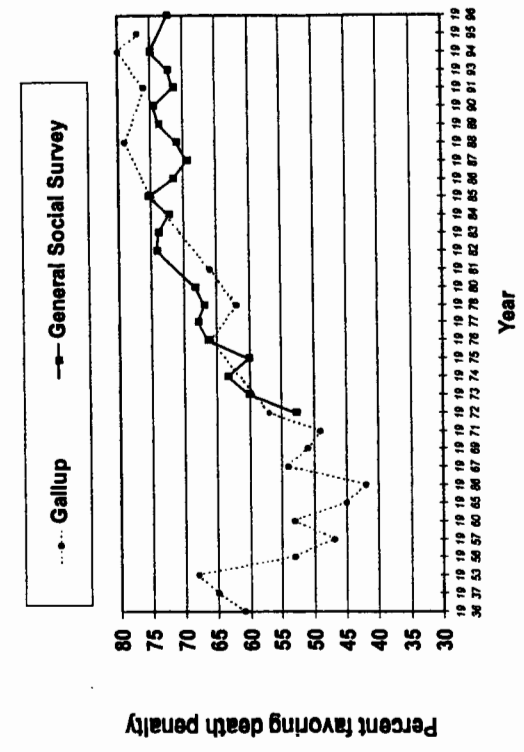


Fig. 1.—Trends in public support for capital punishment, 1936–96. Sources: Gallup Poll data for 1936 and 1937 from Zeisel and Gallup (1989, p. 286). Data for 1953–95 from Moore (1995, p. 25). Gallup Poll question: “Are you in favor of the death penalty for a person convicted of murder?” The 1936 and 1937 polls used slightly different wording, omitting the word “convicted” (Bohm 1991, p. 115). The General Social Survey data are from Smith (1998, p. 5). The question used in the 1972 and 1973 polls was: “Are you in favor of the death penalty for persons convicted of murder?” The 1974–96 polls used the question, “Do you favor or oppose the death penalty for persons convicted of murder?”

ple who have been sentenced to death were actually innocent” (Moore 1995, p. 24). Note should be taken that the 57 percent figure represents a 20 percentage-point decline from the 77 percent who initially favored executing convicted murderers. Moore (1995, p. 23) reminds us, however, that although support lessened when the condition of innocent people dying was introduced into the survey, the respondents still embraced capital punishment “by a two-to-one margin (57 percent to 28 percent).”

The public’s support for the death penalty, moreover, has been stable for some time. Both the Gallup Poll and the General Social Survey have tracked capital punishment attitudes over lengthy periods. As figure 1 shows, since the mid-1970s, public support for the death penalty has been high and has fluctuated only marginally. In the Gallup Poll, between 1976 and 1995, the percentage favoring capital punishment ranged from 66 percent to 80 percent; the comparable 1976–96

figures for the General Social Survey were 66.4 percent to 75.4 percent (Moore 1995; Smith 1998). For two decades, therefore, a substantial majority of the American public has consistently endorsed the execution of convicted murderers.

In the two decades preceding the 1970s, however, support for capital punishment was markedly lower. The Gallup Poll has measured the public’s views on the death penalty since 1936 (see fig. 1). The percentage of the poll’s respondents favoring capital punishment was 61 in 1936 and 65 in 1937; by 1953, the figure reached 68 percent. Thereafter, however, a steady decline in support for murderers’ execution transpired: 53 percent in 1956; 45 percent in 1965. In 1966, more Americans opposed the death penalty, 47 percent, than favored it, 42 percent (11 percent answered “no opinion” or “it depends”). By the next year, this trend reversed itself. Still, in the early 1970s, those favoring capital punishment held only a 9 percentage-point majority over opponents of this sanction (e.g., in 1971, 49 percent vs. 40 percent). This gap between supporters and opponents, however, has widened remarkably over time. By the mid-1970s, it had increased to 40 percentage points. In a 1995 Gallup Poll, the difference was 64 percentage points: 77 percent favoring and 13 percent opposing the execution of a convicted murderer (Zeisel and Gallup 1989; Moore 1995).

Why has the public ostensibly grown more punitive since the 1960s—so much so that support for capital punishment is now a normative or socially appropriate attitude to express? Various plausible explanations have been offered: the rising offense rates of the 1960s and the fear of crime it generated; the politicization of crime and the linkage of this issue to a broader concern for a breakdown of law and order; the emergence of racial conflict and the use of getting tough on crime as a means of appealing to people’s underlying racism and antipathy toward minorities; the growing lack of confidence in the criminal justice system; and the movement away from social welfare explanations of crime, which stress social causes of offending and a lack of offender responsibility, to individualistic explanations of crime, which stress free choice and just deserts as a response to breaking the law (see, e.g., Rankin 1979; Scheingold 1984, 1991; Bohm 1987; Warr 1995a; Beckett 1997). However plausible these speculations are, they tend not to address the other half of the question: Why did support for the death penalty begin a steady decline by the mid-1950s and continue well into the next decade? It is possible that lower levels of support during this historical period were culturally anomalous—that they

represented a departure from traditional American views toward capital punishment to which today's citizens have returned. If so, then the stability of support for the death penalty over the past three decades may not simply be a reaction to the turmoil and changes induced during the sixties but reflect core, deeply rooted cultural values that make Americans a punitive people.

B. *Reconsidering Public Opinion Polls*

Not all academic writings oppose capital punishment; in philosophy and economics, for example, occasional attempts are made to show its morality or utility (see, e.g., Ehrlich 1975; Berns 1979). However, although exceptions exist (Friedrichs 1989), the vast majority of scholarship published by other social scientists—especially by criminologists and sociologists—attacks capital punishment (for summaries, see Smith 1995; Hood 1998). Being against the death penalty is part of these scholars' professional or disciplinary ideology, and thus they are strongly motivated to produce knowledge that discredits its use. Toward this end, they have conducted studies showing that capital punishment does not deter and may actually increase crime (the "brutalization effect"), is administered in a racially biased way, is prone to mistake and to being wrongfully applied to innocent people, is imposed by juries who do not understand the sentencing instructions on aggravating and mitigating circumstances given by judges during the penalty phase of murder trials, is used against offenders who rarely recidivate, and is more costly to carry out than a sentence of life imprisonment.

Despite mounting evidence on the problematic nature of capital punishment, these scholars are confronted with a stubborn reality: the American public apparently wants to execute convicted murderers. Regardless of what knowledge they might produce, public opinion polls seem unaffected. These polls thus present a formidable barrier to abolishing capital punishment or decreasing its spread. With seven in ten adults supporting the execution of convicted murderers, how would the political will ever be summoned to restrict use of the death penalty?

Not surprisingly, then, these scholars have scrutinized public opinion research in hopes of discrediting it. If existing polling data or methods can be shown to misconstrue the "true" view of the public on capital punishment, then the seemingly sturdy foundation on which the American death penalty rests will be commensurately weakened.

Their attack on public opinion polls has been waged in two general ways (see Costanzo 1997).

First, in examining why people endorse the death penalty, these scholars have often linked support to a range of "unattractive" factors: racial prejudice, religious fundamentalism or biblical literalism, conservatism, antiabortion views, unwarranted fearfulness about crime, ignorance about the death penalty, and so on (see, e.g., Young 1991; Grasmick, Bursik, and Blackwell 1993; Barkan and Cohn 1994; Cook 1998; more generally, see Roberts and Stalans 1997). This strategy is subtle and, in this postmodern age, requires an exercise in deconstruction. To be sure, research of this genre is useful in uncovering empirical sources of death penalty attitudes, although the explained variation in these studies is generally low to modest (Grasmick, Bursik, and Blackwell 1993, p. 74). But note that support for capital punishment is virtually never traced to positive factors—or factors phrased in a positive way—such as a deep respect for the life of the victim, a genuine concern for the pain felt by the victim's family, and a reluctant but principled belief that an egregious breach of the moral order requires the taking of the offender's life. Instead, the underlying intellectual and ideological project is to delegitimize the public's embrace of capital punishment. Indeed, although the message is implicit, the research suggests that those who are secular humanists, progressive politically, advocates of racial justice, knowledgeable about crime, and supporters of a women's "right to choose" would not favor the death penalty. Of course, this account is a rough self-portrait of many of these scholars: if the public were like us, they would not support executing offenders!

Second and more noteworthy, these anti-death penalty social scientists have argued that the national polls, which measure capital punishment attitudes with a single question such as "Are you in favor of the death penalty for a person convicted of murder?" make the mistake of attempting to assess a complex set of opinions in a simplistic fashion. These polls not only do not capture the nuances of people's views but, more disturbingly, are biased in the direction of artificially inflating support for capital punishment (Ellsworth and Ross 1983; Harris 1986). When surveys are more methodologically sophisticated, the public's seemingly firm support for executing murderers weakens.

One research strategy has been to differentiate between polls that ask about support for capital punishment in the abstract as opposed to a situation in which the decision to impose this lethal sanction is more personally salient or "real." In a 1984 survey of Texas residents, for

example, Williams, Longmire, and Gulick (1988) found that support for the death penalty lessened when the respondents were asked if they would recommend imposing the death penalty as a juror in a murder trial as opposed to voting for a death penalty law or expressing general support for this policy. The slippage in support, however, was only 4–6 percentage points. Bohm, Clark, and Aveni (1991) used a similar approach to making the death penalty more concrete and personally salient: they asked whether people would actually perform the execution. They found that while 28 percent of their sample were opposed to capital punishment “for some people convicted of first degree murder,” 47 percent of the respondents stated that they could not “pull the lever that would result in the death of an individual convicted of first-degree murder” (p. 368). More recently, Howells, Flanagan, and Hagan (1995) divided 291 California voters into two groups: those who watched a nature film and those who watched a film of two executions. In a pretest/posttest design, they discovered that among those viewing the executions videotape, 57 percent became less supportive of capital punishment, while 27 percent became more supportive. Although making executions more concrete tended to decrease endorsement of the death penalty, the degree to which the participants changed their views was small.

A second research strategy is to contrast the measurement of global and specific attitudes. Global attitudes are general or overall views that people possess about a policy issue; specific attitudes are the views they express when the policy is applied to a case that has a certain set of attributes. Specific attitudes are especially relevant to criminal justice policy because decisions are made about cases that involve offenders, victims, and acts, which may vary on many dimensions and interact in unique ways. It is possible, therefore, that a majority of the public might support capital punishment as a potential sanction but not support its application in most murder or death penalty-eligible cases.

Selected national surveys by the traditional polling organizations have addressed this issue. A 1996 poll by Princeton Survey Research Associates/Newsweek reported that 66 percent of the sample favored the death penalty. The respondents were then asked if they endorsed the death penalty “in each case of the following circumstances.” When these circumstances were introduced, support for capital punishment declined markedly. Thus the pollsters found that those favoring the death penalty dropped to 56 percent “if the convicted person was led

to violence because of political or ideological beliefs”; to 55 percent if the “convicted person was under the influence of drugs or alcohol at the time of the crime”; to 47 percent if the person “was severely abused as a child”; to 26 percent if the person “was provoked to violence by the victim”; and to 25 percent if the person “was only an accomplice to the person who actually did the killing” (poll obtained from <http://dialog.carl.org>).

Durham, Elrod, and Kinkade (1996) provide a judicious example of this approach (see also Ellsworth and Ross 1983). In a mail survey of 366 residents of Hillsborough County (Tampa), Florida, they presented respondents with seventeen vignettes describing a homicide. Two versions of the vignettes were used (thus making for thirty-four scenarios), although each respondent received only one version. The vignettes were constructed to vary aggravating and mitigating factors that are found in capital sentencing statutes. In this way, the researchers could assess the willingness to impose the death penalty when the respondents were judging cases that included specific information about factors such as the offender’s record, the offender’s intent, gang membership, victim characteristics and behavior, and the heinousness of the crime.

Across all vignettes rated, the respondents chose to impose the death penalty in 60.8 percent of the cases. This mean percentage, however, masks the substantial variation in support for capital punishment across the scenarios. Those supporting the offender’s execution ranged from a low of 29.4 percent for one vignette to a high of 93.2 percent for another. In nine of the thirty-four vignettes, it is instructive that a majority of the respondents did not believe that the death penalty was “the appropriate punishment.” As Durham, Elrod, and Kinkade (1996, p. 721) point out, the citizens were not indiscriminately vengeful or bloodthirsty but, rather, were “selective in their use of the death penalty.” Only 13.1 percent of the respondents favored capital punishment in all cases.

These results counteract the more publicized single-item polls, which seem to suggest that two-thirds to three-fourths of the public support the execution of all convicted murderers. There may very well be a “hesitancy” among citizens to execute fellow Americans that these polls do not capture (Ellsworth and Ross 1983). Even so, Durham, Elrod, and Kinkade (1996) caution that their “data contain little evidence suggesting that capital punishment statutes do not reflect the public

willingness to use the death penalty" (p. 728) and caution that "for some kinds of murders," death penalty polls "may *underrepresent* public enthusiasm for capital punishment" (p. 729).

Three findings bolster this conclusion. First, across the vignettes, only 5.2 percent of the respondents did not choose the death penalty for at least one case. Phrased differently, almost 95 percent of the sample's members were willing to support capital punishment for at least some murderers. Second, for vignettes that described a first-degree murder—as opposed to a felony murder or voluntary manslaughter—74 percent of the respondents selected the death penalty as the appropriate punishment. Third, an experienced Tampa prosecutor was asked to assess which vignettes would normally be charged as death penalty cases; the prosecutor stated that in only 15 percent of the scenarios would the state seek the death penalty. Again, a majority of the respondents believed that the offender described in the vignette warranted capital punishment in 73.5 percent of the cases. Although this comparison is hardly definitive—after all, only one prosecutor was polled—it does suggest that a sizable proportion of citizens, even when rating specific cases, may be willing to endorse the death penalty's application more often than it is currently imposed by state officials.

C. Life in Prison without Parole

Durham, Elrod, and Kinkade's (1996) balanced interpretation of their data reveals that the public's judgments about the death penalty are selectively, but often strongly, punitive. A collateral question, however, is whether citizens are wed to capital punishment as the only way to inflict punishment on the offender. To a degree, this question may hinge on what the public wishes to accomplish through capital punishment. Previous research indicates that people have both retributive and utilitarian motives for embracing the death penalty (see, e.g., Warr and Stafford 1984; Zeisel and Gallup 1989). A 1997 Princeton Survey Research Associates/Newsweek Poll sheds further light on this issue (see <http://dialog.carl.org>). The respondents were asked what they believed "were among the best reasons to support the death penalty for persons convicted of murder." In this poll, 53 percent answered "yes" to the question of whether "one of the best reasons" was that "it is a deterrent, that is, fear of such punishment discourages potential murderers"; 48 percent said "yes" to "a life for a life," that is, anyone who takes another person's life deserves to be executed"; and 49 percent agreed that "it's not fair to make taxpayers pay to keep convicted murderers

in prison for life." Note, however, that fully 74 percent chose as "among the best reasons" for supporting the death penalty that "it removes all possibility that the convicted person can kill again" (cf. Zeisel and Gallup 1989, p. 289).

This pervasive concern with preventing murderers from "killing again" raises the possibility that were this goal addressed in another fashion, the public's embrace of the death penalty might be loosened. Although not a fail-safe means of reaching this goal—inmates and correctional officers could still be victimized—the prevention of future homicides could indeed be substantially accomplished through a sentence of life in prison without the possibility of parole. It is noteworthy that perhaps the most important line of research on death penalty attitudes conducted by public opinion researchers in the 1990s is whether, instead of an offender's execution, citizens would support sentencing a convicted murderer to a life sentence without parole (see, e.g., Bohm, Flanagan, and Harris 1990; Bowers, Vandiver, and Dugan 1994; Sandys and McGarrell 1995; McGarrell and Sandys 1996; Moon et al. 1999; see also Whitehead 1998).

First, polling organizations have occasionally explored this issue. Based on a 1986 Gallup Poll, Zeisel and Gallup (1989, p. 290) analyzed how views toward the death penalty would be affected "if a life sentence without parole were available." They reported that the percent favoring capital punishment would decline by 19 percentage points, from 71 percent to 52 percent. In a 1998 Gallup/CNN/USA Today Poll, the respondents were asked, "What do you think should be the penalty for murder committed by a man?"; the same question was then asked with the murderer being a woman. Compared to polls taken at that time showing those favoring the death penalty averaging above 70 percent (see above), support for capital punishment in this survey was noticeably lower. For the male offender, 54 percent chose the death penalty while 36 percent chose "life imprisonment with absolutely no possibility of parole." For the female offender, the comparable numbers were, respectively, 50 percent and 38 percent (see <http://dialog.carl.org>).

Second, recognizing the policy potential in this pattern of results, scholarly opponents of the death penalty have systematically explored the impact on attitudes of providing the alternative option of life imprisonment. Theoretically, they have made the distinction between "acceptance" and "preference" (Bowers, Vandiver, and Dugan 1994; Sandys and McGarrell 1995). Although standard polling questions may

reveal that the public accepts the use of the death penalty, the possibility remains that they may not prefer it instead of other sentencing options. This conceptual distinction thus requires a different methodological approach: people should be asked if they support the death penalty or other alternative sentences.

Analyzing survey data from twelve, geographically dispersed states, Bowers, Vandiver, and Dugan (1994) provide the most sophisticated analysis of this issue (see also Sandys and McGarrell 1995). Across these surveys, it is clear that the public "accepts" the death penalty for murderers: when asked a single-item standard polling question, those favoring capital punishment ranged from 64 percent to 86 percent, with a mean of 75.1 percent. Although not every option was asked in every survey, Bowers, Vandiver, and Dugan (1994) were able to compare whether this level of support changed when citizens were presented with four sentencing alternatives: life with parole possible after twenty-five years (LWPP25); life without parole (LWOP); life with parole after twenty-five years plus restitution (LWPP25 + R); and life with out parole plus restitution (LWOP + R). The sentencing contingency of restitution usually involved having the convicted murderer being required to "work in prison industries for money that would go to the families of the victims."

The results of these survey data are striking. For the option of LWPP25, an average of 38.2 percent of the respondents preferred this option. Although 52.2 percent selected the death penalty, this support was substantially lower than that found in traditional polls where, again, support typically exceeds 70 percent of the respondents. When the option was life without parole, more people on average selected LWOP (47.7 percent) than the death penalty (43.1 percent). When the option included the possibility of parole but added in restitution, again more people selected LWPP + 25 (49.9 percent) than the death penalty (42.8 percent). Most noteworthy, support for the noncapital punishment alternative was especially strong when the sentence was life without parole plus restitution. In this instance, LWOP + R was, on average, favored by 60.7 percent of the respondents compared to 31.6 percent who favored the death penalty—a decided gap in support of nearly 30 percent. Indeed, in all of the states studied, a majority of the citizens preferred LWOP + R. Further, in a more detailed analysis of data from New York and Nebraska, Bowers, Vandiver, and Dugan (1994) discovered that LWOP + R was chosen over the death penalty by a clear majority of those who initially had stated that they "strongly

favored" capital punishment (55.7 percent to 32.5 percent in New York; 56.9 percent vs. 33.0 percent in Nebraska). A similar result has been reported by McGarrell and Sandys (1996; see also Brenner 1998).

Why are citizens so supportive of these sentencing alternatives in murder cases? As suggested above, one possibility is that these options effectively prevent murderers from killing again. Bowers, Vandiver, and Dugan (1994), however, provide additional insights. In the surveys conducted in New York and Nebraska, citizens were asked, "Which punishment do you think does the greatest good for all concerned?" In both surveys, a substantial majority selected the nondeath penalty option. In particular, they favored penalties that involved restitution to the families of murder victims. When asked, "Which punishment comes closest to your own personal ideal of justice?" a similar pattern of results emerged. These findings thus suggest that the public prefers a sentencing option that helps to restore victims. Accordingly, in their view, adding restitution to a lengthy or life sentence has more utility and, in the end, is more just than executing offenders.

The salient feature of this line of research is its direct and powerful policy implications. Studies that seek to show that support for the death penalty is somehow illegitimate because it is rooted in "unattractive" factors or that seek to specify when citizens might not endorse the death penalty suffer a decided disadvantage: other than suggesting that citizens should not or, under certain circumstances, do not support capital punishment, they offer no concrete advice on what should be done with convicted murderers. In contrast, the life in prison without parole studies have a concrete quality in that they tell us precisely what the public wants in place of executions. As Bowers, Vandiver, and Dugan (1994, p. 149) recognize, "people will accept the death penalty unless or until they have an alternative they want more."

At issue is whether legislators will endorse the life in prison without parole alternative. In their analysis of data from a 1991 survey of New York Legislators, Bowers, Vandiver, and Dugan (1994) provide unpromising results. Unlike citizens, few legislators expressed a willingness to shift their support from the death penalty to life in prison without parole (with or without restitution). Even when the option included restitution, 58 percent of the sample preferred the death penalty. Since 65 percent initially favored capital punishment, this decline of 7 percentage points is modest at best. Equally problematic, the legislators misperceived the public's views. They reported that among their constituents, 73 percent would support the death penalty over an

option that included life imprisonment. Other studies have reported similar results. In a 1996 survey, 95 percent of Tennessee legislators stated that they favored the death penalty. Although 33 percent said that they preferred LWOP + R, a clear majority (53 percent) still endorsed capital punishment (Whitehead 1998). And in Indiana, McGarrell and Sandys (1996, pp. 507–8) found that legislators misperceived the public's support for LWOP alternatives: while only 26 percent of the citizens favored the death penalty over these alternatives, legislators assumed that 50 percent of their constituents would prefer capital punishment to an LWOP sentence.

Legislators, therefore, may prove to be a formidable barrier to substituting LWOP for the death penalty. It is plausible that a concerted educational campaign informing politicians of the public's true beliefs—especially their constituents' concern for offenders making restitution to the victims' family—could affect their personal views, the nature of legislative debate, and ultimately policy. But another caution should be added: there is a possibility that public opinion data could be used to justify “net widening.” Scholarly opponents of capital punishment have constructed a persuasive reality: the public wishes to substitute LWOP sentences for the death penalty for convicted murderers. The risk, however, is that the public would feel comfortable using LWOP not only for offenders who are now receiving capital punishment but also for a range of murderers for whom the death penalty would not be pursued and who would not receive life imprisonment. That is, citizens may prefer to execute fewer “convicted murderers” but also wish to lock up more of them for the rest of their lives (see Durham, Elrod, and Kinkade 1996).

D. *Juvenile Capital Punishment*

Almost half the states have laws that permit the execution of juveniles (Streib 1998). Although still used sparingly, as of April 1999 sixty-five offenders were on death row for capital crimes they committed under the age of eighteen (NAACP Legal Defense and Educational Fund 1999). The question remains, however, as to whether the public embraces the execution of youths and, if so, whether that support equals the level of support accorded adult capital punishment.

In a 1986 survey of six hundred residents in two Ohio cities, Skovron, Scott, and Cullen (1989) found that support for the execution of “juveniles over the age of fourteen convicted of murder” was only 25 percent in Cincinnati and 30 percent in Columbus. This survey was

limited in the issues it probed, and the capital punishment question covered youths as young as fourteen. Further, much has changed in the intervening years: rising rates of juvenile violence (Sickmund, Snyder, and Poe-Yamagata 1997); the portrayal of youthful offenders as “superpredators” (DiIulio 1995); and persistent calls to abolish the juvenile court—a court based on the assumption that youths should be treated differently and more leniently (Feld 1997; see also Stalans and Henry 1994; Sprott 1998). In fact, more recent research shows greater support for the juvenile death penalty, although the data are sparse and complicated.

While less supportive of using the death penalty for youths than for adults, the public now appears to favor the execution of juvenile murderers—a finding that also appears to hold among legislators (Hamm 1989). In a 1991 Oklahoma City survey, Grasmick, Bursik, and Blackwell (1993, p. 66) found that 51.4 percent of the sample agreed that “sixteen-year-olds who are convicted of first degree murder generally deserve the death penalty.” The comparable figure for adults, however, was 75.1 percent. Moore (1994) reports a similar pattern of findings based on a 1994 Gallup Poll. Although lower than the 80 percent figure for adults, 60 percent of the national sample of respondents favored the death penalty for a teenager convicted of murder (30 percent were opposed; 10 percent expressed no opinion).

Interpreting these results, however, is made more difficult because the few existing surveys have used different ages when referring to the youthful offenders being sentenced (e.g., a sixteen-year-old vs. an eighteen-year-old). Further, question wording might well affect the views expressed by the public (more generally, see Schuman and Presser 1981). For example, instead of asking people whether capital punishment should be imposed, Sandys and McGarrell (1995, p. 198) instructed their sample of Indiana residents to rate a statement expressing the view that this sanction should not be used. In response to the item, “The death penalty should not be imposed on a person who was younger than 18 at the time of the crime,” over half the sample, 51 percent, agreed with this statement compared to 41 percent who disagreed.

Further, similar to research on adults, the public appears to prefer life imprisonment without parole to the execution of youthful offenders. In a 1998 statewide mail survey in Tennessee, Moon et al. (1999) found that 81.4 percent of the sample favored the death penalty for adults, while 53.5 percent did so for juveniles. Compared to the re-

sponses for adult offenders, fewer respondents "strongly favored" the capital punishment of juveniles while more respondents "strongly opposed" it. Over three-fifths of the sample also stated that capital punishment with youngsters should be used either not at all or in only a "few" cases. Most noteworthy, 64 percent preferred sentencing juvenile murderers to a life sentence with no possibility of parole. This figure climbed to 80 percent when the LWOP option included work and restitution to the families of the victims. Even among those who initially "strongly favored" the death penalty, a majority preferred the LWOP + R alternative to capital punishment.

E. Religion and the Death Penalty

One other recent development in the study of death penalty attitudes warrants consideration: the growing interest in the impact of religion on support for capital punishment. This research focus likely reflects two trends. First, in the 1990s, Christian conservatives came to play an increasingly prominent role on a range of cultural and, in turn, policy issues (Hunter 1991; Layman 1997). Second, it appears that scholars interested in crime-policy issues belatedly recognized the centrality of religion in the lives of Americans. Social scientists in general had tended to embrace "secularization theory," which proposed that modernization and economic development would lead inevitably to a decline in the cultural importance of religious beliefs. Yet, even as the nation ostensibly moves toward a postmodern and postindustrial phase, citizens continue to report extensive involvement in religion (see Had-den 1987; Wald 1992). Polls show, for example, that 96 percent of Americans say that they believe in God; 67 percent report that they are members of a church or synagogue; and 61 percent indicate that religion is a "very important" part of their lives (Newport and Saad 1997; Shorto 1997).

Most often, research has explored the influence of fundamentalist religious membership or beliefs, arguing that they increase support for capital punishment. Specifying this influence, however, has proven a daunting task. There is evidence that lends credence to the thesis that fundamentalism, especially a literal interpretation of the Bible, fosters endorsement of the death penalty (see, e.g., Young 1992; Grasmick, Bursik, and Blackwell 1993; Grasmick et al. 1993; Young and Thompson 1995; Borg 1997; Britt 1998). Even so, Britt (1998) finds that compared to nonfundamentalists, white fundamentalists are the most supportive of capital punishment but that African-American funda-

mentalists are less supportive. Some research, moreover, suggests that religious fundamentalism leads to supportive death penalty attitudes in the Bible Belt and southern states but not in other geographical areas, although the research findings on this point are inconsistent (Young 1992; Young and Thompson 1995; Borg 1997; Sandys and McGarrell 1997; Applegate et al., forthcoming). More generally, the research suggests that religious fundamentalism and biblical literalism are related to a range of punitive attitudes, such as support for stiff criminal legislation, for harsh sentencing, for treating juveniles more stringently, and for retribution as a penal philosophy (Grasmick et al. 1992; Grasmick, Cochran, et al. 1993; Grasmick and McGill 1994; Young and Thompson 1995; see also Leiber, Woodrick, and Rouddebush 1995; Leiber and Woodrick 1997).

Applegate et al. (forthcoming), however, argue that much of the existing research is informed by a stereotypical view of religion: the tendency to see religion as a source of control and of politically conservative sentiments (for an exception, see Britt 1998). In embracing this limited conception of religion, researchers have not explored how religious messages of compassion and redemption might foster progressive criminal justice-related attitudes. Toward this end, in a 1996 statewide survey of Ohio residents, Applegate et al. (forthcoming) examined whether a belief in religious forgiveness was associated with a range of attitudinal outcomes, including the death penalty. Notably, controlling for other religious variables, forgiveness was negatively and strongly related to support for capital punishment, harsher courts, and general punitiveness and positively related to support for rehabilitation. This study reveals the importance in attitudinal research of being informed by a richer understanding of religion and of its potential role in shaping the worldviews people hold, including their judgments about the treatment of lawbreakers.

II. Public Support for Punishment

Because capital punishment is the ultimate penalty—a special issue that is the focus of interminable and heated debate—generalizing from studies of death penalty attitudes to what the public thinks about punishment in general is risky. Take, for example, the finding that the American public is apparently willing to support life in prison without parole over the death penalty. Does this result show that citizens are more judicious, and not nearly as punitive, as they are commonly portrayed? Or does it reveal only that people, while open to interchanging

penalties, will only do so if these penalties are both quite harsh? Thus, although capital punishment has often occupied a central place in the study of public attitudes, a complete assessment of public opinion about corrections needs to move beyond this issue.

In this section, we report one body of research that is relevant to an assessment of the public's views on what should be done with law-breakers: studies that investigate support for punishment. The research reveals that the public harbors punitive attitudes toward offenders, favors the use of prison sentences as a response to crime, and is generally supportive of get-tough initiatives such as three-strikes-and-you're-out laws. This literature is important in showing that there is a large reservoir of punitive sentiments that are likely real and not easily dismissed as the mere artifact of the methodological approaches used to study public opinion. At the same time, citizens show a degree of flexibility in their willingness to support, or at least tolerate, sanctions other than imprisonment. Their support of three-strikes laws, moreover, diminishes substantially when specific, rather than global, opinions are measured. Finally, as we show in later sections, studies of punitiveness illuminate only one dimension of the public's thinking and, taken by themselves, can result in a distorted portrait of citizens' correctional ideology.

A. General Punitive Attitudes

To measure whether the public is punitive, one common strategy has been to present survey respondents with a statement—for example, “The best way to stop crime is to get tough with offenders”—and then to ask whether they endorse this view. The most commonly cited example of this type of research is the General Social Survey, which since 1972 has asked this question: “In general, do you think the courts in this area deal too harshly or not harshly enough with criminals?” The 1996 survey found that 78 percent answered “not harshly enough,” while only 5 percent stated that the courts were too harsh (the remaining 11 percent answered “about right”) (Maguire and Pastore 1998, pp. 134–35; Smith 1998). Figure 2 presents the trend data for the last quarter of the century. In 1972, 65.5 percent of the sample believed that the courts were “not harsh enough.” Two years later, this percentage had jumped 13 points to 78.5 percent. In subsequent years, the percentage endorsing harsher courts fluctuated but remained above this figure; it reached a high of 87 percent in 1982 and was 85.1 percent in 1994. Although this figure dropped by 7 percentage points in

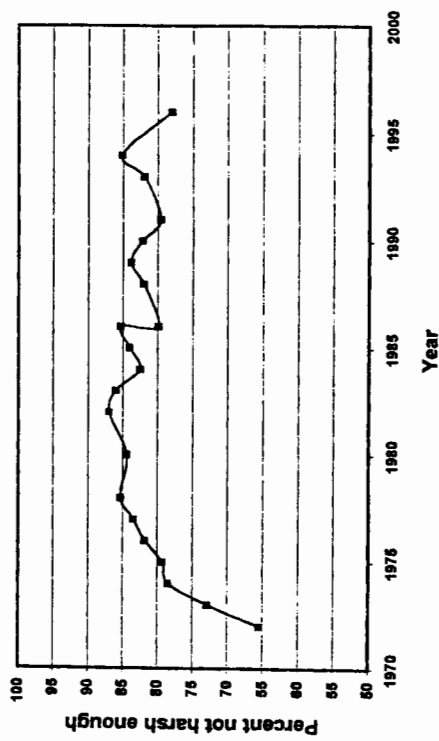


FIG. 2.—Trends in public punitiveness toward criminals, 1972–96. Data from the General Social Survey (Smith 1998, p. 5). Responses to the question: “In general, do you think the courts in this area deal too harshly or not harshly enough with criminals?”

1996, a stubborn reality remains: nearly four in five Americans believe that the courts in their communities are not sufficiently punitive.

Recent national polls suggest that the General Social Survey results are not idiosyncratic (all polls obtained from <http://dialog.carl.org>). A 1996 CBS News Poll, for example, asked whether respondents believed that “to solve the country’s crime problem,” it was more important for the “next administration” to “impose stricter sentences on criminals or increase the amount of police on the street.” Notably, 54 percent selected “stricter sentences,” more than twice the proportion of the sample choosing “increase police” (26 percent). In a 1998 survey conducted by Time/CNN/Yankelovich Partners, nearly three-fourths of the respondents stated that the U.S. Congress should give a “high priority” to “tougher crime enforcement legislation.” Similarly, a 1997 survey by *U.S. News & World Report* and Bozell Worldwide reported that 72 percent of adults “strongly favored” and another 17 percent “favored” the policy of “tougher sentences for criminals.” And a 1998 NBC News/Wall Street Journal Poll found that 78 percent of the respondents “strongly agreed” that “we should toughen and strengthen penalties for convicted criminals.”

Although the public harbors punitive sentiments, the question remains as to what specific correctional policies they embrace. Because studies have not been designed to explore the full complexity of public

opinion on the punishment of crime—in particular, how seemingly contradictory beliefs are interrelated (Innes 1993)—addressing this issue in a definitive way is not possible. Still, by weaving together various strands of information gathered from diverse studies, three general conclusions can be drawn (see Innes 1993). First, consistent with the research showing that the public is punitive, citizens are accepting of specific policies that inflict “penal harm” on offenders (Clear 1994). Second, for many Americans, punitive views exist side by side with progressive views, and thus they do not preclude support for policies aimed at improving the lives of offenders. Third, individuals tend not to hold punitive views rigidly; at least to a degree, they will moderate these views if given a compelling reason to do so. These themes are elaborated as this essay unfolds.

B. Support for Prisons

In light of the massive and seemingly unending growth in prison populations and in light of the dramatic way in which incarceration changes an offender's life, a key policy concern is whether citizens want lawbreakers incarcerated. One strategy for measuring the public's embrace of imprisonment is to present respondents with descriptions of a diverse set of crimes and then to ask that they use a response scale to select what sentence they would give the offender in each case. Depending on the study, the number of crimes rated, the amount of information used to describe the crimes, and the number and types of sentencing options provided can differ. These variations can potentially affect the results. Even so, this research generally shows widespread support for “locking up” offenders. “Simply put,” observes Warr (1995b, p. 23), “Americans overwhelmingly regard imprisonment as the appropriate form of punishment for most crimes. Although the proportion who prefer prison increases with the seriousness of the crime, imprisonment is by far the most commonly chosen penalty across crimes.”

Two national public attitude studies—the 1987 National Punishment Study reported in Jacoby and Cullen (1998; see also Jacoby and Dunn 1987) and a 1994 survey by Rossi, Berk, and Campbell (1997; see also Rossi and Berk 1997)—lend credence to Warr's assessment. Both studies used the factorial survey approach to construct vignettes that, in turn, respondents were asked to judge by assigning a sentence (see Rossi and Nock 1982). In this approach, a researcher first selects the information to be included in the vignettes, such as the types of

crime, characteristics of the offender and victim, harm incurred by the victim, and so on. The computer then randomly combines these dimensions or variables to create a pool of unique vignettes (i.e., every vignette is different). In the survey, each respondent is given a unique or different set of vignettes to rate—much as individual judges in courtrooms across the nation impose sentences on a unique set of cases that come before them. A sample vignette from the National Punishment Study is as follows (Jacoby and Cullen 1998, p. 266): “The offender, a 22-year-old male, used a knife to intentionally injure a victim. The victim was treated by a doctor and was hospitalized. The victim was a 60-year-old female. The offender had a mental condition. The offender was drunk when he committed the crime. The offender was never convicted before for a violent offense. The offender was convicted once before for stealing money or property. The offender has served one previous sentence of one year in jail.”

The factorial approach has the decided advantage of allowing respondents to rate fairly detailed scenarios that mirror, albeit imperfectly, the features of real-life criminal cases—a key reason its use is becoming common in scholarly research on public opinion. Previously, researchers wishing to have people rate realistic-sounding cases had to present all respondents with the same set of vignettes. The dimensions used in these vignettes—including the number of different crimes—had to be limited because of the permutations created by adding each new dimension (e.g., race of the offender, age of the victim). Fairly quickly, the number of vignettes feasible for respondents to rate would be surpassed (e.g., see Frank et al. 1989). The alternative and more frequently used approach was to present respondents with lengthy lists of offenses that contained little information beyond the nature of the crime itself (e.g., see Blumstein and Cohen 1980). A chief criticism of using this latter method is that it inflates punishment scores. Because the context or circumstances surrounding an offense are not presented, respondents may assume that the crime listed—for example, a murder—is the most egregious type (e.g., cold-blooded, not victim-precipitated) (Doob and Roberts 1984, 1988; Roberts 1992, pp. 126–27; Roberts and Stalans 1997, p. 208). Since the two national studies discussed here used the factorial survey approach, they are less susceptible to this potential methodological bias (cf. Durham 1993).

The National Punishment Survey included twenty-four offenses, which, in their various forms, were spread across 9,997 vignettes. The

offenses were mainly traditional street crimes (e.g., arson, larceny, burglary, robbery, assault, forcible rape, drug offenses, drunk driving). It is noteworthy that the sample chose a prison or jail sentence as their preferred sanction for 71 percent of the vignettes. Other sentencing options included probation, fine, and/or restitution. With the exception of larceny of \$10, a majority of the sample favored jail or prison for every offense. Even for relatively minor crimes, harsh penalties were preferred. For example, among respondents who selected imprisonment for offenders committing a larceny of \$10, the median sentence given was one year while the mean exceeded two years. Similar findings were reported for burglary of a building for \$10 and drunk driving with no accident. All other offenses were assigned more severe prison sentences. The mean prison or jail sentence for all offenses was over eleven years (135.7 months) (Jacoby and Dunn 1987; see also Zimmerman, Van Alstyne, and Dunn 1988).

The 1994 Rossi, Berk, and Campbell (1997) survey assessed the extent to which public opinion about sentencing matched the punishments outlined in the federal sentencing guidelines (for a discussion of these guidelines, see Tonry, pp. 72–79). Their survey covered seventy-three separate federal crimes that fell into twenty offense categories. Face-to-face interviews were conducted with 1,753 respondents age eighteen and over, with each person providing their sentencing preferences for a unique set of forty vignettes. In all, over seventy thousand different vignettes describing different crime scenarios were rated. The sentencing options included probation, a prison sentence of a length specified by the respondent, or the death penalty.

“Once convicted,” conclude Rossi, Berk, and Campbell (1997, p. 277), “the public was quick to sentence the defendants to prison, but rarely for more than several years.” Overall, the median sentence across all vignettes was 3.0 years; the mean sentence was 7.2 years, which reflected extremely long sentences being favored by a minority of the sample. Of the twenty crime types, only the category of “drug possession” had a median of less than two years in prison (median = 0.5 years). Of the seventy-three separate crimes, only six offenses had a median of less than one year in prison. Although incarceration was the preferred penalty, these scores seem less severe than the sentences in the National Punishment Survey. This finding, however, is likely the result of the crimes rated by the respondents. Because Rossi, Berk, and Campbell were examining crimes violating federal law, their list of offenses omitted many common street crimes (e.g., felony murder,

rape, assault, residential burglary) and included many white-collar, fraud, civil rights, and drug crimes.

Four additional findings from this study warrant attention. First, with the assistance of the staff of the U.S. Sentencing Commission, Rossi, Berk, and Campbell (1997) used the federal sentencing guidelines to determine what the prescribed sentence would be for each vignette in their study. They then compared the sentences calculated based on the guidelines with the sentences given the vignettes by the public in their survey. The results were similar: a median sentence of 2.5 years computed from the guidelines versus 3.0-year median sentence assigned by the public. Previous research has tended to find that citizens assign harsher sentences than the time offenders actually serve in prison, although these results are not uniform across all studies (cf. Warr 1994, pp. 50–51; and Zimmerman, Van Alstyne, and Dunn 1988 with Robert and Stalans 1997, pp. 210–11). Relatedly, in a survey of Chicago area residents, Rich and Sampson (1990, p. 115) found, across offenses, a “sizable gap” in the number of years the public thought that an offender does and should spend in prison. For the crime of rape, for example, the respondents believed that offenders would be sentenced to less than nine years in prison, but that the sentence should be nearly thirty years.

Second, it should be realized that the Rossi, Berk, and Campbell (1997) results refer to the aggregated sentencing preferences or “central tendencies” of the public. Similar to past studies (see, e.g., Blumstein and Cohen 1980; Jacoby and Cullen 1998), individual respondents tend to agree on which crimes should be assigned relatively more or less punishment (e.g., robbery more than shoplifting), but they often disagree substantially on the absolute level of punishment (e.g., whether a robber should receive two years or four years). Further, individuals’ opinions are not always stable, fluctuating even when given the same crime to rate in the same survey (a design feature incorporated for a subset of respondents in Rossi, Berk, and Campbell’s study). These results suggest that people’s opinions may not be fixed but “mushy” (Durham 1993) and that although sentencing guidelines may reflect the opinion of “the public,” many individuals may have heated disagreements over particular sentences specified in the guidelines. Rossi, Berk, and Campbell (1997, p. 288) capture these issues: “There is apparently no clear view of an absolute scale of sentencing severity of punishment that corresponds directly to lengths of prison sentences. One person’s 2-year sentence may be the equivalent of an-

other's 4-year sentence. In addition, the differences between sentences are not distinct; respondents who gave a 4-year sentence on one occasion to a specific crime may give a different sentence on another occasion to the same crime. In other words, the punishment norms of our society are only dimly apprehended by respondents."

Third, citizens wished drug trafficking to be severely punished, with the median sentence being 10.0 years in prison. It is noteworthy, however, that the respondents gave virtually the same median and mean punishment regardless of whether an offender sold crack cocaine, cocaine, or heroin. The public's sentencing preferences were similar to the presumptive sentences for the federal guidelines for cocaine and heroin, but were less than half the guideline's severity for crack (ten years vs. twenty-two years). This finding is relevant to the major policy debate over whether crack and powder cocaine offenses should be differentially sanctioned, as is now the case on the federal level. As Tonry (1995, p. 188) notes, "the problem . . . is that crack tends to be used and sold by blacks and powder by whites, which means that the harshest penalties are mostly experienced by blacks." The public, it appears, does not embrace this distinction and, by implication, the racial disparity it produces.

Fourth, because Rossi, Berk, and Campbell (1997) examined federal crimes, a domain which includes many white-collar illegalities, their data set provides perhaps the best study of public views on the sentencing of upperworld offenders. Scholars from E. A. Ross (1907) to Edwin Sutherland (1940) to James Q. Wilson (1975) had argued that the public did not harbor punitive sentiments toward white-collar law-breaking. In the 1980s, however, a revisionist perspective emerged, which claimed the "social movement" against the "crimes of the rich and powerful" had changed public attitudes and increased public support for using the criminal law to sanction white-collar offenders (for a summary, see Evans, Cullen, and Dubeck 1993). Three surveys of communities in Illinois between 1979 and 1982, for example, found that more than eight in ten respondents agreed that "we should punish white-collar criminals just as severely as we punish people who steal money on the street" and that "white-collar criminals have gotten off too easily for too many years; they deserve to be sent to jail for crimes just like everyone else." Fewer than two in ten respondents agreed that "since white-collar criminals usually don't harm anyone, they shouldn't be punished as much as regular criminals" (Cullen, Mathers, Clark, and Cullen 1983). A 1981 survey in Illinois also showed that

citizens were generally willing to assign criminal penalties—ranging from lengthy probation and fines to prison sentences—for a range of white-collar and corporate crimes. Prison sentences typically were favored by a clear majority of the respondents when physical harm occurred or was possible, such as knowingly selling contaminated food and manufacturing a defective automobile (Cullen, Clark, Link, et al. 1985; see also Frank et al. 1989).

Rossi and associates' national survey, which as noted was conducted in 1994, reinforces these findings (Rossi and Berk 1997, pp. 124–40; Rossi, Berk, and Campbell 1997). Consider the median sentences for these "violent" white-collar crimes: selling defective helicopter parts (ten years); marketing a drug after false testing (five years) or with side effects (four years); and a factory discharging toxic waste water (two years) or polluting the air (one year). Criminal sanctions, however, were not reserved for physically harmful offenses. Thus the median sentences for financial offenses were not inconsequential: fraudulently causing a savings and loan failure (five years); doctor filing fraudulent Medicare claims (five years); bank official embezzling bank funds (two years); insider stock fraud (two years); tax fraud (two years); antitrust bid rigging (four years) and price-fixing (one year); and illegal logging on federal land (one year). In general, sentences for traditional street crimes tended to be lengthier, but many exceptions to this rule occurred (see also Cullen, Clark, Link, et al. 1985). In any case, these results show that there is little public opposition to sending white-collar offenders to prison.

C. *Firmness of Support for Prisons*

Thus far, we have reviewed research suggesting that the public favors "harsher" sentences and prison terms, often lengthy ones, for most offenders. Is this support for "getting tough" unshakable? If so, it would present a formidable barrier to any attempt to implement progressive policies, such as community-based alternatives to prison.

One consideration suggesting that the public's punishment preferences are firm is that they rest, at least in part, on the normative consensus that "the punishment should fit the crime"—that is, on the embrace of the principle of retribution or just deserts. Previous research has found that measures of perceived crime seriousness are positively and clearly related to sentencing severity (see, e.g., Blumstein and Cohen 1980; Hamilton and Rydina 1980; Warr, Meier, and Erickson 1983; Jacoby and Cullen 1998). The nature of the crime, in short, is

an important predictor of which offenders people believe should receive more or less punishment (although the relationship of seriousness to the absolute level of punishment is less strong). To the extent that sanctions violate this principle—such as when a violent offender is placed on probation or receives a short prison sentence—calls for tougher penalties are likely to occur. It is noteworthy that based on a Canadian study, Doob and Roberts (1988, p. 119) report that the main reason respondents gave for “why sentences should be made more severe” was that “offenders deserve more punishment” (76 percent rating this reason as “very important”).

The connection between seriousness and severity ratings, however, does not mean that just deserts is the only principle guiding views about the use of imprisonment. Although norms of just deserts may place limits on how little punishment people will find acceptable, research indicates that the public also supports utilitarian goals for imprisonment and for punishment in general (see Sec. IV). In the National Punishment Survey, for example, offense seriousness scores explained the largest amount of variation in sentencing preferences (Jacoby and Cullen 1998). Still, when respondents were asked in a separate question what was the purpose of the sentence they assigned to the offender in the vignette, the goal of just deserts ranked fourth behind special deterrence, boundary setting, and rehabilitation as a “very important” reason for choosing the sentence (Jacoby and Dunn 1987; see also Warr and Stafford 1984). As Warr (1994, p. 52) notes, “There is no single dominant ideology of punishment among the U.S. public. When asked, individuals commonly invoke or support more than one theory of punishment, and no one theory appears to dominate public thinking about punishment.”

Two considerations complicate matters further. First, survey research studies do not differentiate between what sentences people want imposed by the courts—and why—and then what they wish done with the offender while he or she is within the correctional system—and why (see Innes 1993). For example, a respondent may favor a prison sentence for reasons of just deserts but also believe that the offender should be given a chance to participate in a “boot camp” program or be given a chance to be released early by successfully completing a rehabilitation program. Studies of sentencing preferences, however, tend only to ask what sentence should be imposed and thus insufficiently measure the full correctional response citizens might endorse. Second and relatedly, rating what specific sentences should be assigned to indi-

vidual defendants described in vignettes is not the same as making judgments about policies that affect the correctional system. Thus citizens may favor prison sentences for burglars but, in the face of system overcrowding and scarce tax revenues, also favor community alternatives for property offenders. In short, support for prisons and for harsh sentences may differ depending on which domain of attitudes is being measured.

Research also indicates that the public is ambivalent about the prison’s effectiveness in preventing crime. This conclusion is supported by surveys conducted in various states during the nineties by Doble Research Associates (1994, 1995a, 1995b, 1995c, 1997, 1998). Most respondents opposed releasing violent offenders early from prison and favored longer prison sentences. Despite this fact, those surveyed generally agreed that “the vast majority of prison inmates sit around all day, playing cards and watching TV instead of working at a job that keeps them busy and helps them acquire skills to make them more employable when they get out.” Citizens also do not believe that prisons are doing a good job punishing or rehabilitating offenders. Finally and most noteworthy, many Americans question whether prisons reduce crime. In an Iowa survey, for example, 60 percent of the sample stated that the “majority of inmates” would be “more dangerous” when they were released from prison; only 9 percent answered “less dangerous,” while the remaining 31 percent answered “don’t know” (Doble Research Associates 1997). Similarly, when asked if “jails and prisons are really schools for criminals that turn new inmates into hardened criminals,” 48 percent of a New Hampshire sample agreed, 39 percent disagreed, and 14 percent did not choose an answer (Doble Research Associates 1998). And when asked about the potential impact of longer prison terms, 46 percent of Oregonians and 50 percent of Oklahomans answered “little or no effect on crime” (Doble Research Associates 1995b, 1995c).

Interpreting these research results is difficult. One possibility is that, regardless of what they believe prisons should accomplish, citizens are coming to see these facilities as having little utility beyond incapacitating offenders. In this scenario, prisons would be seen as offering a trade-off: they make offenders more criminogenic when released, but they prevent crime while these offenders are locked up. The trade-off becomes more worthwhile the longer offenders—especially those who inflict the most harm, violent criminals—stay behind bars. This calculus firms up support for incarcerating violent offenders but at the same

time makes imprisoning nonviolent offenders less attractive. A bifurcated public opinion thus emerges: more insistent on prison sentences for violence and more open to alternatives for property, drug, and similar offenses (see the research cited in Sec. III). Ironically, critics of prisons—including criminologists and other social science scholars—may help to cement this way of thinking. To the extent that they have persuaded the public that prisons are so inhumane that they are incapable of inducing offenders to change, they may unwittingly provide a convincing rationale for not releasing “dangerous” offenders into society.

Another possibility is that because a significant portion of the public has doubts about the effectiveness of prisons, support for their use is widespread but not as deep as is commonly portrayed. Except for the most egregious offenses and intractable lawbreakers, citizens may presumptively favor prison terms but be open to alternatives, shorter sentences, and/or parole release if given a convincing reason to do so. In this scenario, the bulk of the public are rational decision makers who are not wed to a strict “lock ‘em up” mentality. The challenge, of course, is to provide a justification for limiting the use of imprisonment that is coherent enough to maintain its persuasiveness across diverse sentencing situations.

Some backing for the view that support for prisons is somewhat “mushy” can be drawn from Turner et al.’s (1997) survey of 287 Cincinnati-area residents in 1995. They started with the assumption that punishment attitudes are not rigidly fixed at a single point but rather are best conceptualized as ranging from what sentence a respondent might prefer to what the person might be willing to “tolerate” or accept (Durham 1993; Bowers, Vandiver, and Dugan 1994). Using the factorial approach, vignettes were developed for two forms of robbery (with and without injury) and for two forms of burglary (\$250 and \$1,000 of stolen merchandise). In Ohio, these crimes carry a presumptive prison sentence of three to twenty-five years, depending on the characteristics of the offense and offender; one-third of Ohio’s prison population is composed of people convicted of some form of robbery or burglary. The respondents were given a list of sanctions that included traditional probation, three intermediate sanctions, shock incarceration, and imprisonment. Each of these sanctions was described in detail. To measure “tolerance,” the sample was first instructed to select the sanction that they would “most like” to give the offender; they then were asked what other sentences they would find “acceptable.”

The analysis suggested four main conclusions. First, only a limited percentage of the sample selected “regular probation” as a preferred or acceptable sentence. Second, the preference for imposing a prison sentence or shock incarceration was fairly modest, ranging across the four offenses from 51.7 percent to 57.9 percent. In part, the lack of strong support for locking up offenders may be because the community-based sentencing options included intermediate penalties and were explained (e.g., “Strict Probation: John would live in the community, but must meet with a probation officer five times a week for two years”). Third, when “acceptable” sentences were analyzed, only 26.8–35.2 percent of the sample still insisted on the offender spending time incarcerated. Across all vignettes, about two-thirds of the respondents thus were willing to tolerate a community-based sanction. Fourth, even so, tolerance for sanctions was bidirectional, with many of those initially favoring community sanctions also finding imprisonment acceptable.

Taken together, these results reveal that for traditional “street criminals”—robbers and burglars—the public tends to prefer, and certainly is not strongly opposed to, assigning a prison term. Citizens also appear wary of “regular probation,” a sanction that involves minimal contact with the offender. In contrast, they are willing to consider alternatives to incarceration if it appears that the community sanctions will involve some meaningful intervention (e.g., strict monitoring). We return to this point in Section III.

Finally, research on attitudes toward parole further illuminates the public’s willingness to attenuate support for prison when furnished with a rationale for doing so. In a 1995 national survey, respondents were asked what measures they would favor or oppose as a means of reducing prison overcrowding. Only 8 percent favored shortening sentences and only 21 percent favored “giving the parole board more authority to release offenders early.” In contrast, 64 percent endorsed the policy of “allowing prisoners to earn early release through good behavior and participation in educational and work programs” (Flanagan 1996*b*, pp. 88, 192). These results are similar to the findings of a survey conducted nearly a decade earlier in Ohio (Skovron, Scott, and Cullen 1988). This research suggests that while opposed to shortening prison terms in a sweeping and potentially arbitrary way, citizens will do so for offenders who have taken steps to improve themselves and whose prospects for community reintegration thus appear promising.

D. Support for Three-Strikes-and-You're-Out Laws

"Sentencing," argues Tonry (1996, p. 3), "matters in the 1990s more than ever before." Although battles over sentencing reform extend to the 1970s (Cullen and Gilbert 1982; Tonry 1992), the movement to constrain judicial discretion and to ensure that offenders would be "locked up" reached a feverish pitch in the nineties. From the mid-1980s into the early 1990s, the U.S. Congress and most states enacted a host of statutes mandating prison terms for a variety of offenses. By the end of the decade, virtually every state had a policy of mandatory minimum imprisonment (Tonry 1998). Truth-in-sentencing laws, which stipulate that offenders serve a high proportion (e.g., 85 percent) of the sentences imposed at trial, became commonplace (Ditton and Wilson 1999). Most salient, however, was the renewed enthusiasm for habitual-offender laws, which were repackaged under the label "three strikes and you're out." Between 1993 and 1995, twenty-four states and the federal government passed statutes that, with some variation, required life sentences—usually without the possibility of parole—for offenders convicted of three violent or serious crimes (Turner et al. 1995; Clark, Austin, and Henry 1997; see also Shichor and Sechrest 1996).

Does the public support three-strikes laws? At least as a general approach to punishing habitual violent offenders, the answer appears to be, yes. In a 1993 referendum, voters in Washington approved the first three-strikes statute by a 3:1 margin (Clark, Austin, and Henry 1997, p. 1); subsequently, the electorate in California ratified a three-strikes law passed by the state's legislature in 1994 by a margin of 72 percent for to 28 percent against (Shichor and Sechrest 1996, p. v). Opinion polls suggest that these results were not idiosyncratic. A 1994 Time/CNN Poll found that 81 percent of adults favored mandatory life imprisonment for anyone convicted of a third serious crime (cited in Applegate et al. 1996b, p. 518). In a 1994 Wall Street Journal/NBC News Poll, 76 percent stated that "life sentences without parole for criminals with three violent crimes" would make a "major" difference in reducing crime (*Wall Street Journal* 1994, p. A14). A study of Vermont residents in the same year reached similar results: 61 percent favored mandatory life sentences for three-time violent criminals, "even if this means the prisons will eventually be filled with lots of very old men who pose little danger to anyone" (Doble Research Associates 1994, p. 25).

It is questionable, however, whether citizens truly wish the three-

strikes law applied to every offender who would qualify for a life sentence without parole (Finkel et al. 1996; Roberts 1996). Thus, in factorial survey studies in which concrete cases are rated, the impact of prior record on sentencing preferences varies across studies—although it tends to explain some variation—and its effects are outweighed by the seriousness of the current offense (see, e.g., Applegate et al. 1996a, 1996b; Rossi, Berk, and Campbell 1997; Jacoby and Cullen 1998).

Research by Applegate et al. (1996b) illuminates the gap between "global" and "specific" attitudes toward three-strikes laws. In a 1995 study of Cincinnati-area residents, the respondents showed extensive support for the general or global concept of "three strikes and you're out." Over 88 percent of the sample stated that they either "strongly" (52.1 percent) or "somewhat" (36.3 percent) supported passing a three-strikes law in Ohio that would give a life prison sentence to "anyone with two serious felony convictions on their record who is convicted of a third serious crime" (1996b, p. 522). In a second stage of the survey, however, Applegate and his associates had the respondents rate a specific vignette that included a mixture of crimes that would make the offender eligible for a mandatory life sentence. The offenses included in the factorial vignette were derived from a three-strikes statute then pending in the Ohio legislature. The respondents were asked to select a sentence from a list that ranged from "no punishment" and "probation" to "life in prison" with and without a chance of parole. Across the vignettes, only 16.9 percent assigned a life sentence. In various multivariate models, moreover, past record generally had little, if any, effect on the sentencing decisions. Finally, in another part of the survey, the respondents also were asked if there were any circumstances under which they would make exceptions to imposing a "three-strikes life sentence." These data showed at least a measure of flexibility in punishment attitudes. Thus a majority of the sample favored making exceptions when a third offense was relatively minor, when the offender was mentally ill, when the inmate is rehabilitated while in prison, and when incarcerating the offender would mean that a more dangerous inmate would have to be released.

These results suggest that members of the public can hold seemingly incompatible views: favoring the general principle of three strikes and you're out but not believing that this principle should be applied invariably to specific offenders under specific circumstances. Future research should be designed to probe respondents to explain why they voice discrepant views. Respondents may not be conscious of the gap

between their global and specific attitudes, or perhaps their attitudes are a methodological artifact since distinct rating tasks are involved. The other possibility, however, is that different norms weigh more heavily in organizing public opinion in these two domains. Thus, in supporting three-strikes legislation, considerations of societal protection may be more salient: it seems like a good idea to take repeat, serious offenders off the street. In judging a vignette, though, the question of what is fair for the particular individual being sentenced becomes prominent (see Finkel et al. 1996). There may be consensus that dangerous people should be incarcerated for life but disagreement over who specifically qualifies for this designation and to what degree.

Although not addressing this question directly, Tyler and Boeckmann's (1997) survey of 166 residents of the East Bay area of San Francisco complicates our understanding of why the public might support three-strikes laws. Their analysis showed that support for California's three-strike initiative was not chiefly "instrumental": respondents concerned about crime and lacking faith in the courts were not more likely to endorse the initiative. Since the respondents were not asked directly why they supported the three-strikes proposal, this analysis cannot rule out that even those not gripped with concern about crime might have made the "rational" assessment that it was prudent to lock up repeat serious or violent offenders. Still, Tyler and Boeckmann's analysis also revealed that support for the three-strikes law was related to social values and concerns about the strength of social bonds in families. "Those citizens who feel that the moral and social consensus that holds society together is declining," they note, "are more supportive of punitive public policies" (1997, p. 256). In short, three-strikes laws may have struck a chord with the public not because they were a compelling crime control strategy but because they offered a symbolic means of affirming a shaky social order.

III. Public Support for Alternatives to Incarceration

In the 1990s, two issues—one occurring primarily at the front end of the decade, one primarily at the back end of the decade—dominated policy discussions about the nature of community-based corrections: intermediate sanctions and restorative justice. Although the effectiveness of these approaches in reducing offender recidivism is open to question, both enjoyed the support of liberals and conservatives (Cullen, Wright, and Applegate 1996; Levrant et al. 1999). "Intermediate sanctions"—penalties that exist "between prison and probation"

(Morris and Tonry 1990)—were favored by liberals as an alternative to prisons and by conservatives as a cost-effective means of punishing offenders. Restorative justice—the attempt to punish and reintegrate offenders into the community—was endorsed by liberals as another strategy for limiting the harm inflicted on offenders and by conservatives as a way of assisting victims.

Although not without important qualifications, public support for these initiatives appears to be fairly widespread. Thus research shows that citizens endorse the use of virtually all types of intermediate sanctions (e.g., community service, boot camps, intensive supervision programs). The public's backing of intermediate sanctions also appears to increase when its members are presented with information on the costs of prisons and on the nature of these community-based penalties. However, people support the use of intermediate sanctions primarily for nonviolent offenders as opposed to violent offenders and as an alternative not only for imprisonment but also for regular probation (i.e., they are not against net widening). Similarly, there is beginning to be evidence that restorative justice is favored by the public, in part, we suspect, because it promises to accrue benefits for—that is, to restore—victims, offenders, and the community. Once again, the public sees this type of sanction as mainly appropriate for nonviolent offenders.

A. Intermediate Sanctions

It is often stated that because traditional community correctional interventions—especially probation—are not viewed by Americans as punitive, a sentence other than imprisonment is seen as a sign of leniency (Flanagan 1996b). There is, in fact, evidence that the public views probation as a lenient punishment (Harlow, Darley, and Robinson 1995; see also Turner et al. 1997). In a 1996 national poll, 53.3 percent of the sample "agreed" that "community corrections programs are evidence of leniency in the criminal justice system." Only three in ten respondents disagreed, while the remainder (13.8 percent) were undecided (Flanagan 1996a, p. 6). In contrast, intermediate sanctions were intended to be sufficiently punitive to offer a "sensible" alternative to locking up offenders (Anderson 1998). Importantly, research indicates that in assessing the severity of punishments, the public views these sanctions "as intermediate in severity between the perceived harshness of prison and the perceived leniency of probation" (Harlow, Darley, and Robinson 1995, p. 86). Further, it would seem

possible to structure intermediate sanctions in ways to have them match or outweigh the severity of incarceration (e.g., three years on intensive supervision as opposed to a six-month jail sentence), thus increasing the potential to interchange community-based punishments for a prison term. It is noteworthy that studies show that offenders also rate certain intermediate penalties as more severe than limited stays in prison (Petersilia and Deschenes 1994; Spelman 1995; see also Crouch 1993).

A fairly large body of research now shows that the U.S. public strongly supports the use of some intermediate sanctions, such as restitution programs, community service, boot camps, intensive probation supervision, and home confinement/electronic monitoring (see, e.g., Reichel and Gauthier 1990; Senese 1992; Brown and Elrod 1995; Elrod and Brown 1996; Flanagan 1996a; DiMascio et al. 1997, pp. 43–45). The chief qualification to this conclusion, however, is that support for intermediate sanctions is largely limited to nonviolent offenders (see, e.g., Doble Research Associates 1994, 1995a, 1995b, 1995c, 1997, 1998; Brown and Elrod 1995). In a 1995 North Carolina survey, for example, respondents were given a list of eight different intermediate sanctions and asked their “views about using the alternative sentences instead of prison for selected nonviolent offenders” (Doble Research Associates 1995a, p. 40). Those favoring each option ranged from 80 percent for house arrest to 98 percent for restitution. When asked to rate specific cases, they clearly favored prison over alternatives for violent offenders, drug traffickers, and recidivist burglars. They tended to embrace alternatives for those committing minor property offenses (e.g., shoplifting, joyride), drug addicts who sell minor amounts of cocaine, drunk drivers, and first offenders. Interestingly, when asked to assign alternatives, the respondents “individualized” their sentencing preferences (e.g., treatment centers for offenders with drinking or drug problems, boot camp for burglars) (Doble Research Associates 1995a, pp. 46–52).

These findings suggest that public support for incarcerating violent and repeat felony offenders is firm. Why the public favors locking up these offenders rather than using alternatives, however, remains to be systematically explored. If the constraint on using alternatives is “just deserts”—serious offenders simply deserve to serve a prison sentence—then it might be possible to “package” a group of intermediate sanctions to match the level of severity of imprisonment desired (e.g., one year of home confinement, restitution to victim, and two hundred

hours of community service instead of a one-year prison sentence). If the concern is dangerousness and societal protection, then persuading the public that violent or repeat felony offenders should be “on the street” may prove more difficult. In local communities, public skepticism may have to be countered by showing that intermediate sanctions are effective in curtailing subsequent offending. As Petersilia (1997, p. 177) observes, studies have “shown that judges are more willing to place felons on probation when they perceive that the probation department can monitor the offender closely and that the community resources are sufficient to address some of the offender’s underlying problems” (see also Gendreau, Cullen, and Bonta 1994).

The appeal of intermediate sanctions is complicated further by another consideration: citizens appear to be in favor of net widening. Although they may endorse employing intermediate sanctions as an alternative to prison for some offenders, they also wish these penalties to be used as an alternative to probation (Farkas 1993). In a 1995 survey, Oregonians were asked if the state should “make greater use of alternatives, like boot camp, community service, restitution, a work center, house arrest or strict probation even if they are more expensive than having an offender see a probation officer once a month.” Despite the added cost, 65 percent of the sample “strongly favored” and 25 percent “somewhat favored” this proposal (Doble Research Associates 1995c).

There is some evidence, however, that support for prison terms will soften if respondents are presented with detailed information about the cost of prisons and about the nature of alternative sentences. Experimental studies conducted by the Public Agenda Foundation in Alabama (Doble and Klein 1989), Delaware (Doble, Immerwahr, and Richardson 1991), and Pennsylvania (Farkas 1993; Jacobs 1993) lend credence to this contention and show that exposure to knowledge may make intermediate sentences acceptable alternatives to imprisonment. Citizens in these states were asked to assign a sentence of either prison or probation to a list of “hypothetical cases” involving street crimes (e.g., burglary, robbery, rape, assault, petty theft, drug offenses). They were then shown a twenty-two-minute video “about prison overcrowding and five alternative sentences—strict probation, strict probation plus restitution, strict probation plus community service, house arrest, and boot camp—along with the main arguments for and against using the alternatives” (Farkas 1993, p. 13). They subsequently met for about ninety minutes in groups of fifteen citizens to discuss the issues “under the guidance of a neutral moderator” (Farkas 1993, p. 13). Fi-

nally, they completed a second questionnaire that retested their sentencing decisions—only this time they had the option of choosing one of the five intermediate sanctions.

The experiment's results were striking across all states. To take one example, in Pennsylvania, a majority of the respondents in the pretest favored prison in fifteen cases and probation in nine cases. In the posttest, however, a majority favored prison for only two crimes (forcible rape, fifth offense for a drug dealer/addict). The changes for several more serious crimes are especially revealing. Thus, for the offense of "armed robbery, first offense, pointed a loaded gun at the victim," the percentage of the participants favoring prison decreased from 76 percent to 36 percent when the alternative intermediate sanctions were available. A "burglary, second offense, armed, \$5,000 stereo" stolen decreased 40 percentage points from 87 percent favoring imprisonment to only 47 percent endorsing this sentence (Farkas 1993, p. 14; Jacobs 1993).

These findings must be viewed with an appropriate measure of caution. The use of a different rating task in the pretest and posttest (where more choices were available) may have produced a response bias in favor of decreased support for prisons. Because the respondents were not provided intermediate sanctions as punishment options in the initial survey, the decline in the preference for prison sentences might have been an artifact of the increased choices in the posttest questionnaire. In an experiment patterned after those of the Public Agenda Foundation, however, Lane (1997) found that even with identical rating tasks, punitiveness among a sample of college students was reduced for every vignette they judged following systematic efforts to provide information about punishment. For example, when surveyed at the beginning of the course, 72 percent of the participants favored probation or an intermediate sanction for a second-offense car theft; a posttest at the end of the course showed that fully 88 percent chose a sentence that did not include incarceration. We should note that Lane's analysis did not show a strong relationship between the amount of knowledge students gained and their attitudinal change. The precise role of exposure to information in fostering less punitive views thus remained unclear.

The Public Agenda Foundation's findings should also be interpreted carefully in light of the particular information given to the respondents. Even though an effort was made to create a video that was even-handed, the respondents' might have been less enamored with alterna-

tives if they learned that intermediate sanctions have few, if any, effects on recidivism (Petersilia and Turner 1993; Cullen, Wright, and Applegate 1996; Gendreau, Clark, and Gray 1996), that some scholars believe that those under community supervision offend at high rates (Piehl and Dilulio 1995), and that almost a third of death row inmates committed their murders while under probation or parole supervision (Petersilia 1997, p. 183)—and so on. It certainly is conceivable that a different set of criminological "facts" might have resulted in increasing public punitiveness. In short, exposure to "knowledge" is more problematic than advocates of sentencing alternatives suggest, and an "informed public" is not necessarily a more lenient public.

Still, the results from the Public Agenda Foundation's studies are at least suggestive that citizens may be more flexible in their views on sentencing than other research indicates (see also Turner et al. 1997). In the foundation's studies, the participants functioned more as members of a town meeting than as survey respondents. They listened to information and discussed what they learned with fellow citizens. This process, replicated across three states, appeared to foster a willingness to consider the benefits of intermediate sanctions. Citizens are not necessarily opposed to imprisoning offenders—as we have noted—but ideological space for alternatives might be created by policy makers who take the time to provide their constituencies with a rationale for expanding the use of community sanctions.

B. *Restorative Justice*

Restorative justice has emerged as an influential development within corrections (Braithwaite 1998; Hahn 1998; Levrant et al. 1999). This approach rejects a strictly punitive, retributivist rationale for sentencing in which the state's main function is to inflict a just measure of pain on offenders. Instead, in the face of harm caused by criminal acts, its overriding goal is to restore—to make whole again—the victim, offender, and community. Although not inherently inconsistent with imprisonment, restorative justice attempts to have offenders repair the harm they have caused while keeping them in the community. In this paradigm, however, a nonincarcerative sentence is not an entitlement but earned. Offenders are expected to take responsibility and express remorse for their harmful acts; they also are obligated to apologize to and otherwise compensate their victims and the community (e.g., through restitution, community service). Ideally, the offender is forgiven by the victim and reintegrated into the community (Dickey

1998). From a religious perspective, this is a case of "hating the sinner and loving the sinner" (Van Ness and Heetderks Strong 1997); criminologically, restorative justice is a manifestation of what Braithwaite (1989) calls "reintegrative shaming." This process is expected to make offenders less criminal.

Will the public support restorative justice as an alternative to imprisonment? Independent of its actual utility, which remains to be demonstrated more convincingly (Levrant et al. 1999), this approach is endowed with an attractive feature: it promises to "do justice" while at the same time having utility—of improving the lives of all involved. By contrast, a sentence of imprisonment—especially if it is purely punitive in content—fails to have the win-win quality of restorative justice; inmates might suffer but no one, in the end, is much the better for it. It is noteworthy, therefore, that research shows that sanctions with a restorative quality are strongly embraced by citizens. In a 1996 national poll, for example, respondents were asked what alternatives to prisons they thought would protect citizens against crime. Notably, 84 percent of the sample stated that restitution—"requiring probationers to work so that they can earn money to repay their victims"—would be "very effective" or "somewhat effective" in protecting public safety. The comparable figure for "requiring probationers to perform community service" was more than 77 percent (Flanagan 1996a, pp. 7–8). A 1998 New Hampshire poll revealed similar findings (Doble Research Associates 1998, pp. 29–30).

Even stronger evidence in favor of restorative justice can be drawn from a 1994 survey of Vermont citizens—a state that subsequently implemented a "reparative probation program" (Walther and Perry 1997). First, the respondents clearly supported the general concepts of offenders making restitution to victims, doing community service, and making apologies for wrongdoing. Second, when given a detailed explanation of "Community Reparation Boards where citizen volunteers would work with a judge to determine and oversee the sentence of selected nonviolent offenders," over nine in ten of the respondents favored the proposal. Third, the respondents opposed using this type of restorative justice for violent offenders (e.g., rapist, armed robber who shoots victim, armed burglar). Fourth, nonetheless, members of the sample did show a willingness to replace a prison sentence given to nonviolent offenders with a community-based restorative justice sanction. Thus a majority of the Vermont respondents favored using a restorative sanction even for repeat nonviolent offenders, such as an un-

armed burglar, shoplifter, writer of bad checks, or drunk driver (Doble Research Associates 1994, pp. 29–41).

Research on public support for restorative justice is only in its beginning stages. Still, the existing data suggest that the principles underlying restorative justice are appealing to citizens. An important next step is to investigate under what conditions this approach might be extended to cover selected violent offenders. It also might be profitable to examine whether restorative justice might be used in conjunction with imprisonment and, potentially, to reduce the length of prison sentences. Again, a key advantage of this community alternative is that it gives people a persuasive reason to lessen their general punitiveness and inclination to support imprisonment: victims, offenders, and the community will be better off.

IV. Public Support for Correctional Rehabilitation

The rehabilitative ideal—the notion that the purpose of state sanctions should be to treat and cure offenders individually—emerged in the Progressive Era and served as the dominant correctional ideology into the beginning part of the 1970s (Rothman 1980). In 1968, for example, a Harris Poll revealed that over 70 percent of the American public believed that "rehabilitation should be the main goal of imprisonment" (Harris 1968). In the past quarter century, however, the paradigm of individualized treatment has been under sustained attack: by liberals for giving criminal justice officials the discretion to impose unequal and coercive punishments on harmless offenders; by conservatives for giving officials the discretion to impose lenient and community-based punishments on dangerous offenders; and by people of all political persuasions for being empirically bankrupt and ineffective in stopping recidivism (Cullen and Gilbert 1982). A revisionist movement, which is reaffirming rehabilitation and empirically challenging the doctrine that "nothing works" to change offenders, has emerged and is gaining vitality (see, e.g., Cullen and Applegate 1997; Currie 1998). Even so, the question remains whether, after years of delegitimation by both politicians and academic scholars, the American public still embraces rehabilitation as an integral goal of the correctional enterprise.

The research suggests four major conclusions. First, there is some evidence that since the 1960s, support for rehabilitation has declined. Second, even so, rehabilitation remains widely endorsed by citizens as an important function of the correctional system. This support largely holds regardless of the methodology (or question type) used in the

opinion survey. Third, support for offender treatment is especially high for juveniles; "child saving" thus has not become unfashionable. Fourth and relatedly, early intervention programs, which target at-risk children and adolescents for help, are strongly advocated. In fact, when asked which option to fund with tax monies, a large majority of citizens favor early intervention programs over building more prisons.

A. Does the Public Still Support Rehabilitation?

There is now an extensive literature showing that the American public holds a "hybrid" (Tonry 1998, p. 206) theory of corrections, meshing together retributivist and utilitarian rationales for state legal intervention. Although those who are punitive tend not to favor offender treatment—and vice versa—a distinctive feature of corrections-related opinion is that citizens want offenders to be punished and rehabilitated. Scholars often discuss the philosophical and pragmatic conflicts between these approaches, but the public is reluctant to see the goals of punishment and treatment as mutually exclusive. While comfortable with the prospect of sending many lawbreakers to prison, the public also sees the wisdom of treatment programs that invest in offenders and reduce the threat they pose to the community. There is, in short, substantial evidence that the U.S. public does not endorse a purely punitive correctional system (see, e.g., Duffee and Ritti 1977; Gallup Report 1982; Flanagan and Caulfield 1984; Warr and Stafford 1984; Thomson and Ragona 1987; Cullen, Cullen, and Wozniak 1988; Cullen et al. 1990; Rich and Sampson 1990; McCorkle 1993; B. Johnson 1994; Flanagan 1996b; Applegate, Cullen, and Fisher 1997; Sundt et al. 1998).

Perhaps the most studied topic is the public's assessment of the "goals of imprisonment." This research suggests that there has been a decline in support for rehabilitation. As noted above, in 1968, the appeal of the rehabilitative ideal was extensive, with seven in ten Americans stating that offender treatment should be prison's chief purpose. Since that time, however, support for rehabilitation as the main goal of prisons has diminished (Pettinico 1994; Sundt et al. 1998). Table 1 shows the shifts in public opinion over a three-decade period. To an extent, the responses appear to be influenced by the number and wording of the response categories and by the wording of the questions asked (e.g., whether the offender is described as an "individual convicted of a crime," as a "man in prison," or as a "criminal who commits violence"). We can note, however, that five surveys reported in table

Public Preferences for the Main Goal of Imprisonment, 1968-96, Percentage Agreeing with Each Goal Reported

TABLE 1

Main Emphasis of Prison Should Be	Harris		Gallup		Cincinnati		Ohio		National	
	1968	1982	1982	1986	1995	1996	1995	1996	1995	1996
Rehabilitation	73.0	44.0	59.0	54.7	32.6	41.1	26.1	48.4	58.2	33.1
Punishment	7.0	19.0	30.0	5.7	27.2	20.3	14.6	48.4	33.1	33.1
Protect society	12.0	32.0	...	35.3	36.8	31.9	...	48.4	33.1	33.1
Punish and put away	...	...	...	...	...	...	...	48.4	33.1	33.1
Crime prevention/deterrence	...	...	...	...	...	...	...	48.4	33.1	33.1
Not sure/don't know/other	9.0	5.0	11.0	4.3	2.5	6.7	13.4	3.9	33.1	33.1

Sources.—1968 and 1982 Harris Polls reported in Flanagan and Caulfield (1984, p. 42); 1992 Gallup Poll reported in "Public Backs Wholesale Prison Reform" (1982, p. 16); 1986 and 1995 Cincinnati polls reported in Cullen et al. (1990, p. 9) and in Sundt et al. (1998, p. 435); 1996 Ohio poll reported in Applegate, Cullen, and Fisher (1997); 1995 and 1996 national polls reported in Maguire and Pastore (1997, pp. 154 and 155). NOTE.—The Harris, Cincinnati, and Ohio polls asked: "What do you think should be the main emphasis in most prisons—punishing the individual convicted of a crime, trying to rehabilitate the individual so that he might become a productive citizen, or protecting society from future crimes he might commit?" The Gallup Poll asked whether it was "more important to punish [men in prison] for their crimes, or more important to get them started on the right road" (which was categorized as "rehabilitation"). The 1995 national poll asked whether the government needs to "make a greater effort" to "rehabilitate" or "punish and put away criminals who commit violent crimes." The 1996 national poll asked what should be the main goal "once people who commit crimes are in prison."

I asked citizens virtually the same question and thus offer a basis for comparison that is potentially less influenced by methodological issues: the two Harris polls, the two Cincinnati polls, and the Ohio poll. Between 1968 and 1982, support for rehabilitation decreased in the Harris polls 29 percentage points to 44 percent. In the decade from 1986 to 1995, the decline in support for rehabilitation in the Cincinnati samples was 22.1 percentage points, with less than a third of Cincinnatians favoring the offender treatment option in the mid-nineties. The proportion of citizens endorsing rehabilitation was higher in a 1996 statewide Ohio sample—four in ten respondents chose treatment as their main goal of prisons—but this level of support still was substantially lower (31.9 percentage points) than the Harris poll conducted in 1968.

The data in table 1 suggest two related considerations. First, the 1995 national poll asked whether the government should place a greater emphasis on rehabilitating or “punishing and putting away” violent criminals. Note that only about a quarter of the sample endorsed treatment, although another 12.3 percent answered “both” (Maguire and Pastore 1997, p. 154; see also Gerber and Engelhardt-Greer 1996, p. 72). In contrast, the combined goal of punishment and incapacitation was favored by nearly six in ten respondents. With dangerous offenders, it appears that public protection trumps efforts to reform offenders.

Research by Sundt et al. (1998) reinforces this conclusion that citizens may be less supportive of treatment for violent as opposed to nonviolent offenders as the main goal of corrections (see also Cullen et al. 1990). In a 1995 survey of Cincinnati residents, Sundt et al. found that 66.1 percent of the respondents believed that rehabilitation would be “very helpful” or “helpful” for nonviolent offenders. The comparable figure for violent offenders was only 13.8 percent, although another 27.4 percent felt that treatment might be “slightly helpful” (1998, p. 437). A national study in the same year found that only 14.4 percent of the respondents believed that “most” violent criminals “can be rehabilitated given early intervention with the right program”; however, 44.8 percent did answer “some.” The remainder of the sample answered either “only a few” (28.7 percent) or “none” (9.1 percent). Other research suggests that, in general, the public believes that only a minority of prison inmates will be “successfully rehabilitated” (see, e.g., Doble Research Associates 1995b, p. 40).

Second, it appears that once offenders are in prison, support for re-

habilitating them is high. In the 1996 national study cited in table 1, almost half the sample members selected rehabilitation, rather than punishment or crime prevention/deterrence, as their preferred correctional goal “once people who commit crimes are in prison.” There is clear support for offender treatment, it seems, so long as it does not place the public at risk (Flanagan 1996b). Scholars have argued that Americans have become increasingly less tolerant of all types of risks, including, presumably, of offenders who will potentially inflict physical harm (Friedman 1985). The interesting question that remains is under what conditions might citizens be willing, when dealing with violent offenders, to exchange prison terms for community-based programs that promise intensive rehabilitation and supervision. It seems likely that obtaining public support for such alternatives will involve addressing legitimate concerns about community safety and demonstrating the effectiveness of the interventions being undertaken (in this latter regard, see Andrews and Bonta 1998, Lipsey and Wilson 1998).

In examining table 1, however, it is possible to focus on the “glass being half empty” and to ignore the “glass being half full” (see, e.g., Pettinico 1994). Although Americans may place a priority on public protection and worry about whether violent offenders can be changed, it would be erroneous to conclude that they wish to eliminate rehabilitation from the correctional system. At the very least, it appears that a substantial minority of the public defines rehabilitation as their preferred goal of corrections. The precise figure is in dispute and depends on the methodology used, but it is likely that this proportion ranges between one-third and two-fifths of the citizenry. Perhaps the best current estimate we have is the 1996 survey in Ohio—a moderate state politically—which, like the original Harris poll, gives multiple response options and asks about “convicted criminals” in general. As table 1 shows, over 40 percent of this statewide sample chose rehabilitation as their main goal of imprisonment (see Applegate 1997; Applegate, Cullen, and Fisher 1997).

Three additional types of data lend additional credence to the view that rehabilitation retains support among the American public. First, the polls summarized in table 1 used forced-choice questions to make respondents select which correctional approach was their main goal. Selecting one option, however, does not necessarily mean that other goals are rejected. In fact, focusing on a single choice may distort the key feature of public opinion about corrections: citizens want the system to accomplish multiple goals (Warr 1994). In this regard,

Applegate, Cullen, and Fisher (1997, p. 246) showed this to be the case. When asked to rate the importance of various goals of imprisonment, over 90 percent of their Ohio sample rated protection and punishment as "important" or "very important." Although support was not as strong, more than eight in ten Ohioans defined rehabilitation as "very important" (45.1 percent) or as "important" (37.7 percent).

Second, surveys have asked people about their support for various correctional programs. Almost uniformly, the U.S. public has strongly endorsed such interventions. In a 1997 U.S. News and World Report and Bozell Worldwide Poll, more than three-fourths of the national sample favored "prisoner rehabilitation programs" (see <http://dialog.carl.org>).² The nationwide 1996 Survey of American Political Culture reported that 85 percent of those surveyed stated that "more treatment and education" was either "very important" or "important" to "solving" the crime problem (from <http://dialog.carl.org>). Similarly, a 1995 Oklahoma survey found that two-thirds of the sample favored "providing psychiatric treatment to every mentally ill inmate" and making "sure every inmate has a chance to get a high school diploma"—"even if this is more expensive than what we now do" (Doble Research Associates 1995b, p. 40; see also Flanagan 1996b, p. 84). And in Applegate, Cullen, and Fisher's (1997, p. 247) Ohio survey, more than eight in ten respondents agreed that "it is important to try to rehabilitate adults who have committed crimes and are now in the correctional system" (85.6 percent) and that "it is a good idea to provide treatment" both "for offenders who are in prison" (85.9 percent) and "for offenders who are supervised by the courts and live in the community" (85.9 percent). A majority of the sample even supported treatment for chronic offenders, with 54.2 percent agreeing that "rehabilitation programs should be available even for offenders who have been involved in a lot of crime in their lives."

Third, a limited amount of research has focused on whether citizens express support for rehabilitation after being asked to judge specific offenses or vignettes. In a 1992 survey of 397 residents in the Las Vegas, Nevada, area, McCorkle (1993) presented the respondents with brief scenarios of six street crimes: robbery, rape, molestation of several boys, burglary, selling drugs, and drug possession. They were then

² These public opinion data—and others in the text carrying the same reference—are drawn from an Internet site that provides access to POLL. Information on accessing POLL may be obtained from the Roper Center (<http://ropercenter.ucom.edu/index.htm>).

asked to agree or disagree with eight statements about what do with the offender in each scenario; four statements assessed attitudes toward punishment while the other four gauged attitudes toward rehabilitation. There was clear support for dealing severely—including incapacitating—these street criminals. Nonetheless, across the six offenses, only a third of the sample agreed that "trying to rehabilitate this person would probably be a waste of time," while about 70 percent believed that "the offender would probably benefit from the psychological counseling programs offered in prison" and that "more effort needs to be made to expand and improve programs that would give this offender the chance to change his life." There was more ambivalence about whether "educational and vocational programs" would make an offender "not commit crimes in the future." Still, almost half the sample agreed with this statement (McCorkle 1993, p. 246).

Similar results were reached by Applegate, Cullen, and Fisher (1997; see also Applegate 1997), using a factorial vignette method and having the respondents evaluate whether they endorsed rehabilitating the offender described in the vignette. In addition to a variety of offender characteristics, each vignette focused on a street crime that was punishable by incarceration in the state of Ohio. The vignette also stated that the offender was sentenced to prison, intensive supervision probation, or regular probation and that the offender was involved in a psychological, educational, or vocational rehabilitation program (Applegate 1997). Again, over eight in ten respondents agreed, in reference to the offender portrayed in the vignette, that they supported "the use of rehabilitation," that "it was right to put people like [the offender] in programs that try to cure the particular problem that caused them to break the law," that "this type of rehabilitation program should be expanded," and that "trying to rehabilitate [the offender] will lessen the chances that he/she will go back into crime." Although less supportive, a clear majority—55.8 percent—also agreed that if the offender "successfully completes his/her rehabilitation program, he/she should have the opportunity to have his/her sentence reduced" (Applegate, Cullen, and Fisher 1997, p. 248).

In short, whether respondents rate goals of imprisonment, global statements about offender rehabilitation, or crime-specific vignettes, they show consistent support for rehabilitation as an integral function of corrections. The American people can be punitive and can be skeptical about any policy that does not incapacitate violent offenders, but they also believe that the state should make a concerted effort to help

offenders change for the better. Future research might profit from exploring whether—despite three decades of attack—the rehabilitative ideal retains its appeal because of its potential utility, because of its moral message about the values that Americans, as a people, wish to embrace, or both (see Anderson 1998, pp. 16–17).

B. Support for Juvenile Rehabilitation

A century ago, the juvenile court was created with the special mission to “save” children from wayward behavior and a life in crime through individualized treatment (Platt 1969; Rothman 1980). Calls to transform, if not abolish, the juvenile court come from both sides of the political spectrum—from liberals skeptical about the efficacy of treatment and dismayed by the “arbitrary” nature of judicial discretion to conservatives who blame this overly “lenient” system for turning superpredators loose on an unsuspecting community. As Feld (1998, p. 189) notes, most legal reforms undertaken in the past decade have been targeted at “serious, persistent, and violent youth” and either have sought to increase the ease of transferring these offenders to adult court or have mandated that juvenile court judges sentence them to determinate, lengthier terms of incarceration.

To an extent, public opinion is consistent with this policy trend to “get tough” with youthful offenders (Triplitt 1996; Roberts and Stalans 1997, pp. 270–75). A 1994 survey, for example, asked a national sample how “society should deal with juveniles under 18 who commit crimes.” Over half, 52 percent, chose “give the same punishment as adults,” while only 31 percent selected “less emphasis on punishment/more on rehabilitation”; 13 percent volunteered that “it depends on circumstances” and 3 percent said “other” (Maguire and Pastore 1995, p. 178). A poll in the same year found that for “juveniles who commit a violent crime,” over two-thirds of the sample preferred that they be “treated the same as adults” rather than “given more lenient treatment in a juvenile court” (13 percent) (Maguire and Pastore 1995, p. 179). And a 1995 national survey found that a high proportion of the respondents favored trying a juvenile as an adult for a serious property crime (62 percent), for selling illegal drugs (69 percent), and for a serious violent crime (87 percent) (Triplitt 1996, p. 142; see also Schwartz 1992).

Interpreting these findings is difficult, however, because the questions used in the polls tend to focus on “serious” or “violent” offenders and ask about “treating juvenile criminals the same as adults.” The public’s responses may not be an unqualified endorsement either of ef-

forts to abolish the juvenile court or of waivers to adult court but, rather, a reflection of the global view that serious youthful lawbreakers should not be treated leniently. Indeed, when queried about more specific policies, the public’s views are more tempered. Based on a national survey, for example, Schwartz (1992) found that little more than a third of the sample agreed that a “juvenile convicted of a crime should receive the same sentence as an adult, no matter what the crime.” The study also revealed that the respondents opposed to sending juveniles to “adult prisons” strongly favored community-based programs over training schools “for all but the most violent or serious juvenile offenders,” and reserved transfer to adult court for youths who were seventeen and older (1992, see figs. 7, 9, 13, and 14; see also Schiraldi and Soler 1998). Similarly, other research shows that citizens reject giving prosecutors “total discretion . . . to try juveniles as adults for all felonies” (Schiraldi and Soler 1998, p. 598) and that people are reluctant to waive to adult court even juvenile murderers if they had been abused by their father (Stalans and Henry 1994). Further research is needed to untangle more carefully the factors that condition how harshly Americans wish juveniles to be punished.

Regardless, the existing research is clear in showing that the public not only embraces offender treatment as a core goal for juvenile corrections but also is more supportive of juvenile than adult rehabilitation (see, e.g., Cullen, Golden, and Cullen 1983; Steinhart 1988; Gerber and Engelhardt-Greer 1996, p. 69; Moon et al. 2000). In their 1995 Cincinnati survey, Sundt et al. (1998, p. 437) found that over eight in ten respondents felt that juvenile rehabilitation was either “very helpful” (40.3 percent) or “helpful” (45.3 percent); for adults, the combined figure was 60.3 percent. Applegate, Cullen, and Fisher’s (1997, p. 247) Ohio survey discovered that over 95 percent agreed that “it is important to try to rehabilitate juveniles who have committed crimes and are now in the correctional system”; the figure for adults was 85.6 percent. Likewise, when asked where they would prefer to spend money on correction, 92 percent of Oregonians selected “rehabilitate juvenile offenders” versus “rehabilitate adult offenders” (73 percent) and “punish juvenile offenders” (77 percent) (Doble Research Associates 1995c, p. 65).

Research on the goals of corrections reinforces the conclusion that Americans retain a strong belief in “child saving.” Thus Schwartz’s (1992, see fig. 6) study found that when asked what should be the “main purpose of the juvenile court,” 78 percent chose “treat and re-

habilitate young offenders," while 11.9 percent chose "punish them" and 9.7 percent selected "both equally." In a 1995 national poll, people also were asked which correctional goal "should be the most important in sentencing juveniles." Half the sample answered "rehabilitation," far outstripping "retribution" (31 percent), "deterrence" (15 percent), and "incapacitation" (4 percent) (Gerber and Engelhardt-Greer 1996, p. 69). Finally, in a 1998 statewide survey in Tennessee, nearly two-thirds of the respondents stated that rehabilitation should be the "main emphasis of juvenile prisons." Only 18.7 percent selected punishment and 11.2 percent protecting society; the remaining members of the sample were "not sure." Further, more citizens were likely to choose rehabilitation as a "very important" goal than the other correctional approaches (Moon et al. 2000).

C. Support for Early Intervention Programs

Over the past decade, the emergence of "life-course" or "developmental" criminology has demonstrated that the roots of crime often can be traced to early childhood experiences and that early antisocial conduct is an important predictor for later criminality. These considerations suggest that interventions targeting high-risk children and adolescents might do much to prevent future offending (Farrington 1994). It is noteworthy, therefore, that a growing literature is emerging demonstrating the effectiveness of early intervention programs in reducing problem behavior and in increasing healthy, prosocial outcomes (see, e.g., Farrington 1994; Howell and Hawkins 1998). But will the American public support such efforts? Although the research is limited and further studies are warranted, the answer appears to be decidedly in the affirmative.

In a 1997 California survey of registered voters, over eight in ten respondents said that their "biggest priority is to invest in ways to prevent kids from taking wrong turns and ending up in gangs, violence or prison"; only 13 percent preferred "to build more prisons and youth facilities and enforce stricter sentences to guarantee that the most violent juvenile offenders are kept off the street" (Fairbank et al. 1997, p. 2). A 1998 poll replicated these results (78 percent) and also found that more than seven in ten Californians rated vocational training programs, youth center programs, afterschool programs, and full-service programs as "effective" for preventing "youth violence" (Resources for Youth 1998). A 1997 survey in Tennessee yielded similar results (Cullen et al. 1998). Thus "to stop crime," three-fourths of the sample fa-

vored spending tax dollars on the "early intervention option" as opposed to the "incarceration" option. Further, support was high—about eight in ten citizens or higher—for a range of early intervention programs, including preschool programs, treatment services for neglected or abused children, training in parenting skills, early identification by teachers and treatment of at-risk youths, after-school programs, drug education, school retention programs for delinquent youths, and treatment programs for families when youths are first convicted of a crime (1998, pp. 194–96).

V. Conclusions

In ending an essay it is customary to review what has been distilled from the research, to identify what might next be investigated, and to comment on what implications the findings might hold. We do not depart from this convention. Thus we begin this section by summarizing our main conclusions regarding the nature of public opinion about punishment and corrections. In doing so, we reiterate that people's attitudes are complex and more ideologically diverse than they are commonly represented. We then discuss six avenues for future research that might be profitably explored. We also make the point, however, that the basic contours of what we know about public opinion are unlikely to change even in the presence of additional studies. Finally, we draw one broad policy implication from the existing survey research: the lack of political will—not public opinion—is the main barrier to developing a more balanced approach to sentencing and correctional policy.

A. Mapping Public Opinion

In reviewing polling data and scholarly research from the past decade, it appears that public opinion about punishment and corrections is multifaceted and is easily misrepresented either by brief polls or by pithy phrases like "the public wants to get tough on crime." Capturing the complexity of citizens' views is challenging, although we close this essay by trying to do so. Like cartographers seeking to map uncharted territory, however, we are handicapped by incomplete information about the landscape we are crossing (much more research needs to be done) and by an incomplete idea of precisely where we should travel (we need better theories to direct our research and interpretations). In all, we offer seven central themes.

1. *The American Public Is Punitive toward Crime.* On a general or

“global” level, the public prefers or, at very least, accepts policies that “get tough” with offenders. Thus, when asked, they endorse capital punishment, harsher punishments, three-strikes-and-you’re-out laws, prison terms for most offenders, and lengthy incarceration for violent criminals. These attitudes are not merely a methodological artifact but likely are a general propensity that underlies many people’s thinking. The existence of these propensities does not mean that most Americans are mindlessly or uniformly punitive, only that their first impulse is often in this direction.

2. *Public Punitiveness toward Crime Is “Musty,” Not Rigid.* It is not clear that most citizens are highly committed to one fixed view toward the sanctioning of lawbreakers. This mushiness, as Durham (1993, p. 8) calls it, is significant because it suggests that, in contrast to how they may have answered simplistic polling questions, citizens may be willing to accept less punitive interventions. Most noteworthy, when given more information about offenders and more sentencing options—that is, when placed in a position comparable to that of a “real” judge or policy maker—people tend to modify their harshness. Attitudinal mushiness, however, does not extend in only one direction. Opinions about crime fluctuate and are likely to become more harsh if citizens are told disturbing stories about offenders and the nation’s crime problem by the media or bully-pulpit politicians (see Beckett 1997).

3. *Utility Matters: People Must Be Given a Good Reason Not to Be Punitive.* The public appears to want the “punishment to fit the crime.” Retribution or just deserts thus plays a role in how much punishment, more or less, people want individual offenders to receive. Even so, most Americans hold “hybrid” theories of corrections and believe that societal safety is a legitimate concern of state legal intervention. While inclined to give harsh punishments, they are potentially open to tempering their punitiveness if given a good reason for doing so. A good reason typically is rooted in notions of utility: it “makes sense.” Thus people will favor correctional approaches that keep offenders in the community if they are persuaded that offenders will do service for the community, pay restitution, and improve themselves; they will support early release from prison or shorter sentences if inmates have been reformed and thus no longer need to reside behind bars at a cost of \$25,000 a year; and they will relinquish support for the death penalty if persuaded that the offender will never kill again and will work to make the lives of the victim’s family less burdensome. We offer this

simple thesis: the more a proposed sentence or correctional policy has utility for the community, victims, and offenders, the more Americans will support it. This thesis offers a lesson for progressives: less punitive interventions generally will not be endorsed—regardless of appeals to the values of justice and humanity—if they do not also have demonstrable utility.

4. *Violent Crime Is the Great Divide between Punitiveness and Nonpunitiveness.* The American public is risk averse. It sees no reason to “take chances” with offenders who have shown that they will physically hurt others. Although not enamored with the effectiveness of prisons—and sophisticated criminological debate aside (cf. Clear 1994 with Bennett, Dilulio, and Walters 1996)—it is “common sense” to people that offenders not on the street will not hurt them. Placing dangerous people in the community is not understandable. However, almost any option—except pro forma, unsupervised probation—is open for discussion when weighing what to do with the so-called nonviolent offender, even those who have been habitually criminal. Imprisonment is an acceptable option, but so, too, are intermediate sanctions. Deciding who does or does not qualify as a “violent” offender is a key issue in determining which lawbreakers fall on which side of this policy divide. Further, although an uphill struggle, all this does not mean that citizens will always reject community-based alternatives for violent offenders. The argument for doing so, however, will have to be awfully good.

5. *The Public Continues to Believe That Rehabilitation Should Be a Goal of the Correctional System.* The enormous criticism of correctional treatment, sustained now for three decades, has not succeeded in debunking rehabilitation in the public’s eyes. Americans are perhaps less idealistic than they once were about the ability to change lawbreakers; they realize that treatment programs in prison may only succeed with a limited number of inmates. Still, they believe that corrections should, at least in part, involve the process of “correcting” offenders. Possibly, the belief that all but the most wicked can be saved is so deeply ingrained in the American cultural heritage that we, as a people, are not going to relinquish the correctional system to the darker philosophies of vengeance and warehousing. Rehabilitation offers the rare combination of morality and utility: it is possible to invest in and seek the betterment of offenders while simultaneously enhancing public safety (“I would rather have them come out better than they went in”). Progressives—especially those who have rejected offender treatment—may

wish to consider that the rehabilitative ideal remains one of the most viable and culturally sensible rationales for not inflicting unnecessary harm on lawbreakers.

6. *The Public Strongly Supports "Child Saving."* Support for "saving" children is not unconditional: for most citizens, youths who are violent or seriously criminal forfeit their status as "children" and require the kind of control typically reserved for adults. Otherwise, most Americans believe that "it is never too late" for wayward youngsters to change and that the correctional system should be involved in redirecting the lives of these offenders. Efforts at preventing at-risk children from ever "getting in trouble" are particularly appealing. Who, after all, can be against programs that save children from a life in crime and thereby make the community safer? Putting hardened criminals in prison may be necessary, but to much of the public it makes more sense to channel tax dollars into early intervention programs that derail the "hardening" process in the first place.

7. *The Central Tendency in Public Opinion Is to Be Punitive and Progressive.* When people break the law, most Americans want something sensible done. The public most rejects the idea that anyone can simply flaunt the law and then be given a meaningless penalty that is both lenient and ineffective. Citizens want some sign, some assurances, that an intervention of consequence follows a crime. In the end, they would like the correctional system to act responsibly: egregious crimes deserve egregiously harsh punishment, but less serious crimes can be assigned intermediate sanctions. Truly dangerous people need to be locked up, but if supervised correctly and made to repair the harm they have caused, perhaps many other offenders could be placed in the community. All the while, efforts should be made to rehabilitate lawbreakers, especially juveniles, while they are within the system. In short, do justice, protect society, and reform offenders. This admonition may contain conflicting philosophies and policy prescriptions, but it is the multifaceted or hybrid mission that most Americans believe the correctional system should work vigorously to realize.

B. Future Research

The study of public opinion about crime-related policies offers ample research opportunities. First, there is a desperate need for more sophisticated studies of correctional policies that use national samples. Take, for example, the philosophy of offender rehabilitation, which has long shaped policy and practice within corrections. Despite the cen-

trality of the treatment ideal, to our knowledge there has never been a systematic study of public support for rehabilitation that has used a national sample. Instead, data from national samples are limited to occasional one-question polls or, even in the best studies, to several questions (e.g., Flanagan and Longmire 1996). More detailed local studies do furnish valuable information (e.g., Applegate 1997; Applegate, Cullen, and Fisher 1997); in fact, it is not clear that the results from community and state samples would differ dramatically from those drawn from surveys of national samples. Even so, the credibility of such research is diminished, since the generalizability of the findings to other contexts is open to question. In short, conveying persuasive conclusions on public opinion about rehabilitation or other correctional issues will require national data that cannot be dismissed by potential critics.

Second, we need to learn more about the relationship between "global" and "specific" attitudes. As discussed, research now reliably shows that when asked broad questions about sanctioning offenders, respondents are more punitive than when asked to use a detailed scale of penalties to punish specific offenders (see Roberts and Stalans 1997, pp. 218–22). We have hints as to why this is the case (e.g., broad questions elicit images of violent criminals—the very subset of offenders who people want most severely penalized). Even so, our understanding of why punitiveness tends to be people's initial response to questions measuring global attitudes remains in its beginning stages. We also know only a little about whether the sources of global and specific public opinion are the same or different, although some research suggests they may be fairly similar (Applegate et al. 1996b; see Applegate 1997). Similarly, few studies have explored how closely these two types of opinions are related to one another. Sprott's (1998) research, based on a 1997 survey of Ontario, Canada, respondents, reports that a global belief in the abolition of the juvenile court was related, but only in a complicated way (i.e., through other beliefs), to a preference for harsher sanctions in specific criminal cases. Perhaps more important, we have yet to learn which type of opinion—global or specific—is more salient to citizens. For example, when people enter the voting booth, do their global or specific attitudes play more of a role in shaping which lever they pull or box they punch?

Third, it is well documented that the public's knowledge of punishment and correctional issues is limited (Roberts and Stalans 1997). There is evidence that citizens underestimate the punitiveness of the

sentencing process and, in turn, that this perception may foster their desire for the imposition of harsher sanctions (Hough and Roberts 1999). Findings such as these prompt the suggestion that efforts be made to "educate the public," presumably with the effect of making people less punitive, more open to progressive policies, and perhaps more confident in the performance of the correctional system (Roberts and Stalans 1997, pp. 291–93). Creating an informed citizenry, however, promises to be a daunting task. Even if knowledge is disseminated—likely a financially expensive proposition—it is possible that many people will simply dismiss the criminological "facts" being presented as mere rhetoric and, given the "rationality of ignorance," choose not to invest the time and energy to gain access to this knowledge (Kinder 1998). For these and other reasons, political scientists have long struggled with the question of whether "an informed public is possible" (Delli Carpini and Keeter 1996, p. 288). In this context, research is needed that explores how it is possible effectively to impart knowledge about crime policies.

These considerations lead to the broader issue of whether it matters that many individual citizens are ignorant about correctional policies. Recall the concept of the "miracle of aggregation"—the idea that when the ill-informed views of individual citizens are combined, the public's collective opinion is "rational" (Page and Shapiro 1992; Kinder 1998). In the area of crime, researchers might explore more fully whether a case can be made for a "rational public" (Page and Shapiro 1992). To a degree, this has been an implicit theme of this essay: overall and despite how citizens are often characterized, the public is fairly rational in its support of a crime-policy agenda that is balanced ideologically and committed to sensible correctional interventions.

These observations suggest a fourth area for future research. Is the public sufficiently rational that public opinion fluctuates, at least broadly, in response to real events in the wider environment? Page and Shapiro (1992) embrace this position, presenting data from the 1960s and 1970s linking urban turmoil and escalating crime rates to jumps in the public's punitiveness and to drops in the public's support for rehabilitation. Although "the trend toward punitiveness was not mechanical or inexorable," argue Page and Shapiro (1992, p. 92), "opinions reacted to information and events, moving in different directions at different times and distinguishing among different types of criminal justice policies." The alternative view is that public opinion reflects not

the events of the day but manipulation by politicians and the media. Thus Beckett (1997) tests this possibility by investigating the timing of shifts in public opinion vis-à-vis the timing of when politicians undertake "initiatives" (e.g., give speeches and call for a "war" on a "problem," introduce legislation) and when media attention coalesces around an issue. Her data are favorable to the manipulation thesis, showing that changes in public concern about crime and drugs most often follow not rises in the incidence of the conduct in question but increases in political initiatives and media coverage focused on these issues (see also Scheingold 1984). "Popular attitudes about crime and drugs have been shaped to an important extent by the definitional activities of political elites," concludes Beckett (1997, p. 27). "These actors have drawn attention to crime and drug use and framed them as the consequence of insufficient punishment and control." Although valuable contributions, these studies should be extended with more diverse measures and, when feasible, tested in state and local contexts (see also Scheingold 1984).

Fifth, within the field of criminology, there has been increasing attention paid to studying crime across the life course (see, e.g., Sampson and Laub 1993). In contrast, to the best of our understanding, there is no comparable agenda under way to use a life-course perspective to organize knowledge and research on public opinion about crime-related issues. Nearly all public opinion polls on punishment and corrections are "snapshots" of adult respondents at one particular moment in time. These respondents are not followed over time—from childhood, into adolescence, and through the various stages of adulthood. As a result, we do not have much knowledge about how, and to what extent, beliefs about punishing offenders are formulated early in life. Dunaway and Cullen (1991) touch on this issue, showing that conservative parents are more effective than liberal parents in transmitting their crime ideology to their children. But this research is only a beginning effort. We also have little understanding of whether views about crime-related policies remain largely stable across the life course or whether intra-individual change is common. If people's views fluctuate over time, moreover, a life-course perspective would urge us to examine the potential causal influence of the major life transitions that most people experience, such as marriage, joining a church, changing peer groups, and entry into the labor market. A life-course perspective thus offers rich research possibilities by focusing attention on how develop-

mental continuities and changes—factors that affect so much else in people's lives—may also play a role in shaping their views on punishment and corrections.

Sixth, in a recent study using data from the 1996 British Crime Survey, Hough and Roberts (1998, 1999) found that respondents both had limited awareness of sanctions other than imprisonment and underestimated the punitiveness of the sentences actually imposed on offenders. Almost four in five respondents believed that sentences were too lenient to "some degree," while one in two thought that the sanctions were "much too lenient." Even so, when asked to rate a specific case in which the offender—a burglar—was actually given a three-year sentence, the respondents assigned a median prison term of twelve months, a "result that might surprise those who believe that the British public are highly punitive" (Hough and Roberts 1999, p. 20). Further, when given a menu of possible sanctions, including noncustodial penalties, almost half the sample favored a sentence that did not involve imprisonment.

Notably, if the nationality of the sample had not been disclosed, one might have thought that the study had been conducted in the United States: the findings for the British sample are strikingly similar to the views expressed on surveys by U.S. residents. There is a tendency in cross-national research to emphasize how peoples diverge in their views; and, to be sure, understanding how cultural factors differentially shape views toward sanctioning is an important task (see, e.g., Sanders, Hamilton, and Yuasa 1998). Still, the commonality in opinions among citizens of different nations is equally important to investigate. Why do shared views, as well as shared gaps in knowledge, exist? Is this phenomenon a by-product of the broad social force of modernization that constrains thinking into limited categories? Or, in the other extreme, might sociobiology provide the answer, with certain qualities of the brain and adaptive orientations rooted in evolution restricting how humans, regardless of location, think about conduct, like crime, that threatens their safety (Wilson 1998, pp. 226–27)? Further, what does all this say about the role of public opinion in shaping correctional policy cross-nationally? If thinking about crime and punishment falls within a limited range of variation, what then accounts for cross-national differences in penal practices?

Many more topics could be listed that warrant detailed investigation: gender differences in public opinion about punishment and how these might be illuminated by theories emphasizing how men and women

hold distinctive views of justice; how broader theories of public opinion might direct research on citizens' views on crime-related policies (Kinder 1998); and how respondents' use of computers to complete surveys might affect their willingness to disclose their opinions, especially on sensitive topics (Turner et al. 1998)—to name but a few issues. But if the roster of topics to study seems virtually unending, in another, albeit limited, way additional future research is unlikely to revise what we now know.

Two decades ago, Sherman and Hawkins (1981, p. 46) commented that "our knowledge of public opinion about breakfast food is far deeper than our knowledge of public opinion about criminal justice." This assessment still may be accurate, but only because marketing researchers know a great deal about breakfast food, not because social science insight into public opinion has not substantially advanced. We hasten to reiterate the need for more research to firm up and flesh out our understanding of what people want done with lawbreakers. Nonetheless, we also want to counter any suspicions that knowledge about public opinion remains shallow. We have now accumulated enough research that the basic parameters of public opinion about punishment and corrections outlined earlier in this section are unlikely to be substantially revised as further research appears (see Roberts 1992; Roberts and Stalans 1997, 1998). In particular, we should have a measure of confidence that members of the public, although punitive in important ways, hold a complex vision of corrections that includes the capacity to temper harsh sentiments and to endorse a range of policies that seek the betterment of offenders. We end this essay with the policy implications of this central finding.

C. Policy Implications

By the mid-1970s, the United States had experienced a dramatic shift in correctional paradigms (Cullen and Gilbert 1982). Prior to this time, there was a notion—admittedly too infrequently realized in practice (Rothman 1980)—that concerted efforts should be made to reform the wayward. Consistent with the thrust of the welfare state, there was a sense that the government should invest resources in offenders with the intent of fixing the defects, psychological and social, that had led them astray. Since this time, however, there has been a steady effort to make punishments longer and life for offenders—whether under community supervision or inside prisons—more painful. The major investment has been in prisons and in the technology

of supervision, not in people. Clear (1994) has used the term "penal harm movement" to capture this paradigm shift and the array of policies enacted explicitly to discomfort offenders. Although later in developing and perhaps less strident in its embrace of harming offenders, similar trends appear afoot in other nations, such as Canada (Roberts, Nuffield, and Hann 1999) and Great Britain (Sparks 1996, Hough and Roberts 1999).

Any meaningful policy discussion, at least in the United States, must start by confronting the seeming intractability of this "get tough" or "penal harm" movement. This obligation seems especially required in the case of "public opinion." To be honest, we do not know what precise role public opinion has played in fueling the vitality of this punishment movement, but it is clearly implicated in sustaining it. For much of the past three decades, the idea of a "punitive public" has been used to legitimate virtually every law that has ratcheted up the punishment on offenders (Scheingold 1984; Cullen, Clark, and Wozniak 1985; Beckett 1997). To cite but one of many recent examples, Ditton and Wilson (1999, p. 2) argue that "over the past two decades, sentencing requirements and release policies have become more restrictive, primarily in response to widespread 'get tough on crime' attitudes in the Nation."

These claims likely are not without some merit. Citizens do harbor punitive sentiments and, conversely, do not use their vote to throw get-tough legislators, prosecutors, and judges out of office. Still, claims linking harsh policies to public opinion risk creating a distorted reality that forecloses consideration of a wider range of policy options. The very notion of a punitive public too often looms above policy discussions, prompting the refrain that the "public will never support" a given progressive initiative. It is instructive that surveys reveal that policy makers invariably overestimate rather than underestimate the punitiveness of the public (Roberts 1992; Roberts and Stalans 1997).

Further, in a democratic nation, an underlying legitimacy attaches to the claim that one's position reflects the public's collective will. Those who challenge the public's views—who depict that average citizen as ill-informed or as suffering false consciousness—run the risk of being called an "elitist" or a "so-called expert" who is "out of touch" with the "common man and woman." Advocates of the punishment paradigm often revel in the polling numbers that ostensibly show that the public wants to put offenders to death or behind bars. It is why they argue that the "people know best."

The portrayal of public opinion as exclusively punitive thus serves as a potentially powerful social reality that inhibits efforts to choose a different correctional future. It makes policy makers wary of appearing too liberal on crime-related issues; it places advocates of a progressive correctional paradigm in the position of appearing antidemocratic. Reviews of public opinion, such as ours, we hope, can serve to challenge or "deconstruct" this reality. Our central message—based on a growing body of survey data—is that citizens want their correctional system to be more than a machinery for inflicting harm. Lifetime imprisonment rather than capital punishment, alternatives to incarceration, restorative justice, investing in offenders through rehabilitation, and early prevention programs—all these policies and more the public is willing to consider if they are implemented in a responsible way.

In the end, public opinion is not an intractable barrier to developing a balanced, rather than a punitive, agenda for responding to offenders. We should not claim too much for citizens: there is no evidence that they are clamoring for a reversal of current correctional policy. Yet neither should we claim too little, as is most often the case in popular commentaries about "what the public wants." The ideological space exists for reforms that reflect both progressive sentiments and demonstrable utility. Moving in this direction thus depends not on changing the public will but on mustering the political will to do so.

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