University of Cincinnati

Date: 3/27/2017

I, Angela J Thielo, hereby submit this original work as part of the requirements for the degree of Doctor of Philosophy in Criminal Justice.

It is entitled:
Redemption in an Era of Penal Harm: Moving Beyond Offender Exclusion

Student's name: Angela J Thielo

This work and its defense approved by:

Committee chair: Francis Cullen, Ph.D.
Committee member: Michael Benson, Ph.D.
Committee member: Edward Latessa, Ph.D.
Committee member: Cheryl Lero Jonson, Ph.D.
Redemption in an Era of Penal Harm:

Moving Beyond Offender Exclusion

A dissertation submitted to the
Graduate School at the University of Cincinnati

in partial fulfillment of the
requirements for the degree of

Doctorate of Philosophy (Ph.D.)

in the School of Criminal Justice
of the College of Education, Criminal Justice, and Human Services

2017

by

Angela J. Thielo

B.S., Ohio University, 2009
M.S., University of Cincinnati, 2011

Dissertation Committee:  Francis T. Cullen, Ph.D. (Chair)
                        Michael L. Benson, Ph.D.
                        Edward J. Latessa, Ph.D.
                        Cheryl Lero Jonson, Ph.D.
ABSTRACT

For nearly forty years, the United States was in the grips of punitive thinking and mired in an era of mass imprisonment. The hallmarks of this paradigm were the embrace of policies and practices that systematically excluded convicted offenders from full participation in civic, social, and economic life. In recent years, however, it appears that American corrections has experienced a historic transformation that involves efforts to foster offender inclusion in society. Thus, policymakers are increasingly questioning the use of mass imprisonment and are embracing a campaign to downsize American prisons. Similarly, they are advocating for reentry services for released offenders and calling for reductions in the collateral consequences that attach to a criminal conviction. Punitive rhetoric seems in decline, replaced by discussion of the importance of offender rehabilitation and, ultimately, redemption.

This dissertation is an attempt to explore these developments. Specifically, based on a 2017 national, opt-in Internet survey of 1,000 respondents, the study investigates the extent to which the American public rejects the exclusion of offenders and supports their inclusion. In this regard, public support of four aspects of offender inclusion was assessed: the (1) rehabilitation, (2) reentry, (3) reintegration, and (4) redemption of individuals with criminal records.

The results reveal that support for offender inclusion is extensive. First, regardless of how it is measured, support for rehabilitation is strong. Americans see rehabilitation as a central goal of prisons, support treatment programs, and favor the new innovation of problem-solving specialty courts. This embrace of treatment is long-standing and must be considered a core American cultural belief or what Alexis de Tocqueville called a “habit of the heart.” Second, the respondents endorsed the concept of prisoner reentry programs, supporting the delivery of an array of supportive services to inmates released to the community.
Third, the sample members recognized that collateral consequences could be barriers to offender reintegration, stating that such legal restrictions should be disclosed to criminal defendants, reviewed regularly by legislators, and eliminated if not shown to prevent criminal conduct. The respondents favored voting rights for ex-offenders but were divided on access to jury duty. Support for ban-the-box statutes was high. The subjects were split on the policy of the expungement of records, apparently trying to balance concerns of public safety with concerns over offenders being allowed to resume a prosocial life. It appears that the extent to which citizens permit record expungement is conditioned by how long offenders have been crime free and the dangerousness of the crime committed. Fourth, the public manifested a realistic assessment of the extent to which offenders are capable of leaving a life in crime. Still, about four in five supported rehabilitation ceremonies that would declare ex-offenders “rehabilitated” and the granting of official “certificates of rehabilitation” that could be used when seeking employment, licenses, and other social goods.

Taken together, these findings reveal that the American public possesses a “sensibility” (to use Michael Tonry’s term) that is far more inclusionary than exclusionary. Although not necessarily demanding a transformation of correctional policy, it is clear that the citizenry is open to a range of progressive policy initiatives that seek to foster offender redemption in this era of penal harm.
ACKNOWLEDGMENTS

This dissertation would not have been completed if not for the support, love, guidance, and generosity of many people. First and foremost, I want to extend my heartfelt gratitude to my mentor and committee chair, Dr. Francis T. Cullen, who not only first sparked my interest in correctional research, but also provided me with unwavering support throughout my years at the University of Cincinnati. I will be forever grateful for the encouragement, wisdom, patience, and opportunities you have accorded to me throughout this project and others. You have taught me many invaluable lessons about life, scholarship, mentorship, friendship, and having fun throughout it all. You have undoubtedly been the voice of sanity for me throughout the long and windy road I travelled to write these final words. I hope to have the opportunity to “pay it all forward” to my own students one day. Second, I must thank my other committee members—Drs. Michael Benson, Cheryl Lero Jonson, and Edward Latessa. I very much appreciate your comments, enthusiasm for this project, suggestions for future research, and willingness to accommodate my time constraints.

Thank you as well to Dr. Velmer Burton of the University of Mississippi. This project would not have been possible without your extraordinary generosity and support. I look forward to collaborating with you on papers and projects in the future! I also want to extend my sincere gratitude to the faculty at the University of Louisville, particularly Drs. Gennaro Vito and Kristin Schwartz. Your kind and generous support, patience, and encouragement over the past year was absolutely essential to the completion of this project. I can’t thank you enough for all you have done to help bring this to fruition.

During my time at the University of Cincinnati, I was incredibly fortunate to meet several other people whom were absolutely essential in my journey toward the completion of my Ph.D.
First, I must thank the rest of the faculty and staff of the School of Criminal Justice for providing me with invaluable education and training that has equipped me to be successful in my career. In particular, I want to thank Dr. Christopher Sullivan for your mentorship early in my graduate career and kind assistance in helping me navigate the job market. I also want to extend my deepest thanks to the talented people I had the opportunity to work with during my time as a Graduate Assistant at the University of Cincinnati Corrections Institute (UCCI). Specifically, I must thank Dr. Paula Smith, Dr. Mindy Schweitzer Smith, Jennifer Luther, Cara Byrne, Kelly Pitocco, Eva Kishimoto, Beth Ellefson, Erin Harbinson, Carrie Sullivan, and Jodi Sleyo. I will be eternally grateful for the opportunities you all provided to me throughout the country, as well as the invaluable lessons you shared about the application of research to the “real world.” Thank you as well to John Schwartz and Jen Scott for all your help and support during my time at UCCI.

I must mention the wonderful friends I’ve been so lucky to meet at the University of Cincinnati. To the two that were there since the very beginning—Lydie Loth and Lia Gormsen—I don’t think I could have made it through the program without having both of you to confide in, to complain with on bad days, and to dance with on weekends. I miss you both already! Thank you as well to Samantha Henderson. You are an amazing person, and I am so glad I’ve made a lifelong friend in you (and Steven)! I couldn’t have made it through statistics without your amazing tutoring—particularly your drawings, metaphors, and overall willingness to put up with me. I also want to express my appreciation to Cecilia Chouhy. I’m so glad Dr. C. paired us up to work together on the “Red State” paper! It was so fun and nice collaborating with you on that project and I hope we have the chance to work together again very soon.

Finally, I want to thank the many others who made my time at UC exceptionally meaningful—
including, but not limited to, Kelsey Mattick, Candra Reeves, Lily Gleicher, Sam Peterson, Matt Logan, Kim Capehart, Tayte Logan, and Angelyne Martiniuc. You all made my graduate school experience much more enjoyable in your own unique way.

I must thank as well another group of friends who were vital in my maintaining my sanity throughout my graduate studies—my “sweet loves”—Carli, Sarah, Rae, Chelsea, Kochman, Casey, and Cassie. Thank you for always, always being there for me. You have been my biggest cheerleaders, and your support kept me going when I felt like giving up. I’m very grateful that you occasionally dragged me away from my work to remind me that life can be a really good time.

I must also thank my family. None of this would have been possible without your incredible love and support from a young age. Mom, thank you for always telling me that I could do whatever I set out to do, if I was willing to work for it. Your amazing work ethic has had a huge impact on my life. I’m so appreciative of the many ways you were there for me throughout my graduate career. Dad, if not for your obsession with strange crime television shows and “bleeding heart” outlook on life, I’m not sure where I’d be today! Thanks for always being a sounding board for me and reminding me that I was capable of completing this degree. Also, a big thanks goes to my brother, Carl, for showing me that life is always an adventure. I am also so blessed to have the love and support of a large extended family. I want to particularly mention my Aunt Joyce, without whom I would have never completed this project. Thank you sincerely for your time, words of wisdom and love over the past few months.

Last but certainly not least, I want to thank my fiancé, Andy. You have been my rock, best friend and chief confidant throughout my entire graduate career. Thank you for making me laugh every single day, picking me up when I fell down, and never losing faith in me. I know this
process has not always been easy on you, but I think it will be worth it. I finished this so we could move on to bigger and better things together.
# TABLE OF CONTENTS

ABSTRACT ......................................................................................................................... ii

ACKNOWLEDGMENTS .................................................................................................... v

CHAPTER 1: FROM EXCLUSION TO INCLUSION: STATEMENT OF THE PROBLEM.... 1
  Offender Exclusion ....................................................................................................... 3
  Offender Inclusion ..................................................................................................... 9
  Public Opinion About Inclusion: Another Reason for Optimism? ............................ 11
  Research Strategy ..................................................................................................... 13

CHAPTER 2: METHODS .................................................................................................. 15
  Opt-in Internet Panel Survey Approach ................................................................... 15
  Advantages of Online Opt-In Survey Panels .............................................................. 19
  External Validity of Online Opt-in Survey Panels: Important Considerations ....... 25
  Conducting a National Survey .................................................................................. 30
  Data for the Study ..................................................................................................... 30
  YouGov’s Online Panel ............................................................................................ 30
  Sampling Strategy .................................................................................................... 34
  Distribution of the Survey ....................................................................................... 44
  Measuring Support for Offender Inclusion .............................................................. 44
    Rehabilitation ......................................................................................................... 46
    Reentry .................................................................................................................... 50
    Reintegration .......................................................................................................... 52
    Redemption ............................................................................................................ 59
  Sample Characteristics ............................................................................................ 61
  Conclusion .................................................................................................................. 64

CHAPTER 3: RESULTS ................................................................................................... 65
  Public Support for Rehabilitation .............................................................................. 65
  Public Support for Reentry ....................................................................................... 71
  Public Support for Reintegration ............................................................................. 74
  Public Support for Redemption .............................................................................. 87
  Conclusion .................................................................................................................. 92

CHAPTER 4: CONCLUSION: PUBLIC SUPPORT FOR INCLUSION ....................... 93
  Rehabilitation: A Habit of the Heart ........................................................................ 93
  Reentry: They All Come Back ................................................................................ 99
  Reintegration: Beyond the Eternal Record ............................................................... 104
    Access to Voting and Jury Duty ............................................................................ 105
    Employee Hiring Decisions ................................................................................. 109
Chapter 1

FROM EXCLUSION TO INCLUSION:
STATEMENT OF THE PROBLEM

For nearly forty years, the United States was in the grips of what Todd Clear (1994) called a “penal harm” movement. The hallmarks of this movement were the embrace of mass imprisonment, a movement toward control-oriented community supervision programs, and systematic efforts to exclude convicted offenders from full participation in civic, social, and economic life (see, e.g., Clear, 2007; Jacobs, 2015; Mauer and Chesney-Lind, 2002; Simon, 2007). But starting with the economic recession in 2008, a clear sea change began that appears to be fundamentally shifting the nature of American corrections (Petersilia and Cullen, 2015). One of the most important developments is the questioning of mass imprisonment and a campaign to downsize American prisons (see, e.g., Clear, 2015; Green, 2015; Kubrin & Seron, 2016; Petersilia and Cullen, 2015; Phelps and Pager, 2016; Verma, 2016).

At least two other critical developments characterize this shift. The first is a heightened consideration of the issues faced by the increasing number of criminal offenders reentering society in the wake of prison downsizing (for a review, see Jonson and Cullen, 2015). With a widespread recognition that the costs of mass imprisonment are unsustainable, lawmakers at all levels of government and on both sides of the aisle have embraced policies that seek to keep offenders from returning to prison (see, e.g., Jonson & Cullen, 2015; Lattimore, Steffey, & Visher, 2010; Listwan, Jonson, Cullen, and Latessa, 2008).

Another related, yet distinct development is the serious reconsideration of the wisdom of using collateral sanctions to exclude offenders from regaining full status as citizens (see, e.g., Subramanian, Moreno, and Gebreselassie, 2014). Generally viewed as additional “regulatory” or
“civil” penalties outside the realm of the jurisprudence of criminal sentencing, collateral consequences deprive convicted offenders from a diversity of privileges and rights bestowed on United States citizens (Burton, Cullen, and Travis, 1987; Chin, 2002; Pinard, 2010). The restrictions and penalties that fall under the umbrella of the “collateral consequence” label are vast and diverse, and include a number of disqualifications that may essentially result in one’s “civil death”—including disqualifications from voting, serving on a jury and holding public office (Ewald, 2002). Other commonly cited collateral consequences include the loss of parenting rights, occupational disbarment, and the inability to attain particular occupations and reside in certain locations (see, e.g., Ewald, 2012; Frank, Travis, Reitler, Goulette, and Flesher, 2011). There is now a growing call that efforts are made to roll back these collateral sanctions and to provide offenders with avenues to achieve redemption (see e.g., Ewald, 2015; Jacobs, 2015; Kaiser, 2016).

This dissertation is an attempt to explore these developments. Specifically, this study examines the extent to which the American public rejects the exclusion of offenders and supports their inclusion. In this regard, public support for four aspects of offender inclusion are assessed: the (1) rehabilitation, (2) reentry, (3) reintegration, and (4) redemption of individuals with criminal records. Particular attention is paid to the public’s willingness to support a reduction in the number and scope of collateral sanctions.

As a prelude to this study, this introductory chapter provides a context for understanding the significance of the current possibility that American corrections may be undergoing a fundamental shift toward more inclusive correctional policies. The first chapter describes the movement to exclude offenders that persisted in the U.S. for nearly forty years, as well as the signs that cracks in penal harm movement may be occurring (see Listwan et al., 2008).
OFFENDER EXCLUSION

Over the latter half of the twentieth century, a well-documented movement to “get tough” on crime emerged across the United States (Clear, 1994; Whitman, 2003). During this era, dominant ways of thinking about crime control were transformed, as the incapacitation and deterrence of lawbreakers came to replace concerns for their rehabilitation and redemption within nearly every aspect of the criminal justice system (Clear & Frost, 2014; Gottschalk, 2015). As new strategies for punishment and control were created and existing sanctions were made more severe, new thresholds of punitiveness—previously unthinkable in American society—became largely unquestioned features of criminal justice policy. Given the austerity of these types of developments, this era is often described with language and explanatory concepts that emphasize its punitive nature—terms like the “punishment imperative,” (Clear & Frost, 2014) the “penal harm” movement (Clear, 1994), the “culture of control” (Garland, 2001) and the “mean season” in correctional policy (Cullen & Gendreau, 2001).

However, this movement is defined not only by its punitiveness, but also by a prevailing sensibility and resultant policies that sought to vilify individuals who have committed crimes, treat them as the dehumanized “other,” and exclude them from nearly all aspects of conventional life (e.g., Stabile, 2016; Travis, 2002; Uggen, Manza & Thompson, 2006; Young, 1999; Wacquant, 2009). Thus, I use the term “exclusionary paradigm” to denote this era in which millions of Americans were banished to distant prisons and many millions more were relegated to a permanent state of second-class citizenship in the form of control-oriented community supervision strategies and a “hidden underworld of legalized discrimination” dictated by collateral sanctions (see, e.g., Alexander, 2010, pp. 13, 94; see also, e.g., Garland, 2013; Mauer & Chesney-Lind, 2002; Pinard, 2010; Thompson, 2004; Travis, 2002). The policy developments
characterize this exclusionary paradigm include the rise of mass incarceration, the evolution of control-oriented community supervision, and the growth, both in number and scope, of collateral sanctions. Each of these developments will be briefly described next.

Prior to the 1970s, the United States had experienced remarkable stability in its prison populations, with the rate of imprisonment hovering at around one hundred prisoners per one hundred thousand individuals (Blumstein & Cohen, 1973). This long-term stability in prison populations was so remarkable and seemingly immune to fluctuations in social forces and crime rates that in the early 1970s, prominent criminologists were inspired to present a “stability of punishment” thesis. Famously presented by Blumstein and Cohen, this theory argued for the existence of a “natural” or stable incarceration rate that was impervious to actual levels of crime (Blumstein & Cohen, 1973). Other scholars of the time made bold predictions about a coming era of “decarceration” as humanitarianism and rationality about punishment would surely soon reach the consciousness of America (see Pratt, 2009). David Rothman concluded in his now-famous, *The Discovery of the Asylum* (1971, p. 295) that “one can foresee the period when incarceration will be used still more rarely than it is today,” while others confidently suggested that imprisonment would become obsolete by the end of the 20th century (Sommer, 1976; see also Pratt, 2009).

In this context, to say that criminologists of the time were off by a mile is hardly an overstatement: they did not see the ensuing penal harm movement coming (Clear & Frost, 2014). However, it seems that few could have predicted that the country would soon embark on not only a nearly five-decades long “imprisonment binge,” but also a “grand penal experiment” more generally that would result in more than 7.25 million Americans under some form of correctional supervision by year-end 2010 (Glaze, 2010; see also Clear & Frost, 2014; Irwin & Austin, 2012).
In absolute terms, the number of inmates in state or federal prisons grew from an estimated 200,000 in 1973 to more than 2.4 million at its peak in 2009, representing more than 1% of the U.S. adult population (see Mears & Cochran, 2015). These numbers reflect an approximate five-fold increase in the number of people incarcerated since 1970. The new carceral state has not ensnared Americans equally—people of color have been disproportionately caught in its grips. Black men have particularly borne the brunt of mass incarceration. By 2008, while one in every one hundred American adults was incarcerated, the rate for African American men was one in nine (Pew Charitable Trusts, 2008)

The United States has witnessed not simply an era of “mass incarceration,” but one of “mass corrections” more generally (Mears & Cochran, 2015). As of year-end 2015, adult correctional systems supervised more than 6.7 million people (Kaeble & Glaze, 2016). By way of comparison, only an estimated two million individuals were under correctional supervision in 1980 (Glaze, 2010). Moreover, the carceral state has extended its reach far beyond the formal institutions of punishment. It has permeated to a significant degree into “the never-never land between the prison gate and full citizenship” (Gottschalk, 2015, p. 1). Indeed, approximately 70.3 million adults in the U.S. had a record for a criminal conviction in 2012—a “criminal credential” constituting a “formal and enduring classification of social status” which has been increasingly used to “regulate access and opportunity across numerous social, economic and political domains” (Pager, 2007, p. 4; Subramanian et al., 2014).

Clear and Frost’s (2014) use of the term “grand penal experiment” to describe the transformation in the county’s correctional system highlights that this growth did not occur naturally as a response to rising crime rates (p. 139). Indeed, it persisted and even gathered steam throughout a generally stable rate of crime, particularly for violent offenses dating back to
the early 1970s (Pratt, 2009). Thus, the era of mass incarceration is thus generally considered best understood as the result of an array of interacting social forces.

Perhaps most importantly, rehabilitation, long the goal of the correctional system, came under attack from both sides of the political spectrum. Until the early 1970s, the treatment of offenders had persisted without interference as the goal and organizing principle of the correctional system (Cullen & Gendreau, 2000; Garland, 2001). Up until this time, there were disagreements between those with a conservative and liberal orientation toward crime control about the right balance between deterrent and rehabilitative strategies. Nonetheless, both sides of the spectrum spoke the language of “penal welfarism,” and sought to put its principles into practice (Garland, 2001).

Central to the rehabilitative ideal were sentencing schemes that allowed for a fairly broad individuation in prison sentence lengths based on an assessment of the amount of time it would take to treat offenders properly (Clear & Frost, 2014). Within the indeterminate sentencing framework, parole boards were charged with making release decisions upon sufficient evidence of rehabilitation. These systems came under attack from both sides of the political spectrum as faith declined in the rehabilitative ideal in the 1960s and 1970s. Those on the left became concerned with the amount of discretion given to state officials, which they largely saw as applied inequitably and coercively (Cullen & Gilbert, 1982). From this perspective giving “the state”—judges and correctional officials—near unfettered discretion to individualize intervention had led the discrimination of poor and minority offenders. For liberals, placing discretion in correctional officials’ hands was a naively trusting move in the wake of the state’s recent activities—including, the waging of the unpopular Vietnam War, the shooting of student protestors at Kent State, and the Watergate scandal (Cullen & Gilbert, 1982).
For conservatives, rehabilitation came to be seen as undermining law and order by “coddling” undeserving and irredeemable criminals (Cullen & Gilbert, 1982). More specifically, those on the right felt that indeterminate sentences and discretionary parole release too frequently led to lenient punishments, insufficient to meaningfully control crime (see, e.g., Garland, 2001). The rehabilitative ideal was viewed as undermining individual responsibility and leading to excessive permissiveness, and in turn the rising crime rates. The social turmoil in the wake of the Civil Rights Movement and more clearly, its related expressions of civil disobedience came to be viewed by those on the right as threatening the very fabric of society. Rhetoric regarding the breakdown of “law and order” was invoked as leading conservatives found success in equating civil rights legislation with excessive leniency and political protest with criminality (Beckett, 1997). In sum, “crime” became a code word for all that conservatives found as unacceptable within American society (Cullen & Gilbert, 1982).

As a result of the declining trust in correctional state actors, states began to switch in large numbers from indeterminate to determinate sentencing schemes (Cullen & Gilbert, 1982; see also Tonry, 2013). Under determinate sentencing, a precise sentence for particular convictions is prescribed. With this change, discretionary parole release fell by the wayside. As the “get tough” movement ascended, the outcome of these sentencing reforms was largely the rise increasingly punitive and incarcerative sentencing structures (Gottschalk, 2015).

In the following three decades, under the guise of “public safety,” the United States experienced a complete transformation from a therapeutic or rehabilitative state into a punitive one (Cullen & Gendreau, 2001). Throughout various metaphorical “wars” waged during the 1980s and 1990, legislators showed a commitment to passing laws that mandated an increasing number of lengthy prison terms for many types of crimes, including especially those committed
by drug and repeat offenders. New and inventive punitive measures became widespread including “three strikes and you’re out” laws, which required life sentences for offenders with multiple convictions and “truth in sentencing” laws, which required offenders to serve a high proportion (e.g. 85 percent) of a prison sentence imposed at trial by the judge (Clear & Frost, 2014). Notably, the juvenile justice system—traditionally the province of “child saving”—has not been spared as get tough reforms aimed at juvenile offenders have become commonplace in the United States (Feld, 1999). Serious juvenile offenders were depicted as psychopathic “super-predators” beyond redemption (DiIulio, 1995) and became increasingly subjected to range of policies aimed at transferring them to adult court and ensuring their institutionalization (Feld, 1999). A new “managerial parole” model of community supervision also emerged focused on the close surveillance of offenders in order to curtail their involvement in crime and ultimately resulting in the return of large numbers of offenders to prison via technical violations (Mears & Cochran, 2015).

During this time, policymakers also sought to widen the criminal justice system’s punitive reach in less visible ways, beyond the boundaries of formal criminal sanctions (Subramanian et al., 2014). There was growth, both in number and scope, of a range of post-punishment penalties and restrictions—or collateral sanctions—aimed at excluding individuals with criminal histories from many aspects of mainstream social life. Rationalized as prudent public safety measures, or given no clear justification at all, these sanctions ensured that offenders would continue to be marginalized long after serving their sentence or completing a probation term (Alexander, 2010). As Subramanian et al. (2014) notes, the result of this pursuit is a complex system of hidden sanctions that effectively “delineate a person’s status as either a law-abiding member of the community at large or as one of those who must forever sit outside
it” (p. 4). Stemming largely from the war on drugs, new limitations have emerged in criminal offenders’ access to employment, housing, and welfare (Mears and Cochran, 2015).

For example, the Quality Housing and Work Responsibility Act enacted in 1998, authorized public housing agencies to automatically deny services and evict drug offenders and other felons (Clear & Frost, 2014). As another example, the Clinton administration’s overhaul to the welfare system encouraged states not to provide federally funded assistance or food stamps to individuals convicted of drug crimes. Access to education has also been limited. In 1998, the Higher Education Act (HEA) was amended to suspended eligibility for federal grants, loans, and work assistance programs for those convicted of drug-related offenses. Moreover, with the rise of the Internet, criminal background checking has become a routine process of reviewing job applications among both American life public and private employers (Jacobs, 2015). Thus, individuals with records have faced increasing barriers to securing a job.

Taken together, these and related developments can be seen as a pervasive attempt to exclude offender from social life in America. Numerous policies—passed in virtually every state and the federal government—sought to exclude offenders through imprisonment, correctional monitoring rather than treatment, and the denial of the benefits and rights enjoyed by noncriminal U.S. citizens. This era of offender exclusion appeared to be intractable and thus as the inevitable future of American corrections. Suddenly, however, a remarkable transformation seemed to take place.

**OFFENDER INCLUSION**

Over the past few years, there have been signs that the United States may be shifting away from this punitive period of offender exclusion toward one concerned more with offenders’ reform and inclusion in society. Five major developments can be cited in this regard.
First, in the wake of the Great Recession, tightening budgets prompted numerous states to enact legislation that aims to reduce the size of their prison populations, and numerous states have passed laws repealing mandatory minimums or revising them downward (see Petersilia & Cullen, 2015). Thus, there are concerted efforts being made to limit the extent to which offenders are excluded from society through incarceration.

Second, this “downsizing movement” has corresponded to a growing concern about how best to include the more than 600,000 offenders who return to society from prison each year (Jonson & Cullen, 2015). This concern has led to the rise of the “reentry” movement, which has focused on developing programs to facilitate the successful return of prisoners to the community (Jonson & Cullen, 2015; Mears & Cochran, 2015). Indeed, reentry programs are now found in virtually every state correctional department, and websites listing so-called “effective” reentry programs have emerged.

Third, collateral sanctions have also been brought to the legislative forefront by a bipartisan legion of policymakers (Jonson & Cullen, 2015). For example, in 2014, Republican Senator Rand Paul and Democratic Senator Cory Booker introduced their co-sponsored REDEEM Act, legislation that would eradicate collateral sanctions such as bans on federal assistance for drug offenders and provide new pathways to the expungement of records (Uggen & Stewart, 2014). Such broad-based proposals suggest that policymakers increasingly recognize a need to remove collateral consequences if they are harming, rather than promoting public safety (Jonson & Cullen, 2015).

Fourth and more specifically, lawmakers have explicitly raised concerns that a number of these regulations present wanton barriers to offenders’ successful community reintegration (Love, 2011; Jonson & Cullen, 2015). In this context, there has been a concerted movement to
limit the extent to which private and public employers can consider criminal records in hiring decisions. Typically called “ban the box,” this initiative precludes employment applications from including a “box” that must be checked if an applicant has a past criminal conviction. Instead, criminal record can only be considered once interviewees for a job have been selected (Jacobs, 2015).

Fifth, a growing number of states have begun to show concern for offenders’ redemption—or meaningful acceptance within mainstream society—with their issuance of “certificates of rehabilitation” to offenders who have met certain rehabilitation standards. These certificates aid third parties, such as employers and landlords, with making informed decisions about individuals with criminal records (Subramanian et al., 2014).

Importantly, although undertaken independently, these novel developments have coalesced at a particular historical time, suggesting that a fundamental change in corrections is occurring—what Tonry (2004, p. 5) would call a new “sensibility.” This shift suggests a transformation in the way in which policymakers are viewing the appropriateness of policies that ensure the permanency of the “criminal mark” (see Pager, 2007). At issue is whether this embrace of offender inclusion is temporary or represents the enduring future of corrections in the United States.

PUBLIC OPINION ABOUT INCLUSION: ANOTHER REASON FOR OPTIMISM?

One important component of the stability of this movement to advance offender inclusion is whether the American public supports the inclusion of offenders or is resistant to these clearly progressive policy reforms. If a populist desire remains to treat offenders as “the other” and to deny them social acceptance, it may be that politicians will tap into this sentiment and call for a
new era of “get tough” policies. President Trump has argued erroneously that the nation’s murder rate is at half-century high and that he will be a law-and-order executive, though most of his animus appears directed at illegal immigrants who commit criminal offenses. In this context, much will depend on whether citizen support for offender inclusion is widespread, including across various types of inclusionary policies.

One reasons for anticipating at least some support for inclusionary policies is what existing studies have revealed about the nature of public opinion about corrections. This body of literature is voluminous and supports three major conclusions—the first two with substantial research and the third one with growing research. First, the research is clear in showing that the American public endorses punitive sanctions against convicted offenders. Although punitiveness appears to be declining recently, polls over the past century have shown consistent support for capital punishment, harsher courts, and the use of prison in the sentencing of offenders (Cullen, Fisher, & Applegate, 2000; Ramirez, 2013; Thielo, Cullen, Cohen, & Chouhy, 2016; Unnever, Butler, Cullen, & Thielo, in press). Second, despite harboring these punitive sentiments, the American public also has shown over the same lengthy period consistent support for rehabilitation. This finding has occurred regardless of whether the surveys were local, state, or national and regardless of whether attitudes were assessed through force-choice or Likert-type questions (see, e.g., Applegate, Cullen, & Fisher, 1997; Cullen, Cullen, & Wozniak, 1988; Cullen et al., 2000; Cullen, Pealer, Fisher, Applegate, & Santana, 2002). To give just one example, in a national survey conducted in 2001, 88% of the respondents agreed that “It is important to try to rehabilitate adults who have committed crimes and are now in the correctional system” (Cullen et al., 2002, p. 137).
The third set of studies is more recent and less plentiful, but it pertains more specifically to the purpose of this dissertation: the extent to which citizens support inclusionary correctional policies. Thus, recent polls in Red and Blue states have found that clear public support exists for inclusionary policies such as downsizing prison populations, diverting non-violent offenders from incarceration, giving offenders a “second chance,” and supplying reentering offenders with an array of supports (see, e.g., Jonson & Cullen, 2015; Sundt, Cullen, Thielo, & Jonson, 2015; Thielo et al., 2016). Although these findings, combined with those regarding the persisting appeal of the rehabilitative ideal, suggest that the public will endorse a range of reforms that seek to include rather than exclude offenders, no single, national study has examined this possibility by surveying Americans on a variety of policies within a single study. The current dissertation attempts to undertake this research task.

**RESEARCH STRATEGY**

This dissertation proposes to address the issue of public support for the inclusion of offender in society through the secondary analysis of a national survey of 1,000 respondents conducted in 2017. The survey has the advantage of focusing in detail on four major elements of offender inclusion. First, it explores the extent to which Americans continue to support correctional rehabilitation. Second, it explores support for offender reentry and, in particular, for the extension of services to returning prisoners. Third, it explores offender reintegration, with a special focus on whether the respondents favor reducing the impact of collateral consequences and implementation of the ban-the-box initiative. Fourth, it explores offender redemption, focusing both on Americans’ support for rehabilitation ceremonies, and expungement of criminal records.
The next chapter discussed the survey methods and measurement of these issues in detail.

The survey instrument for the data set used in this dissertation is contained in Appendix A.
Chapter 2

METHODS

This chapter outlines the strategy used to examine public attitudes toward inclusive correctional policies. I begin by discussing reasons for the rising popularity of online surveys, the general advantages of voluntary Internet panels, as well as the specific benefits of the approach. I also address concerns related to the external validity of samples drawn using this method. Next, I describe the rationale for distributing the survey instrument to YouGov’s online opt-in panel for the present study and outline the procedure used to collect data. Finally, I detail the specific measures employed in this study and justifications for their operationalization.

OPT-IN INTERNET PANEL SURVEY APPROACH

In recent years, social scientists have faced new challenges to attaining high-quality data through traditional survey methods (Stern, Bilgen, & Dillman, 2014). One particularly pervasive issue is that response rates—or the proportion of individuals sampled who respond to a survey—have been steadily declining for some time (Astrostic, Bates, Burt, & Silberstein, 2001; Battaglia et al., 2008; Brick & Williams, 2013; Curtin, Presser, & Singer, 2005; de Leeuw & de Heer 2002; Galea & Tracy, 2007). This is illustrated, for example, by a review of four longstanding national household surveys conducted over the telephone using Random Digit Dialing (RDD) or through face-to-face interviews. Between 1996, and 2007, the overall nonresponse rate for these surveys increased by approximately .5 percentage points per year, with the RDD phone surveys experiencing a significantly greater increase in nonresponse over this time period (Brick & Williams, 2013). Echoing these findings is an examination of the Survey of Consumer Attitudes conducted monthly via telephone by the University of Michigan. While the average response
rate for these surveys was estimated to be above 70% in 1979, it had dropped below only 50% by 2003 (Curtin et al., 2005). Moreover, Kohut, Keeter, Dohtery, Dimock, and Christian (2012) estimate that the average response rate to Pew Research Center’s typical phone surveys fell to just 9% by 2012, reflecting a 28% decline since 1997.

Falling response rates for telephone surveys have been linked to new technologies that have made it easier for potential survey respondents to screen and block incoming calls (Brick & Williams, 2013). Particular societal changes are also commonly associated with the rising nonresponse to phone surveys, as well as mail surveys and those that use a face-to-face interview approach (Curtin et al., 2005; Massey & Tourangeau, 2013). For example, the proliferation of gated communities and locked apartment buildings may have made it more difficult for researchers to reach potential participants for in-person interviews (Atkeson, Adams, & Alvarez, 2014; Brick & Williams, 2013; Groves & Couper, 1998). In regards to telephone surveys, rising numbers of unsolicited and annoying telemarketing calls have been associated with a greater unwillingness of sampled individuals to stay on the line and respond to researchers’ questions (Couper, 2000; Farrell & Peterson, 2010; O’Rourke et al., 1998). Similarly, increases in marketing advertisements and other unwanted mailings may have made it more challenging to solicit research participation in this way (Galea & Tracy, 2007; Petty, 2000) It should be noted, however, that the evidence for trends in response rates for mail surveys is conflicting and dependent on the procedures used to reach respondents (for a review, see Dillman, Smyth, & Christian, 2014). Nevertheless, as Galea and Tracy (2007) note, it is “increasingly challenging for materials related to scientific studies, be that material conveyed through the mail or by phone, to reach participants, who are routinely sorting through numerous items of unsolicited mail or
phone messages, all of which end up being categorized as ‘junk’ by the intended participants” (p. 646).

Low response rates are a salient concern due to the potential they create for nonresponse error—or biases due to meaningful differences on characteristics of interest to the study between survey respondents and those who did not respond (Dillman et al., 2014; Rea & Parker, 1997). Thus, as response rates have fallen, so too has confidence in the use of these conventional survey methods to generate samples that are representative of their respective populations (e.g., Greenberg & Weiner, 2014).

In addition to diminished response rates, growing concerns over coverage error have increasingly cast doubt on the efficacy of phone survey methods to produce generalizable samples, including those that use RDD techniques (Lavrakas, Shuttles, Steeh, & Fienberg, 2007; Rivers, 2006). Coverage error arises when a sampling frame excludes some members of the population of interest (Dillman et al., 2014). As telephone surveys have traditionally relied exclusively on landline phone numbers, coverage has declined in recent years with the rapid proliferation of cellphone-only households, as well as the growth in the proportion of Americans with unlisted phone numbers (Guterbock, Diop, Ellis, Holmes, & Le, 2011). Indeed, as of 2015, it is estimated that nearly half (47.4%) of U.S. households rely solely on cellphones to make and receive calls and 35.1% predominately use cellphones despite having a landline phone (Blumberg & Luke, 2015). These numbers reflect a significant reduction in landline phone use from just six years prior—during the last half of 2009, merely an estimated 24.5% of U.S. households were cellphone only (Blumberg & Luke, 2010). Exacerbating coverage issues for telephone surveys is that certain segments of the population are disproportionately less likely to have landline telephones, including younger adults, Hispanics, people who rent their homes, and
those living in poverty (Blumberg & Luke, 2015, see also Peytchev, Carley-Baxter, & Black, 2010).

In an effort to ameliorate issues stemming from this plunge in landline coverage, cellphone numbers are now often added to landline sampling frames. While this “dual-frame” approach is often considered a “gold standard” survey method for accurately estimating general population parameters, it has challenges of its own (Farrell & Petersen, 2010; Dillman et al., 2014). For several reasons, obtaining cellphone respondents typically requires much more effort and costs as compared to traditional, landline RDD samples (Pew Research Center, 2016a). One reason for these challenges is that cellphone sampling frames generally include a greater proportion of nonworking numbers and numbers associated with individuals ineligible for the research study (Link, Battaglia, Frankel, Osborn, & Mokdad, 2007; Link, Daily, Shuttles, Bourquin, & Yancey, 2009). In particular, cellphone numbers might be in use outside the geographic area from which they are sampled, as individuals commonly retain their mobile phones when moving to new locations (Dillman et al., 2014; Link et al., 2009). As a result, cellphone numbers thought to be associated with a resident of a particular may actually be in use by an individual residing elsewhere. Numbers are also often associated with cellphones that individuals use only occasionally and otherwise keep turned off, or they may be in use by businesses or minors (Link et al., 2009). Thus, researchers typically must dial significantly more cellphone than landline numbers to reach individuals eligible and willing to respond to a survey (Link et al., 2007, 2009).

Compounding costs of this dual-frame approach are federal regulations that require cellphone numbers to be manually dialed; auto-dialers commonly used to increase the efficiency of landline telephone surveys are prohibited (Pew Research Center, 2016a; Qayad et al., 2013).
When funds are limited and a geographically expansive sample is desired, face-to-face interviews are not a viable alternative. This method is much more expensive and time-consuming than any type of phone survey (Aquilino, 1991; Holbrook, Green, & Krosnick, 2003; Szolnoki & Hoffman, 2013).

In sum, due rising concerns over inadequate response rates and coverage issues, traditional survey approaches are increasingly inefficient for attaining samples of respondents that are generalizable to populations of interest (e.g., Baker et al., 2013; Farrell & Petersen, 2010). Moreover, attempts to alleviate these issues are often cost prohibitive and inaccessible to many survey researchers.

**Advantages of Online Opt-in Survey Panels**

In light of the dual challenges of decreasing population coverage and falling response rates, as well as the proliferation of the Internet into Americans’ homes, online surveys are being used with greater frequency in published research (Baker et al., 2010, 2013; Callegaro, Baker et al., 2014; Poynter, 2010). One particularly promising strategy for efficiently attaining large, diverse, and high-quality samples is the use of panel-based, “opt-in” Internet surveys (e.g., Baker et al., 2010, 2013; Brandon, Long, Loraas, Mueller-Phillips, & Vansant, 2014; Smith et al., 2016). Indeed, online opt-in survey panels are an increasingly popular and accepted method for examining public attitudes in many fields, including criminology/criminal justice (e.g., Harris & Socia, 2016; Mancini & Pickett, 2016; Pickett, Loughran, & Bushway, 2016), psychology (e.g., Blodorn & O’Brien, 2013; Dainton, 2015), political science (e.g., Cutts, Ford, & Goodwin, 2011; Iyengar et al., 2013; Nyhan, Reifler, & Ubel, 2013) supply chain management (e.g., Bregman, Peng, & Chin, 2015), education (e.g.,Billingham & Hunt, 2016), and medicine (e.g., Almeling & Gadarian, 2014).
Opt-in Internet survey panels are comprised of individuals who have volunteered to complete surveys online, usually in exchange for various rewards, such as entry into raffles or small amounts of money (Smith, Roster, Golden, & Albaum, 2016). With this method, online panel functions as a “frame” from which samples of respondents are drawn to complete surveys (Baker et al., 2010). Invitations to complete these surveys are generally emailed to a random sample of members of the panel who meet certain researcher specifications (e.g. U.S. residents over the age of 18) (Callegaro, Baker et al., 2014; Smith et al., 2016). The use of an opt-in Internet panel was deemed the preferable approach for distributing the survey questionnaire for the present study as it offers several advantages. These benefits will be reviewed next.

**Efficiency and Cost.** First, online opt-in survey panels can provide relatively efficient and inexpensive access to a large pool of potential survey respondents as compared to both phone and face-to-face approaches, as well as mail surveys (e.g., Braunsberger, Wybenga, & Gates, 2007; Callegaro, Baker, et al., 2014; Pasek, 2015; Smith et al., 2016). Costs are normally low because online survey panels usually recruit their members through inexpensive online advertising, and panel members are contacted to complete surveys through emails (Blom et al., 2016). Therefore, the expenses of employing interviewers for phone and in-person interviews or those associated with mailing materials to potential survey respondents are avoided (Dillman et al., 2014). Furthermore, it takes significantly less time to administer online surveys and collect responses than it does when using other survey strategies (see e.g., Ansolabehere & Schaffner, 2014; Loosveldt & Sonck, 2008; see also, Baker et al., 2010).

Along with the reduced expenditures and quicker turnaround times, due to the expeditious expansion of Internet usage among Americans, online surveys are also often the most efficient approach for reaching individuals increasingly inaccessible to phone and face-to-
face surveyors (Brandon et al., 2014; Schoenherr, Ellram, & Tate, 2015). Indeed, while less than 50% of U.S. households had Internet access in 2006, approximately 67% of American adults have a home broadband Internet subscription as of 2015 (Pew Research Center, 2016b). Additionally, according to 2015 estimates, 80% of individuals over the age of 18 have a smartphone with Internet access and/or Internet at home, while a total of 89% use the Internet at least occasionally (Horrigan & Duggan, 2015; Pew Research 2016b). These figures highlight the swift movement toward ubiquitous digital connectivity in the U.S. over a very short period of time. Just a few years ago, at mid-year 2004, only 63% of American adults reported any type of Internet use (Perrin & Duggan, 2015). This massive growth in Internet usage has also significantly reduced the degree to which certain segments of the U.S. population (e.g. lower income individuals; minorities) are underrepresented among Internet users (Rivers, 2006; see also Perrin & Duggan, 2015). Thus, it appears that the “digital divide” that plagued the early days of Internet surveying has narrowed substantially (Baker et al., 2013; Rivers, 2006; Pew Research Center, 2015a; but see, Couper, Kapteyn, Schonlau, & Winter, 2007). In turn, there is rising confidence in the ability of online surveys to produce samples that are reflective of the general population (Ansolabehere & Schaffner, 2014; Brandon et al., 2014; Heen, Lieberman, & Miethe, 2014). These are important considerations for the current study, as one primary goal of this research is to understand the extent to which inclusive correctional attitudes are generally reflected in the U.S. population.

**Accuracy of Responses.** Second, as compared to surveys delivered orally over the phone or in-person, online surveys are likely to produce samples with greater concurrent validity and lower levels of measurement error (see, e.g., Atkeson et al., 2014; Chang & Krosnick, 2009, 2010; Fricker, Galesic, Tourangeau, & Yan, 2005; Kreuter, Presser, & Tourangeau, 2008).
Greater accuracy in survey responses has been attributed to the ability of respondents to view survey questions and response options in full on computer screens (Chang & Krosnick, 2009, 2010). As highlighted by Chang and Krosnick (2009), online surveys allow for participants to reread survey questions and answer choices as needed to capture important details. Consequently, unlike telephone and in-person interviewees, respondents to online surveys do not “need to hold a question and its response options in working memory in order to answer correctly” (Chang & Krosnick, 2009, p. 647). Thus, online samples may produce less measurement error because the “cognitive burden” of answering questions is relatively small (Chang & Krosnick 2009, p. 647). This is a salient concern for the present study due to inclusion of several lengthy questions and a few with multiple check-all-that-apply response options. The ability for respondents to view these questions and answer choices on their computer screen likely increased the accuracy of responses. It should be noted that some respondents might have had more difficulty with this self-administered survey approach than others (e.g. those with lesser reading skills), as it required them to read and comprehend written questions (Pew Research Center, 2015a). However, I was still confident in this approach, given that existing research commonly shows online surveys to produce less measurement error as compared to interview-administered questionnaires (for a review, see Yeager et al., 2011).

This visual component of online surveys, along with the ability of respondents to complete them at their own pace, may also lessen respondents’ tendencies to “satisfice,” or to choose response options with minimal effort, rather than optimally with deliberate thought (Chang & Krosnick, 2009; 2010; Holbrook et al., 2003; see also Krosnick, 1991). Providing questions and response options to participants on screens rather than reading them orally may particularly reduce errors due to the “recency effect”—the tendency for the last response option
read by an interviewer to be favored by respondents (Chang & Krosnick, 2010; Krosnick & Alwin, 1987; Pew Research Center, 2015b). Other satisficing behaviors—such as “straightlining” (i.e. providing the same answers without a thought to multiple, consecutive questions), responding randomly, and “speeding” through questions without fully reading them—may also be reduced with online surveys. This is because unlike in-person and phone surveys, respondents can complete online surveys at any time of the day or night they find convenient, and when they are most motivated to voluntarily complete a survey (Chang & Krosnick, 2009).

Distributing the survey online virtually eliminates another type of measurement error—bias due to “interviewer effects,” such as when those delivering the survey misword questions or provide subtle cues and/or biased expectations to respondents (Chang & Krosnick, 2009, 2010; Kiecker & Nelson, 1996; see also, Baker et al., 2010; Simmons & Bobo, 2015). Relatedly, there is much evidence that as compared to interview-led surveys, self-administered computer surveys produce less social desirability bias—the inclination of some respondents to answer questions in a manner they consider socially acceptable rather than entirely truthful (e.g., Atkeson et al., 2014; Baker, Zahs & Popa, 2004; Chang & Krosnick, 2010; Kreuter et al., 2008; Rogers et al., 2005; Simmons & Bobo, 2015). The potential for this type of bias appears particularly salient when surveys inquire about personal, divisive, and otherwise sensitive topics given that respondents ordinarily want to maintain a favorable impression on the interviewer (for a review, see Krumpal, 2013). For example, in an examination of the effects of survey modes, Kreuter et al. (2008) found that university alumni who failed a class or had a GPA below 2.5 were significantly less likely to admit this socially undesirable information during a phone survey than they were on an online survey. Several survey questions for the present study include response
options reflecting social attitudes that respondents may be hesitant to admit in the presence of an interviewer. Thus, the use of the self-administered online survey approach may have aided in soliciting truthful responses.

**Item Nonresponse Error.** A third primary advantage of the online survey approach is that it has been found to lead to lower item (i.e. question) nonresponse error than self-administered “pen and paper” surveys (e.g., Johnson et al., 2001) phone (Fricker et al., 2005), and mail surveys (e.g., Kwak & Radler, 2002; Messer et al., 2012). This benefit may be attributable to the interactive and convenient formatting abilities of many online surveys, such as check boxes and skip patterns. Such features might increase respondents’ attention and motivation to complete the instruments (Zhang, 1999).

The advantages outlined above suggest that the use of an online opt-in panel is ideal for the present study, particularly in light of rising concerns over the response rates, coverage, and resultant inefficiency of more conventional survey methods. Given their numerous advantages, this approach seems to have filled the void created as traditional survey methods have become increasingly ineffective and/or inaccessible (Farrell & Petersen, 2010). Nonetheless, there are important concerns about the external validity of samples gathered through online opt-in panels—that is, there are limitations that must be considered in generalizing online survey findings to the broader U.S. population (Baker et al., 2010, 2013; Callegaro, Villar, Yeager, & Krosnick, 2014). These will be considered in the next section.
Within the “probability-sampling paradigm,” in order to ensure that results are externally valid, each person in a specific target population must have a “non-zero probability of being selected” for the associated sampling frame (Callegaro, Baker et al., 2014, p. 13). As will be detailed below, national samples drawn from online opt-in panels do not meet this requirement. Thus, some have questioned the validity of generalizing results from these samples beyond the population of panel members and to the general U.S. population (Baker et al., 2010, 2013; Callegaro, Baker et al., 2014; Callegaro, Villar et al., 2014; Dever, Rafferty, & Valliant, 2008; Malhotra & Krosnick, 2007; Pasek & Krosnick, 2010; Yeager et al., 2011).

Selected empirical research has reinforced calls to avoid online panels when the objective of survey research is to accurately estimate general population values. For example, some studies have found that when an identical questionnaire is distributed to samples constructed in reference to the general population and to voluntary panel-based online samples, results across methods differed (e.g., Legleye et al., 2015; Pasek & Krosnick, 2010; Schonlau et al., 2004; for a review, see Callegaro, Villar et al., 2014). Moreover, in comparisons of survey results to well established external population benchmarks (e.g. Census data, election outcomes), some research shows online panels yield less accurate population estimates than more traditional survey approaches (e.g. RDD phone surveys) (e.g., Loosveldt & Sonck, 2008; Malhotra & Krosnick, 2007; Pasek & Krosnick, 2010; Vaske, Jacobs, Sijtsma, & Beaman, 2011; Yeager et al., 2011).

Below I will review the central factors that have been theorized to lead to inadequate external validity of online opt-in panel samples. I will also explain reasons I remain cautiously optimistic about the use of this approach for the present study, external validity limitations notwithstanding.

**Noncoverage Error.** First, although Internet access has spread significantly, the potential
for noncoverage error when using online panel samples remains. As approximately 11% of Americans still do not use the Internet, any online survey will still exclude from its sample a nontrivial proportion of the U.S. population (Pew Research Center, 2015a). Perhaps more disconcerting, certain segments of the population, such as Hispanics, older people, and those with less education or income, are disproportionately included among those without Internet access (Couper et al., 2007; Loosvedt & Sonck, 2008; Perrin & Duggan, 2015; Zickuhr, 2013). Thus, not only will any online survey omit from its sample a about one-tenth of the U.S. population, but individuals with certain characteristics will also be more likely than others to have “zero probability” of being included (Callegaro, Baker et al., 2014).

**Selection Bias.** By definition, rather than being selected from a sampling frame that contains the full U.S. population, online “opt-in” panels are comprised of individuals who have volunteered—or who have selected themselves—into a panel (Baker et al., 2013; Callegro, Baker et al., 2014). Therefore, another, related external validity concern is that people who are motivated to participate in online survey panels may differ in meaningful ways from individuals with Internet access that do not join online survey panels (Nicolaas, Calderwood, Lynn, & Roberts, 2014). To the extent the factors that lead an individual to join and participate in online opt-in survey panels are associated with the research variables of interest, estimates drawn from an online survey sample may be an inaccurate reflection of the larger U.S. population (Callegaro, Baker et al., 2014). Baker et al. (2013) argues that this type of “selection bias…creates substantial risk that the distribution of the important covariates in the sample will differ significantly from their distribution in the target population to such an extent that inferences could be misleading if not simply wrong” (p. 94). That is, the external validity of study findings for the national population may be compromised (see also Pasek, 2015). There are some
empirical indications that the voluntary nature of online surveys may be problematic in this regard. Specifically, online panels have been found to be comprised of a disparate proportion of more active users of the Internet, whites, as well as individuals with higher levels of socioeconomic status and educational achievement (e.g., Craig et al., 2013). Thus, it appears that “the possibility of participating in an online survey depends not only on the availability of an Internet connection,” but is also related to other factors that would lead an individual to voluntarily participate (e.g. knowledge of and experience with the Internet) (Nicolaas et al., 2014, p. 11). In sum, Internet coverage (i.e. access) on its own does not capture the true extent of the potential for biases stemming from panel survey “under-coverage” (see, e.g., Bethlehem, 2010).

**Arguments for Representativeness.** These concerns related to selection bias, as well as those related to noncoverage error, are mitigated by the small but growing number of studies that have found nonprobability online samples to generate population estimates that are comparable to those of more traditional probability-based survey research, as well as population benchmarks. Outcomes appear particularly analogous when sampling and/or post-survey weights are used (e.g., Ansolabehere & Schaffner, 2014; Berrens, Bohara, Jenkins-Smith, Silva, & Weimer, 2013; Dennis, Chatt, Li, Motta-Stanko, & Pulliam, 2005; Garland, 2012; Heen et al., 2014; Lee & Valliant, 2009; Mullinix, Leeper, Druckman, & Freese, 2015; Rivers, 2007; Sanders, Clarke, Stewart, & Whiteley, 2007; Simmons & Bobo, 2015; Stephenson & Crete, 2011; Weinberg, Freese, & McElhattan, 2014).

For example, in one recent study, Ansolabehere & Schaffner (2014) commissioned the YouGov research firm to distribute the same questionnaire to an online opt-in panel sample, by phone to a RDD dual-frame telephone sample, and by mail to a sample of residences. All of the
surveys were weighted using propensity score techniques. Additionally, in order to create a nationally “representative” sample, members of the online panel were targeted for inclusion based on demographic characteristics (e.g. age, race, education, voter registration status). When comparing the results of the three different survey modes to multiple validated population benchmarks for various lifestyle measures (e.g. whether or not they own homes, cigarette smoking behaviors), none of the samples performed poorly, and the online sample was found to perform no worse than the mail sample. Furthermore, in comparisons of the correlational structures of the data across the survey types, no strong tendency emerged for “any particular mode to produce consistently more liberal or conservative responses to questions about policy issues” (p. 11).

The findings of this study suggest that potential biases due to the self-selection nature of online survey panels and/or Internet noncoverage can be reduced through adjustments made before the data is collected (e.g. targeting online panelists for sample inclusion based on demographic characteristics), as well as after survey distribution is complete (e.g. through post-stratification weighting). Other studies have reached similar conclusions (e.g., Bytzek & Bieber, 2016; Chang & Krosnick, 2009; Malhotra & Krosnick, 2007). Thus, while possible noncoverage error and selection bias are important considerations when drawing samples from opt-in Internet panels, there is evidence that resultant errors can be sufficiently corrected. The success of these adjustments likely depends to a large degree on the auxiliary data available for key covariates (for discussions, see e.g., Ansolabehere & Schaffner, 2014; Baker et al., 2010, 2013; Yeager et al., 2011). Moreover, as noted above, other survey approaches are not immune from similar threats to external validity. Due to waning coverage and response rates, phone, face-to-face, and mail surveys also often lead to samples that are not precise reflections of their respective
populations—and in turn, require significant post-stratification adjustments to the data. As Rivers (2006, p. 4) notes, “to some degree, the growing acceptance of Internet samples just reflects a realization that most phone samples are opt-in samples too.” I will return to this theoretical justification for the representativeness of online panel samples in the next section.

It is also important to highlight that much of the empirical literature that has found online opt-in panel surveys to produce differing results examine data collected up to ten or more years ago (Ansolabehere & Schaffner, 2014; see also Baker et al., 2010, 2013; Calleagaro, Villar et al., 2014). Not only has Internet usage grown exponentially during this time, but the “science of constructing, matching, and weighting opt-in Internet panels” has also rapidly progressed (Ansolabehere & Schaffner, 2014, p. 17). Additionally, many of the studies that have found disparate results for nonprobability online samples did not use questions and methods that were directly comparable across survey modes (Ansolabehere & Schaffner, 2014). Therefore, observed heterogeneity across survey approaches does not necessarily indicate that online samples are suffering from selection and/or coverage error biases. Mode effects (e.g. interviewer effects) and/or the nature of measures examined may have also produce differences detected (see e.g., Baker et al., 2010; Mullinix et al., 2015). Overall, then, the sources of observed differences for the results of samples drawn from voluntary web panels as compared to samples are not yet well understood (Ansolabehere & Schaffner, 2014).

Three conclusions can be drawn from this preceding discussion of online panel samples. First, the online panel approach offers several advantages for survey research generally, and for this study specifically, as compared to other survey methods. Second, the findings of samples drawn from voluntary Internet panels can be considered cautiously generalizable to the general U.S. population, particularly when appropriate suitable adjustments are applied to the data.
Finally, while it is important to be cognizant of their potential for producing biased estimates, online opt-in panel surveys this method remains a capable, new survey approach. Mullinix et al. (2015) note that this is especially true for explorative research when the goal is to garner insights into underexplored phenomena, as is the case for the majority of the concepts of interest to this study.

**CONDUCTING A NATIONAL SURVEY**

*Data for the Study*

The data used in this study of public attitudes toward offender inclusion were based on a secondary analysis of survey responses collected in a 2017 national survey conducted by the Internet survey company of YouGov. The methodology used by YouGov and the measures employed are discussed below. Dr. Velmer S. Burton, Jr. of the University of Mississippi was the principal investigator of this study. My role in this project was to assist in the development of variables and to ensure that the survey instrument was appropriately designed and implemented by YouGov. Human subject review and approval was secured at the University of Mississippi. The Institutional Review Board at the University of Cincinnati subsequently approved the use of the data for this dissertation in an exempted review.

*YouGov’s Online Panel*

Respondents for this study were sampled in 2017 from YouGov’s large, online opt-in panel. As researchers contract with YouGov for completed survey responses, regardless of attrition or non-response rate, I was able budget and plan for a definitive sample size prior to the distribution of the survey invitations. For this study, a sample size of 1,000 respondents was determined to be appropriate. YouGov (formerly Polimetrix) is an international survey research
firm consisting of a large pool of approximately 1.8 million individuals from every U.S. state who have agreed to participate in Internet surveys in exchange for small incentives (YouGov, n.d.). The YouGov panel has been widely utilized by researchers across diversity of academic disciplines, including public health (e.g., Factor, Williams, & Kawachi, 2013; Huang et al., 2016), medicine (e.g., Almeling & Gadarian, 2014), sociology (e.g., Pearson-Merkowitz, Filindra, & Dyck, 2015), psychology (e.g., Appelbaum, Scurich, & Raad, 2015), and political science (e.g., Ansolabehere & Schaffner, 2014). YouGov is a particularly popular and accepted in the political science field. Indeed, research examining samples of YouGov panelists has been frequently published in the discipline’s top-tier journals, including Public Opinion Quarterly (e.g., Jessee & Malhotra, 2013; Johnston, Hillygus, & Bartels, 2014), American Journal of Political Science (e.g., Boudreau & MacKenzie, 2013; Tesler, 2012), and Journal of Politics (e.g., Gerber, Huber, Doherty, & Dowling, 2011). Public attitude studies using samples of YouGov’s Internet panelists have also recently appeared in prominent criminology/criminal justice journals, including Criminal Justice Policy Review (Harris & Cudmore, 2016) and Feminist Criminology (Pickett, 2016), and Journal of Quantitative Criminology (Roche, Pickett, & Gertz, 2015).

To ensure a diverse panel, YouGov employs a variety of techniques to recruit members, including online advertisements, email campaigns, telephone- and mail-to-web recruitment, and coordination with media outlets (Ansolabehere & Rivers, 2013; YouGov, 2016). Additionally, in order to enlist “hard-to-reach” respondents (i.e. those from demographic groups less likely to use the Internet), YouGov coordinates with a network of external partners that have access to online sources that cater to these groups (e.g. niche websites and search engine optimization) (YouGov, n.d.). The company has also recruited hard-to-reach populations by soliciting
potential respondents via telephone and mail surveys (YouGov, 2016).

YouGov panel members volunteer to complete surveys in exchange for points that can be accumulated and redeemed for either (1) a small charitable donation on their behalf, (2), entry into a sweepstake for a small prize (e.g. an Amazon gift card), (3) a cash payment (YouGov, n.d.; YouGov, 2016). The length of completed surveys determines the number of points attained by panel members for their participation (YouGov, n.d.). There are multiple commercial platforms that provide researchers with access to online panels of survey respondents. Nevertheless, YouGov was the preferred choice due to its large size, and as outlined below, because it uses multiple strategies to ensure a high-quality sample of survey respondents.

One strategy used by YouGov to secure high-quality respondents is its “active sampling” approach, whereby sampled panelists must enter their secure, YouGov username and password to access surveys. This procedure aids in ensuring that only YouGov panel members specifically invited to respond to a survey will have the ability to participate (Twyman, 2008). YouGov also strictly monitors this system to ensure that each respondent can only participate in each survey once.

YouGov also uses procedures to confirm the true identity of panel members. YouGov uses a double opt-in approach to confirm the identity of individuals who sign up to participate in their pool. In this procedure, all new potential members where must confirm their consent to participate via email. YouGov then checks to make sure that each of these participants are not already included in their pool of members and ensures that the addresses provided are valid (YouGov, 2016). In addition, “trap questions” are often included in distributed surveys in order to tests responses against respondents’ previously collected demographic data. Respondents providing incorrect responses to such questions are flagged for review and removed from
Another YouGov feature that aids in ensuring high-quality survey responses is its ability to track the time it takes respondents to complete surveys. This allows for the removal of surveys from the sample that are completed in an abnormally short amount of time. Overly brief completion times may indicate that the participant inattentively or randomly chose responses (Malhotra, 2008; but see, Greszki, Meyer, & Schoen, 2014). YouGov also oversees the amount and frequency of the total number of survey invitations emailed to panel members, and it restricts panelists to completing one survey through their system on average. Moreover, YouGov has periodically compared the results from “fresh” panel members with “repeat” respondents and thus far, no significant differences have been detected (YouGov, n.d.). Finally, when panelists are invited to complete a survey but are later identified as ineligible to complete it, they are still provided with the incentives (i.e. points to use toward rewards) they would have received if they were eligible for that survey project. YouGov (2016) suggests that this policy removes some of the motivation individuals may have to falsify information in order to secure their eligibility for a particular survey and receive points for completing it.

Viewed collectively, YouGov’s limitations on survey participation, as well as its oversight of survey data quality and respondents’ identities, may help avoid error in survey results. More specifically, due to such features, YouGov is unlikely to produce samples that include a significant proportion of individuals who engage in “professional” survey responding behavior—completing online surveys frequently and as quickly as possible in order to receive rewards (see, e.g., Matthijsse, de Leeuw, & Hox, 2015; Whitsett, 2013). This is an important advantage of the YouGov panel, because this type of survey participation includes high levels of satisficing, unmotivated, or otherwise dishonest responding (Garland, Santus, Uppal, 2012;
Toepoel, Das, Van Soest, 2008; but see, Hillygus, Jackson, & Young, 2014). Thus, YouGov takes many precautions against threats to valid results that may emerge in the absence of an uncontrolled survey environment (i.e. where the researcher is present when respondents complete the survey instrument). While these are important considerations, the most important advantage of YouGov as compared to other providers of opt-in Internet samples is its use of a unique sample matching approach in order to generate “representative” samples of target populations. This sampling procedure will be described next.

**Sampling Strategy**

YouGov’s sampling strategy occurs in three phases: (1) the construction of a pseudo sampling frame using high-quality, national probability samples, (2) the matching of YouGov panel members to this frame on several demographic and behavioral variables, and (3) the adjustment of remaining biases in the selected sample via propensity score weighting. Below, I will detail each of these three stages. I will also detail the theoretical and empirical arguments for the external validity of this approach.

**Construction of Pseudo Sampling Frame.** Upon initial enrollment into the panel, YouGov collects and stores more than 500 wide-ranging data points on each of its new members. A new panelist is required to provide basic demographic information, including his or her education and employment status, gender, race, marital status, and income. Respondents also report an array of behavioral attributes during this initial opt-in process by responding to questions replicated from several national probability surveys (e.g. American Community Survey) (YouGov, n.d.). Items are included, for example, to assess religious orientation, frequency of church attendance, interest in politics, political party identification and ideology, as well as voting behavior (e.g. registration and turnout). To ensure that the information provided
by panel members remains current, YouGov uses a proprietary system that periodically gathers updated responses from panelists regarding these initial core profile items. The frequency of these updates is based on how often these data points are likely to change, but typically occurs every 3-6 months (YouGov, n.d.).

YouGov makes “no claim” regarding the representativeness of its panel—its members have been found to be disproportionately white, old, heavy users of technology, and highly educated (Ansolabehere & Rivers, 2013, p. 314). However, its collection of core profile items enables YouGov to generate samples of panelists that reflect respective target populations. A two-stage sample matching approach is used. In the first phase of sample selection, YouGov begins with an enumeration of the target population. Specifically, using high-quality probability surveys and large-scale, commercially available databases (e.g., lists of registered voters), YouGov constructs a synthetic (i.e. pseudo) sampling frame. For the present study, a target population of registered U.S. adult residents was selected.

The synthetic sampling frame of registered voters was constructed by first drawing a random sample of adults who responded to the U.S. Census Bureau’s 2014 American Community Survey (ACS), stratified by age, race, gender, and education. YouGov used simple random sampling within strata by weighted sampling with replacement (using the person weights on the public use file for the full 2014 ACS sample) to select this sample. The ACS is an annual, national probability survey of approximately 3.5 million U.S. households with a response rate of 96.7% (U.S. Census Bureau, n.d.). It collects data on a wide range of demographic characteristics, including age, race, gender, education, marital status, number of children under 18, family income, employment status, citizenship status, as well as state and metropolitan area of residence. For this research, the sampled ACS respondents can be thought of as the “target
sample” (Rivers, 2006). This is because instead of surveying the original respondents to the ACS survey—a prohibitively costly and impractical approach—YouGov used it as a “target” for constructing a “matched sample” drawn from its own pool of online panelists (Vavreck & Rivers, 2008).

To complete the construction of the synthetic sampling frame, YouGov also matched additional information from other sources to the ACS data using a weighted Euclidean distance metric. Specifically, the sampling frame was matched to data from the Pew’s U.S. Religious Landscape Survey, a national RDD survey of over 35,000 U.S. adults with a response rate of 24% (Pew Forum on Religion & Public Life, 2008). Variables matched from this survey to the ACS data included several variables related to theological beliefs and practices, including religious orientation, importance of religion in one’s life, frequency of church attendance and prayer, and “born again” or evangelical status. The Pew survey also allowed for matching in terms of parental status, interest in the government and public affairs, political ideology, and party affiliation. Data on reported 2012 voter registration and turnout, as well as employment status was matched to the sampling frame via information pulled from the November 2012 Current Population Survey (CPS) Voting and Registration Supplement. Sponsored jointly by the U.S. Census Bureau and the U.S. Bureau of Labor Statistics (BLS), the CPS is a national probability survey of approximately 60,000 U.S. households. While the survey is conducted monthly, the Voting and Registration Supplement is included in its November survey during Congressional and Presidential election years (File, 2015). The person-level response rate for this CPS supplement in 2012 was 84.8% (U.S. Census Bureau, 2012).

Coordinating the ACS data with that of other probability surveys and databases greatly bolsters the covariates available to YouGov for matching the target sample to an online panel
sample (Rivers, 2007). Thus, once the target sample was drawn from the synthetic sampling frame, YouGov had an understanding of what each member of a random, matched sample of its panelists should look like on a range of demographic, ideological, and behavioral characteristics.

**Sample Matching.** In the second stage of sample construction, for each member of the target sample selected, YouGov identified one or more matching members from their pool of panel members to solicit for participation in the survey. YouGov’s goal with this stage of sampling is to identify an available survey respondent who is as similar as possible to each selected member of the target sample (Rivers, 2006). Essentially, YouGov sought to replace each individual that was selected for the target sample with a member of their online panel who matches him or her on key characteristics (Ansolabehere & Schaffner, 2014; Rivers, 2006). YouGov’s pool of potential respondents is sufficiently large and diverse to achieve reasonably close matches on a number of covariates simultaneously (Rivers, 2007).

To carry out this matching procedure, YouGov used panel members’ core profile item data. As noted, YouGov attains this information from respondents upon their enrollment into the panel, as well as throughout their participation in other survey projects. Panel members were matched to the target sample on several variables: age, race, gender, income, education, interest in politics, political party identification and ideology, and importance of religion in one’s life. The inclusion of these variables in the matching algorithm aids in accounting for the fact that Internet panelists are likely to be disproportionately old, non-white, affluent, highly educated, and interested in politics (Ansolabehere & Rivers, 2013; Ansolabehere & Schaffner, 2014; Bafumi & Herron, 2010; Callegaro, Villar et al., 2014; Craig et al., 2013). The goal with the inclusion of these matching variables was to reduce selection bias stemming from the voluntary nature of the online panel sample. As will be discussed further below, selection bias is
theoretically reduced “if the characteristics used for matching are the primary variables related to
the outcomes (i.e., the covariates) and they are properly balanced— that is, their distributions in
the sample are the same as their distributions in the target population” (p. Baker et al., 2013 p. 6).
Thus, matching variables were also selected of light of empirical evidence and/or theoretical
arguments that have linked them with attitudes toward correctional policy (e.g. Borg, 1997;
Pickett, Mancini, & Mears, 2013; Stack, 2000; Thielo et al., 2016; Unnever & Cullen, 2006).

While it may be ideal to match on additional data points in order to ensure equality
between the samples on the outcomes of interest, adding more covariates may increase bias in
the sample (Rubin & Thomas, 2000; see also Stuart & Rubin, 2008). The is because even with a
very large panel of respondents from which to draw, the “closeness” of matches will decrease,
due to the inability to find a panel member who matches each target sample member on all
covariates (Rubin & Thomas, 2000).

Multiple panel members were matched for each member of the target sample on in order
to increase the likelihood of attaining a survey response. YouGov bases the number of identified
matches on “an estimated response probability using a hazard model to estimate the probability
that a panelist responds by the end of the survey field period” (Rivers, 2006, p. 7; see also
Rivers, 2007). YouGov uses a proximity matching method (i.e. “nearest neighbor” sample
matching) whereby each observation in the target sample “is matched sequentially using a
greedy algorithm that finds the closest observation” in the matched sample according to the
weighted Euclidean distance metric (Ansolabehere & Rivers, 2013, p. 315; see also Rivers,
2007; Stuart & Rubin, 2008). For each variable used for matching (e.g. age, years of schooling),
this distance metric is defined as $d (x, y)$, which describes how “close” the values $x$ (from the
target sample) and $y$ (from the matched panel sample) are on that particular attribute (Rivers, 2006). Rivers (2006) notes that for numerical characteristics (e.g. age, income), “the distance function is usually just the absolute value of the difference $|x-y|$” but when appropriate, YouGov uses “the square of the distance to penalize large discrepancies.” (p. 7). Therefore, “the overall distance between a member of the target sample and a member of the panel is a weighted sum of the individual distance functions on each attribute” (Rivers, 2006, p. 7). The weights for this Euclidean distance metric are the reciprocal of the variance of each variable in the synthetic sampling frame (Ansolabehere & Rivers, 2013). In Monte Carlo simulations, Rivers (2007) found that for a range of parameters, this matching procedure produced results comparable to those of a simple random sample from a population. It also outperformed both post-stratification cell-based weighting and post-stratification weighting by propensity score quintiles for a simple random sample drawn from an online panel.

**Sample Weighting.** The matching procedure will still generally result in some level of difference between the matched and target sample members, but propensity score weighting can adjust for biases as necessary (Rivers, 2007). With this procedure, the matched cases were weighted to the synthetic sampling frame using propensity scores. Specifically, the matched cases and the sampling frame are combined and a logistic regression is estimated for inclusion in the frame.

The propensity score function included all of the variables used in the sample matching procedure (i.e. age, race, gender, income, education, interest in politics, political party identification and ideology, and importance of religion in one’s life). The propensity scores were then grouped into deciles of the estimated propensity score in the frame and post-stratified according to these deciles. The final weights were then post-stratified by gender, race,
education, and age. Large weights were trimmed and the final weights were normalized to equal sample size. This post-stratification procedure aims to removes bias due to partial or imperfect matching (Rivers & Bailey, 2009).

**Sample Representativeness.** Rivers and Bailey (2009, p. 631) contend that given YouGov’s sample matching and weighting procedures can produce a sample “that is representative of the joint distribution of the covariates in the population” (Rivers, 2007). That is, its matched sample will have “similar properties to a true random sample” even though the probabilities for selection into the matched sample are unknown (i.e. it is a non-probability sample) (Rivers, 2006, p. 6). The central premise of this claim is that because the target sample (i.e. for this study, the sample of ACS respondents) is a “true probability sample,” representative of the U.S. population frame from which it was drawn, the carefully matched YouGov panel sample can also be considered “representative” of this U.S. population frame (Rivers, 2006, p. 6). In practice, this suggests that statistical tests based on assumptions about probability sampling can be used when analyzing the matched sample, as these assumptions are met by its target sample counterpart (Ansolabehere & Rivers, 2013).

Although briefly discussed above, it is important to reiterate that certain assumptions must hold for YouGov’s sampling procedure to yield unbiased estimates of population parameters (Ansolabehere & Rivers, 2013; Rivers, 2006; for a detailed discussion, see Rivers, 2007). Chief among these is the assumption of “ignorability”—“sample selection is conditionally independent of survey measurements given a set of covariates” (Ansolabehere & Rivers, 2013, p. 312). That is, a sample’s validity rests on the assumption that any relationship between a survey outcome and the probability of membership in the sample is explained or “captured” by the variables used to adjust it (Rivers, 2006, p. 8). For opt-in panel surveys, any
method of recruitment into the panel will inevitably involve some degree of error stemming from
the self-selection into the sample. Nonetheless, according to the assumption if ignorability, an
unbiased sample can still result if the factors driving sample membership are accounted for via
pre- or post-stratification adjustments (Rivers, 20067). As Yeager et al. (2011) notes, “if the
factors that determine a population member’s presence or absence in the sample are all
uncorrelated with the variables of interest in a study, or if they can be fully accounted for by
making adjustments before or after data collection,” theoretically, an online panel-based sample
can yield results that are just as accurate as samples drawn through more established survey
techniques (p. 3).

In sum, a sample is not necessarily negatively impacted when the factors that correlate with
samples membership are related to the survey measurements (Ansolabehere & Rivers, 2013).

As an example, those who join online opt-in survey panels are generally more educated
than those who do not join (see, e.g., Ansolabehere & Rivers, 2013). In turn, the probability of
being included in a given online opt-in panel sample is likely not independent of the outcome of
a measure of education level. However, a panel sample can still produce accurate population
estimates of education outcomes if the difference is corrected for through matching or via
weighting on an education covariate. Thus, the ignorability assumption can still hold if this
imbalance is corrected (i.e. balanced to reflect the distribution of the education covariate in the

Rivers (2006, p. 8) notes that ignorability is a “plausible assumption” for YouGov’s
sampling approach, given its panel’s large and diverse size and because numerous and varied
characteristics are used to match panel samples to target samples (see also Rivers, 2007).

Empirical evidence has emerged to support this claim. Specifically, YouGov’s matched samples
have outperformed more traditional RDD-based phone and Internet panel methods in estimating population demographics and election outcomes (see, e.g., Ansolabehere & Schaffner, 2014; Blumenthal & Franklin, 2007; Rivers & Bailey, 2009; Twyman, 2008; Vavreck & Rivers, 2008) and have produced representative samples with low levels of total error (Rivers, 2007). Additionally, using Monte Carlo simulations, Rivers (2007, p. 17) found that the closest neighbor matching procedure used by YouGov yielded a “nearly unbiased” sample when the panel was five times larger than the size of the target sample—it had a sampling distribution that was nearly identical to that obtained via random sampling from a target population.

In addition to this empirical evidence, persuasive theoretical arguments regarding the assumption of ignorability for matched panel samples have been presented. As elucidated by Ansolabehere and Rivers (2013), the risk of violating the ignorability assumption is not exclusive to self-selected panel samples; probability samples may have the same issue as a result of substantial nonresponse and noncoverage error (see also Rivers, 2007). Stated differently, both self-selected panel samples and probability samples are vulnerable to the same issue—the presence of nonrandom sampling error due to interdependence between a survey’s measurements and the probability of a unit’s presence in the sample. Indeed, as discussed above, falling response rates and rising noncoverage for probability surveys suggest that they will produce samples that frequently require post-stratification adjustment (Rivers, 2006; 2007). Vaverck & Rives (2008) argue, “there is no logical difference between the type of modeling assumptions needed for non-response adjustments and those needed for self-selected samples” (p. 359). For both matched panel and probability survey methods, then, the assumption of ignorability will not be achieved if the factors affecting sample selection are omitted from the set of pre- or post-stratification covariates (Ansolabehere & Rivers, 2013).
In sum, as Rivers (2007, p. 631) argues, probability sampling “provides no guarantee of representativeness” and conventional methods of correction for sampling error (e.g. quota sampling; post-stratification of random samples) may not adequately remedy biases when important covariates are not available in the data (see also, Watson, Zamith, Cavanah, & Lewis, 2015). Rivers (2007) also asserts that the weights needed to balance samples drawn through more traditional random or quota sampling may actually be much larger than those required for the adjustment of a matched sample drawn from a frame that includes large amounts of auxiliary information. Rivers (2007) goes so far as to contend that matched samples can actually “outperform” probability samples that have high levels of nonresponse error (p. 23). While this claim is controversial (see, e.g., Baker et al., 2010, 2013), Rivers (2006, 2007) nonetheless persuasively asserts that like matched panel samples, the validity of probability samples is largely and increasingly dependent on the extent and relevance of the auxiliary variables available to correct for sampling error (see also Ansolabehere & Rivers, 2013; Vavreck & Rivers, 2008).

These conclusions by Rivers and his colleagues reinforce a key benefit of the YouGov panel as compared to the methods used by other research firms that draw samples of survey respondents from online panels—its ability to correct for biases present in panel samples on an array of characteristics. Of course, no single set of covariates will be able to correct for all imbalances in the matched sample; there may be an unobserved variable that affects both matched group membership and the study’s outcomes (Baker et al., 2010, 2013). However, YouGov’s use of an array of covariates and high-quality data for matching and weighting lessen this potential for error (see Stuart & Rubin, 2008). Moreover, as Rivers (2006) notes, when individuals share a large number of characteristics, they will also tend to be similar on other
items for which there is no data; replacing one individual with another will have little influence on the sample. Overall, then, the YouGov panel likely overcomes many of the key issues related to generalizability inherent in many online survey approaches.

**Distribution of the Survey**

YouGov sent e-mails announcing and providing a link to the survey questionnaire to the matched sample of panel members. These email invitations did not include specific information about the survey, so as to reduce the possibility of response bias that could lead to the overrepresentation of respondents particularly interested in criminal justice issues. After sending the initial survey invitations, YouGov emailed numerous reminders about the survey to sampled panel members who had not yet completed it across during a one-week period.

**MEASURING SUPPORT FOR OFFENDER INCLUSION**

As noted in the previous chapter, the principal concern of this study is to examine the extent to which the public rejects the exclusion of criminal offenders and supports avenues that facilitate their reacceptance—or “inclusion”—in society as prosocial citizens. To this end, I examined respondents’ attitudes toward four primary aspects of an inclusive correctional orientation: the (1) rehabilitation, (2) reentry, (3) reintegration, and (4) redemption of criminal offenders.

Following each survey question, participants were directed to choose among a close-ended set of choices, rate their level of agreement with a statement or support for a particular policy or program on a Likert scale, or to check all applicable response options. Non-substantive response options, such as “don’t know” and “no opinion” were not initially provided for most questions.
Where appropriate, indices were created by summing and calculating the mean of respondents’ responses to a series of statements scored on a Likert scale. The presentation of the statements encompassing such scales was randomized across survey participants in order to limit the impact of question order effects, such as when an earlier item in the survey biases the manner in which latter questions are answered (Dillman et al., 2014). Close-ended and check-all-that-apply response options were also randomized across participants so as to minimize errors stemming from potential satisficing behavior, such as the tendency for responses displayed toward the beginning of lists to be selected (for a review, see Krosnick & Presser, 2010).

In total, the survey instrument contained 50 items spread across 26 questions. The complete survey instrument is located in Appendix A. While a number of these items are included in prior surveys of the public, the instrument predominantly encompassed original measures created for the present study. It was necessary to construct several new measures due to the lack of previous examinations of public attitudes toward many of the concepts central to this study, particularly those related to support for offenders’ reintegration and redemption. Such items were designed in reference to key concepts, policies, and theories of the relevant, existing literature reviewed in the previous chapter. In adherence with the recommendations of Dillman et al. (2014), earlier drafts of the survey were closely reviewed by content area experts and scholars experienced in survey design. Based on detailed feedback from this evaluation process, measures were altered as necessary to provide clarity. The measures used to explore support for each component of offender inclusion are described below.

---

1 It should be noted that question order effects might still have occurred, as the presentation of items within the survey instrument was not fully randomized. That is, similar items were logically grouped and generally preceded from general to more specific in nature (Dillman et al., 2014).
Three strategies were selected to examine general support for rehabilitation. First, I assessed favorable attitudes toward correctional treatment using a five-item “support for rehabilitation” index comprised of items closely replicated from previous research (Applegate et al., 1997; Cullen, Clark, Cullen, & Mathers, 1985; Cullen, Gilbert, & Cullen, 1983; see also, Applegate, Cullen, Fisher, & Vander Ven, 2000; Blevins, Cullen, & Sundt, 2007; Cullen et al., 1988). Respondents rated each item on a 6-point Likert scale, where 1 = strongly disagree, 2 = disagree, 3 = somewhat disagree, 4 = somewhat agree, 5 = agree, and 6 = strongly agree. This Likert scale was selected because it allows for the examination of both the direction and intensity of attitudes, while providing meaningful distinctions between response options (Dillman et al., 2014). Additionally, scales of this length have been shown to garner optimal levels of reliability and validity of as compared to those with either more or fewer options (Fowler, 2014; Dillman et al., 2014). While support for rehabilitation has been examined using a variety of strategies, items for this index were selected for their perceived ability to closely approximate support for my conceptual definition of rehabilitation as a broad correctional paradigm that advocates for the provision of treatment services to criminal offenders (Cullen & Jonson, 2017). Thus, I excluded items examined in previous research that could prompt responses related other issues, such as measures that may capture support for mandatory, forced participation in correctional rehabilitation programs, rather than support for rehabilitation more generally (e.g., “society has a right to try to rehabilitate criminals even if they don't want to be,” see Cullen, Bynum, Garrett, & Greene, 1985).

I also excluded “utility statements” from this scale that may gauge participants’ judgments about the effectiveness of rehabilitation for serving some practical purpose, such as
reducing crime, rather than support for the provision of correctional rehabilitation more generally (e.g. “the most effective and humane cure to the crime problem in America is to make a strong effort to rehabilitate offenders,” see Blevins et al., 2007). As Pickett and Baker (2014) note, judgments regarding the utility of a policy for reducing crime or achieving some other utilitarian goal do not necessarily reflect policy support (see also, Cullen et al., 2000). For example, even if participants consider a policy to have no value in reducing crime, they may still have other motives to support it, such as a desire to treat offenders humanely. The basic standard, then, in selecting these items, was their capacity to examine support for the view that rehabilitation is a legitimate function of the criminal justice system across a variety of generic contexts.

All of these items were drawn verbatim from the existing literature, except for item 5, which was reworded slightly from the version included in Cullen, Clark et al. (1985), so that disagreement indicates greater support for rehabilitation. Note that this item, along with item 4 are both negatively worded in this way, and were reverse coded (each indicated with an “R,” below) so that higher scores corresponded to greater support for rehabilitation.

These two items were included given that psychometric research has shown that respondents have a tendency for acquiescent or disacquiescent responding—to disproportionately agree with positively or negatively stated items. This type of responding may lead to biases in the interitem correlation within scales and erroneously inflate or deflate correlation and regression coefficients (e.g., Baumgartner & Steenkamp, 2001; Rammstedt & Farmer, 2013; see also Podsakoff, MacKenzie, & Podsakoff, 2012). Each of the five items include in the “support for rehabilitation” index, as well as its original source in the existing literature, is listed below:

1. It is a good idea to provide treatment for offenders who are supervised by the courts and live in the community. (Applegate et al., 1997)
2. Rehabilitation programs should be available even for offenders who have been involved in a lot of crime in their lives. (Applegate et al., 1997)

3. It is important to try to rehabilitate adults who have committed crimes and are now in the correctional system. (Applegate et al., 1997)

4. All rehabilitation programs have done is allow criminals who deserve to be punished to get off easily. (R) (Cullen et al., 1983)

5. I would not support expanding the rehabilitation programs that are now being undertaken in our prisons. (R) (Cullen, Clark et al., 1985)

As a second approach to measuring general attitudes toward rehabilitation, I replicated one question previously posed in multiple polls conducted by Louis Harris and Associates (1968, see also Flanagan & Caulfield, 1984), as well as a number of other surveys of the public (e.g., Applegate et al., 1997, 2000; Applegate, Cullen, & Fisher, 2002; Cullen, Skovron, Scott, & Burton, 1990; Sundt, Cullen, & Applegate, Turner, 1998; Sundt et al., 2015). This item asked respondents to identify what they believe “should be the main emphasis in most prisons.” Participants were instructed to choose the most important factor from among four response options: (1) “punishing the individual convicted of a crime”; (2) “trying to rehabilitate the individual so that he or she might return to society as a productive citizen”; (3) “protecting society from future crimes he or she might commit”; and (4) “not sure.” In light of evidence that the public desires the correctional system to pursue multiple aims (e.g., Cullen et al., 2002; Roberts, Hough, Jacobson, & Moon, 2009; Thielo et al., 2016; Thomson & Ragona, 1987; see also Roberts & Stalans, 2000), respondents were also directed to select their preferred “second most important emphasis” from the same four choices, minus whichever option they selected as the “main emphasis” in the prior question.

It should be noted that these measures of preferred correctional goals, as well as the items included in the “support for rehabilitation” index, assess only “global attitudes” toward
correctional treatment, or broad views about a general policy issue (Cullen et al., 2000). When survey respondents are asked to consider variety of more specific factors, such as the nature and seriousness of an offense and/or characteristics of an offender, preferred correctional goals and the extent of rehabilitative support have been found to vary (e.g., Roberts & Hough, 2005; Roberts et al., 2009; Rogers, Hirst, & Davie, 2011). However, given my primary objective of capturing participants’ overall, global rehabilitative orientations, the use of the measures described above was likely satisfactory. Confidence in assessing rehabilitative orientations through these global measures also stems from a large body of literature that suggests the public consistently desires rehabilitation to be an integral function of the correctional system, regardless of the approach used to assess these attitudes (for reviews, see Cullen et al., 2000; Jonson, Cullen, & Lux, 2013).

Moreover, one additional question was used to assess more specific attitudes toward correctional rehabilitation. In this measure, attitudes toward correctional rehabilitation were explored through an assessment of level of support for the use of community-based, “problem-oriented” court programs rather than incarceration when dealing with various types of offenders. Participants were first provided with a general description of the functioning and objective of these courts, drawn from the literature (see e.g., Berman & Fleinblatt, 2001; Dorf & Fagan, 2003):

Recently a number of places have started what are known as “problem-oriented” (or specialty) courts. These courts deal with a specific kind of offender—such as someone using drugs. The goal is to treat the underlying problem (e.g., drug addiction) by placing an offender in a rehabilitation program in the community rather than sending them to prison for punishment.

The survey then directed the respondents to indicate their support or opposition for these types of courts for various types of offenders: (1) “offenders who are addicted to drugs”; (2)
“offenders who are mentally ill”; (3) “offenders who are veterans”; (4) “offenders who are homeless” and (5) “offenders who engage in domestic violence.” Respondents rated support for each type of problem-solving court on a six-point Likert scale, where 1 = strongly oppose, 2 = oppose, 3 = somewhat oppose 4 = somewhat support, 5 = support, and 6 = strongly support. With this measure, the survey examined participants’ approval of the handling of particular types of offenders in the community via a rehabilitative approach in lieu of incarceration.

**Reentry**

While a large body of literature examines support for the provision of treatment services to incarcerated offenders, as well as for offender rehabilitation more generally, there have been few investigations of attitudes toward policies that may help ex-offenders transition to society. However, of particular relevance to understanding the public’s appetite for the meaningful inclusion of offenders in society is its support for programs that can aid individuals in their post-prison experiences. Favorable attitudes toward reentry services likely implies a recognition that individuals who commit crimes undergo a difficult transition upon release from prison, and that the criminal justice system has a responsibility to assist them in this reentry process (see, e.g., Clear & Frost, 2014; Garland, Wodahl, & Cota, 2016). Support for such services may also reflect a willingness to view those with criminal pasts as deserving of a “second chance,” as well as an appreciation that they often need assistance to succeed.

In view of these considerations, the survey evaluated public support for specific programs that have been found to help released offenders adjust to life outside of a controlled prison environment. Specifically, closely replicating Sundt et al. (2015), participants were instructed, “Most criminal offenders will be released from prison to the community after serving their sentence. Listed below are services that could be made available after people are released from
prison to prevent their return to crime.” The respondents then indicated their level of support for six services often found to be integral to the successful return of offenders to society: (1) “close supervision by a parole officer”; (2) “job training”; (3) “education”; (4) “drug treatment”; (5) “mental health services” and (6) “help finding a place to live.” Support for each initiative was rated on the same six-point support-oppose Likert scale as described above.

In addition to measuring support for efforts by the criminal justice system to aid offenders as they return to their communities after a prison stay, the survey examined opinions on more informal forms of assistance. Using a check-all-that-apply question, respondents were asked to indicate the avenues they believed may help “offenders who come back into society after being in prison for five years” to “stay out of crime” from among five choices: (1) “a supportive family”; (2) “mentors who guide them”; (3) “employers who give them a chance to work”; (4) “church groups where they meet friends” and (5) “community service activities.” Survey participants could check as many of these five options as desired. Alternatively, they were also provided an option to check “none of these.” The perceived abilities of these specific opportunities to help reentering offenders were examined because they have been commonly associated with aiding in this process—by way of strengthening informal social control over offenders, as well as increasing offenders’ social support and interactions with prosocial others in ways that may lead to the transformation of the “offender” identity (see e.g., Cullen, Wright, & Chamlin, 1999; Maruna, 2001; Sampson & Laub, 1993; Uggen & Janikula, 1999; Uggen, Manza, & Behrens, 2004).

It should be noted that studies have consistently have found that fewer options are endorsed when this type of check-all-that-apply item format is used as compared to force-choice questions that direct respondents to judge and provide an answer (yes or no) for each item
individually (e.g., Dykema, Schaeffer, Beach, Lein, & Day, 2011; Rasinski, Mingay, &
Bradburn, 1994; Smyth, Dillman, Christian, & Stern, 2006). These observed differences across
question types may be due to an increase in satisficing response strategies when such check-all
questions are used (Callegaro, Murakami, Tepman, & Henderson, 2015; Smyth et al., 2006).
Thus, researchers have cautioned against interpreting non-checked items in such check-all-that-
apply questions as indicative of a response of “no.” However, due to space limitations in the
survey instrument, the check-all question format was utilized for this item, as well as a few other
measures (described below), with substantive answer choices randomized across survey
respondents to minimize potential biases stemming from non-optimal responding behaviors, such
as those related to primacy effects (i.e. the tendency for response choices near the top of a list to
be selected disproportionately) (Ares & Jaeger, 2013; see also Krosnick, 1999).

Reintegration

The survey also examined attitudes toward policies that may aid in offenders’
reintegration into civil society as equal citizens—deserving of basic American rights and
opportunities that may be stripped upon a serious criminal conviction. The focus of these
measures moves beyond an assessment of general support for rehabilitation and reentry services
and toward an analysis of public willingness to view offenders as worthy of more than a
stigmatized status of “outsiders” (Uggen et al., 2006). As described below, support for four
types of offender reintegration policies was explored: the (1) restoration of civil rights, (2) fair-
chance hiring initiatives, (3) increasing the visibility and efficacy of collateral sanctions, and the
(4) expungement of criminal records.

 Restoration of Civil Rights. First, respondents were surveyed about their support for
strategies that may promote the reintegration of offenders through the restoration of particular
citizenship rights. These attitudes were examined using force-choice items similarly posed in a recent national YouGov (2016) poll. One of these items assessed respondents’ attitudes toward felony disenfranchisement: “Which of the following comes closest to your opinion about voting rights for U.S. citizens who have been convicted of felonies?” The wording of this item was changed slightly from that used by YouGov in order to emphasize the notion of restoring voting rights to “citizens,” given that the survey instrument was dispersed in the midst of national presidential election primaries that had sparked a contentious debate over the rights of undocumented immigrants (Siddiqui, 2016). Furthermore, high-profile court cases in the news at the time of survey distribution had likely heightened the public’s awareness of the dispute over voter ID laws (Rutenberg, 2015). Advocates of such laws believe voter identification requirements are essential in part, in order to prevent fraudulent voting by non-citizens (Rutenberg, 2015; Wines, 2016). Thus, in order to limit the impact of anti-immigrant sentiment on responses, it was deemed necessary to specify that participants should consider the prospect of restoring voting rights only for those who would otherwise have the right if not for their criminal records. Participants expressed a preference for one of three views about felon’s voting rights:

1. They should permanently lose their right to vote.
2. They should lose their right to vote only until they have completed their prison sentence.
3. They should not lose their right to vote at all.

A second item replicated from YouGov (2016) was included to examine attitudes toward the restoration of the right to serve on a jury to felons. For this question, participants were instructed to identify which of three opinions was closest to their own about “people who have been convicted of felonies sitting on juries”:
1. They should be permanently excluded from sitting on juries.

2. They should be allowed to sit on juries once their sentence is complete.

*Fair- Chance Hiring Initiatives.* Second, measures were included to examine public sentiment toward several specific “fair-chance” hiring initiatives—policies that seek to aid in offenders’ reintegration into society by dismantling their barriers to employment (Rodriguez & Avery, 2016).

Fair-chance hiring legislation has been enacted in many various forms across several jurisdictions in the U.S. That is, these policies are typically comprised of several structured and complex components, such as exempting employers of certain professions from adhering to their regulations (e.g., child care providers) (e.g., Subramanian, Henrichson, & Kang-Brown, 2015; Wolfe, 2015). Thus, given that many survey respondents were likely to be unfamiliar with these concepts, it was important to describe them using language that would be readily understood. In this vein, I assessed views toward three broadly defined components of “fair-chance” hiring strategies that do not necessarily reflect the specific, comprehensive policy enacted by any one jurisdiction. One of these questions explored support for “ban the box” laws based on the below description of the concept:

As you may know, many job applications contain a “box” that a person applying for the job must check if they have a criminal record from their past. Recently, however, many elected officials have passed “ban the box” laws. These laws say that employers must remove this “box” on job applications that people must check if they have been arrested and/or convicted of a crime. With ban the box laws, employers can still conduct a criminal background checks and choose not to hire someone who has a criminal record. However, they can only do this AFTER they have looked at the person’s job application and decided to interview them or give them a job offer.

Participants were then directed to indicate which of two statements they agreed with more in regards to banning the box. The first statement corresponded to a perception that it is important to give offenders the opportunity to be evaluated by employers on their merits for a
position, and that ban the box laws could help them secure employment. The second statement related to a view that these laws are not worth the administrative burden they may place on employers, as banning the box is unlikely to increase the hiring of offenders:

1. “Ban the box” laws are a good idea because ex-offenders’ skills and qualifications for jobs will be considered. This could help them get jobs because they won’t just be rejected right away for having criminal records.

2. “Ban the box” laws are a bad idea because they make employers waste time considering hiring people that they may end up rejecting later when they find out about their criminal records.

**Increasing Visibility and Efficacy of Collateral Sanctions.** Third, reintegrative correctional attitudes were assessed through an examination of respondents’ support for increasing the visibility and efficacy of collateral sanctions. Given that many respondents were likely to be unfamiliar with “collateral sanctions,” it was necessary to provide them with a general description of the concept and some examples of specific collateral sanctions:

As you may know, when people are convicted of many types of misdemeanor and felony crimes, they often also face a lot of other regulatory or civil penalties, called collateral sanctions. Collateral sanctions are separate from the direct punishments for crimes (such as a prison sentence or a probation term) and offenders are generally not told about these restrictions when they are convicted of a crime. Thus, someone convicted of a crime might face many different types of restrictions on the rights and privileges that U.S. citizens typically have. Such collateral sanctions include not being allowed to work in a lot of jobs, to serve on a jury, to join the military, to receive student loans and other forms of public assistance, and to have a driver’s license.

Respondents were then asked to express their agreement with a series of statements using the same 6-point agree-disagree scale described above. These three measures explore attitudes about increasing the transparency, legitimacy, and accountability of collateral sanctions for both government officials who oversee them and the offenders who endure them:

1. Offenders should be given information regarding all of the possible collateral sanctions they may face if they are convicted of a crime, both at the time they are charged with a crime and before entering a plea of guilty or innocent.
2. Every five years, state and federal lawmakers should review all of the existing collateral sanctions of convictions, and eliminate the ones that are found to have no useful purpose.

3. A collateral sanction should be eliminated unless it is shown to reduce crime.

One additional item examined the respondents’ belief in the notion that increased recidivism may be an unintended consequence of collateral sanctions: “Do you think that collateral sanctions generally make offenders more or less likely to commit crimes?” Answer choices for this item ranged from 1 = a lot less likely, 2 = a little less likely, 3 = a little more likely, 4 = a lot more likely.

**Expungement of Criminal Records.** Support for reintegrative policies was examined through a series of questions related to expungement policies. These measures were crafted for the survey instrument in order to capture the general attitudes toward allowing offenders to wipe their “slates clean” by removing criminal records from the public’s view (see, e.g., Love, 2002; Silva, 2011). Items were also included in order to assess the circumstances under which respondents’ are supportive of allowing criminal records to be expunged. Furthermore, the survey investigated perceptions regarding the consequences of both the availability and inaccessibility of criminal records. Prior to these items, respondents were provided with a broad definition of expungement:

There has been some debate recently about expunging criminal records for offenders who have completed their sentences and thus paid for their crime. When a criminal record is expunged, this means that the criminal record is removed or sealed and thus is no longer something that the public, including employers, can see. It’s like starting over from scratch.²

General attitudes toward expungement were then examined through an item that directed respondents to indicate whether they believed expungement was generally a “good” or “bad”

² Some jurisdictions consider “sealing” and “expungement” to be distinct concepts, and thus these terms are not used interchangeably (Subramanian et al. 2014). However, these distinctions were not made in the survey in order to increase the clarity and simplicity of measures.
policy. For this measure, participants were asked to appraise concerns for offenders having an opportunity to overcome their criminal history with concerns regarding public safety:

1. Expunging criminal records is a good policy because it gives criminal offenders a chance to get their lives back on track.

2. Expunging criminal records is bad policy because public access to criminal records helps to keep communities safe.

A second item examined general attitudes toward the “redemption point,” (see Blumstein & Nakamura, 2009) by examining opinions about the amount of time an individual must “stay out of crime before they should be eligible to have their criminal record expunged.” Response options for this item were provided in a nominal fashion, with available choices for each of 1-10 years, 15 years, and 20 years. One additional response option corresponded to unequivocal opposition to allowing offenders to clear their slates: “individuals should never be eligible to have their criminal records expunged.”

More nuanced opinions on redemption points were also explored by inquiring about perceived redemption points for offenders who have various types of convictions on their criminal records: (1) shoplifting, (2) burglary, (3) sex offense involving a child, (4) domestic battery of a spouse, (5) white-collar crimes (e.g. tax-evasion, embezzlement), (6) driving under the influence (DUI), and (7) possession of illegal drugs. The survey respondents were directed to consider each crime’s suitability for expungement. For each of the seven offenses, participants could either indicate that associated criminal records “should never be expunged,” or could become eligible for expungement after individuals convicted of that offense had refrained from crime from 3, 5, or 10 years.

Another investigation of expungement attitudes focused on factors considered by a judge when they evaluate individuals’ requests to have their criminal records expunged. Specifically,
respondents were directed to check each of seven factors they believed should contribute to the
granting of expungement: the offender (1) “has been employed full time for a year”; (2) “is
married with kids”; (3) “is a community volunteer”; (4) “has a letter of support from his or her
neighbors”; (5) “attends church services regularly” and (6) “completed a rehabilitation program.”
As with the other check-all-that-apply measures included in the survey, a “none of these”
response choice could also be selected.

A four-item “support for expungement” index further assessed the extent to which the
public supports the sealing of records generally, as well as perceptions of the consequences of
publicly available criminal records. Items were again rated on a 6-point disagree/agree scale.
Item 4 was reverse coded so that higher scores corresponded to greater support for limiting
public access to criminal records. Each of these statements is described below:

1. If a person never has the opportunity to expunge their criminal record, they may face
problems that lead them back to a life of crime.

2. Juvenile records for non-violent crimes should be automatically expunged so that
only certain law enforcement agencies will be able to see them.

3. Only law enforcement agencies and some potential employers should be able to see
adults’ records for non-violent crimes.

4. More often than not, it is a good idea to put criminal records on the Internet for
anyone to see. (R)

Finally, one item examined attitudes toward a component of the REDEEM Act,
highlighted in Chapter 1, which would require the FBI to review each criminal record for
accuracy and completeness prior to dispensing it to a requesting party. Specifically, participants
were asked to rate their support on a six-point scale ranging from “strongly oppose” to “strongly
support” for following statement:

At times, the criminal records kept on people are not accurate or kept up to date, and if
used can hurt their chances to get jobs, rent apartments, or get approved by credit
agencies. The U.S. Congress is now considering a law that would require the FBI to review their criminal records to make sure that citizens are not hurt by incomplete or inaccurate records that are given out in background checks.

**Redemption**

A third primary dimension of public sentiment toward a correctional policy agenda of offender inclusion is support for strategies that may aid individuals in shedding their criminal identities and achieving meaningful redemption from prosocial society. As noted below, opinions of one potential pathway to redemption were examined: formal “redemption rituals,” in the form of “rehabilitation ceremonies” and the granting of “certificates of rehabilitation.” These measures were constructed to evaluate attitudes toward the primary components of redemption commonly highlighted in the criminological literature—the forgiveness of offenders and removal of their criminal “marks” (i.e. their de-stigmatization) by the state and the community (see, e.g., Bazemore & Erbe, 2003; Blumstein & Nakamura, 2009; Maruna, 2001, 2009; Pager, 2003, 2007). In addition, the survey assessed belief in the “redeemability” of offenders—the attitude that criminality is not a fixed behavioral attribute, but rather that offenders are capable of transforming their behavior (Maruna & King, 2004, 2009).

**Formal Redemption Rituals.** Two measures were included to examine perceptions of the ability of formal, legalized “redemption rituals” (see, e.g., Braithwaite, 1989; Corbett, 2014; Maruna, 2001, 2011a, 2011b) to aid in offenders’ achievement of community redemption and to reduce their recidivism. In this regard, respondents rated the extent to which they agreed (on a 6-point agree-disagree scale) that rehabilitation ceremonies would assist ex-offenders to “reintegrate back into the community and stay out of crime” based on the following description:

Some courts hold “rehabilitation ceremonies” for ex-offenders who have done certain things to prove to the community that they have left behind a life of crime—such as completing rehabilitation programs and community service activities, taking responsibility and apologizing for their past crimes, and/or staying crime-free for a
certain period of time (such as five years). At these public rehabilitation ceremonies, ex-offenders are declared “rehabilitated” and free from all legal penalties and other collateral sanctions of their crimes.

In a separate measure, respondents were presented with a brief description of “certificates of rehabilitation,” and judged their utility for the reintegration of offenders using the same 6-point agree-disagree scale:

At some rehabilitation ceremonies, ex-offenders are given “certificates of rehabilitation.” These certificates are like letters of recommendation, which state that an ex-offender has been formally “rehabilitated.” Ex-offenders can give these certificates to licensing agencies, employers, and state officials to show that they have paid their debt to society for their crimes.

**Redeemability.** Two strategies were used to examine respondents’ belief in the “redeemability” of individuals who have committed crimes. First, attitudes toward the “redeemability” of offenders were measured using a four-item index, constructed principally in reference to Maruna and King’s (2009) examination of this concept. The intent of these measures is to examine support for the notion that offenders can generally transform their lives and to evaluate the belief that they can change given the appropriate environmental circumstances. Agreement with these items was rated on a 6-point agree-disagree scale. Items 3 and 4 were reverse coded so that the higher the respondents’ score on this “belief in redeemability” index, the more they agree that offenders are capable of making positive changes. These items are and their sources in previous literature, where applicable, are described below:

1. Most offenders can go on to lead productive lives with help and hard work. (Maruna & King, 2009)

2. Given the right conditions, a great many offenders can turn their lives around and become law-abiding citizens. (Roberts, Doble, Clawson, Selton, & Briker, 2005)

3. Most criminals are unlikely to change for the better. (R)

4. Some offenders are so damaged that they can never lead productive lives. (R) (Maruna & King, 2009)
Second, belief in redeemability was examined using a slightly different strategy that asked respondents to indicate their confidence in the ability of rehabilitation programs to change offenders’ behavior: “If an effort is made to provide specialized rehabilitation services in prisons, what percentage of prison inmates do you think can lead a law-abiding life after they are released to the community?” Responses were measured using a nine level response set with answer choices: (1) “under 20%”; (2) “21-30%”; (3) “31-40%”; (4) “41-50%”; (5) “51-60%”; (6) “61-70%”; (7) “61-70%”; (8) “71-80%” and (9) “over 80%.”

SAMPLE CHARACTERISTICS

The focus of the present study is the absolute levels to which the public supports an inclusive correctional policy agenda that prioritizes the rehabilitation, reentry, reintegration, and ultimately, the redemption of criminal offenders. Given this emphasis on the overall support for policies, the current study does not systematically analyze variation in these attitudes. Separate analyses will be undertaken at a later point and published in separate papers. It is possible, however, to present information on the characteristics of the sample. Through its collection and periodic maintenance of core profile items for its panelists, YouGov elicits information on the respondents’ demographic and political characteristics. Thus, the sampled panelists’ responses to these items were collected at some point prior to prior to the assessment of the other measures. These core profile items were not repeated again on the survey instrument due to space limitations. Nonetheless, given that YouGov frequently reassesses for this information, the accuracy of these data is not a major concern. The measures for these twelve core profile items are listed in Appendix B. This information is used to create a matched and weighted sample.
Table 2.1 Socio-Demographic Characteristics of Sample

<table>
<thead>
<tr>
<th>Characteristics</th>
<th>Percent/Mean</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mean Age</td>
<td>47.2</td>
</tr>
<tr>
<td>Race</td>
<td></td>
</tr>
<tr>
<td>White</td>
<td>73.8</td>
</tr>
<tr>
<td>Black</td>
<td>10.0</td>
</tr>
<tr>
<td>Hispanic/Latino</td>
<td>9.3</td>
</tr>
<tr>
<td>All Others</td>
<td>6.9</td>
</tr>
<tr>
<td>Education</td>
<td></td>
</tr>
<tr>
<td>No High School Degree</td>
<td>4.7</td>
</tr>
<tr>
<td>High School Graduate</td>
<td>36.8</td>
</tr>
<tr>
<td>Some College But No Degree (Yet)</td>
<td>23.1</td>
</tr>
<tr>
<td>2-year College Degree</td>
<td>8.2</td>
</tr>
<tr>
<td>4-Years College Degree</td>
<td>17.8</td>
</tr>
<tr>
<td>Postgraduate Degree</td>
<td>9.4</td>
</tr>
<tr>
<td>Family Income</td>
<td></td>
</tr>
<tr>
<td>Less Than $29,999</td>
<td>28.5</td>
</tr>
<tr>
<td>$30,000 to $49,999</td>
<td>23.1</td>
</tr>
<tr>
<td>$50,000 to $69,999</td>
<td>13.9</td>
</tr>
<tr>
<td>$70,000 to $99,999</td>
<td>10.4</td>
</tr>
<tr>
<td>$100,000 to $149,999</td>
<td>7.9</td>
</tr>
<tr>
<td>$150,000 to $199,999</td>
<td>1.3</td>
</tr>
<tr>
<td>More Than $200,000</td>
<td>1.4</td>
</tr>
</tbody>
</table>
Table 2.2 Political Characteristics of Sample

<table>
<thead>
<tr>
<th>Characteristics</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Political Party Affiliation</strong></td>
<td></td>
</tr>
<tr>
<td>Strong Democrat</td>
<td>24.5</td>
</tr>
<tr>
<td>Not Very Strong Democrat</td>
<td>11.0</td>
</tr>
<tr>
<td>Lean Democrat</td>
<td>8.6</td>
</tr>
<tr>
<td>Independent</td>
<td>18.4</td>
</tr>
<tr>
<td>Lean Republican</td>
<td>9.6</td>
</tr>
<tr>
<td>Not Very Strong Republican</td>
<td>11.1</td>
</tr>
<tr>
<td>Strong Republican</td>
<td>12.7</td>
</tr>
<tr>
<td>Not Sure</td>
<td>4.1</td>
</tr>
<tr>
<td><strong>Political Ideology</strong></td>
<td></td>
</tr>
<tr>
<td>Very Liberal</td>
<td>10.7</td>
</tr>
<tr>
<td>Liberal</td>
<td>18.1</td>
</tr>
<tr>
<td>Moderate</td>
<td>31.3</td>
</tr>
<tr>
<td>Conservative</td>
<td>23.4</td>
</tr>
<tr>
<td>Very Conservative</td>
<td>8.5</td>
</tr>
<tr>
<td>Not Sure</td>
<td>8.0</td>
</tr>
</tbody>
</table>
The key socio-demographic and political characteristics are presented in Tables 2.1 and 2.2. As can be seen, the sample is diverse in its background characteristics, including diversity by age (mean 47.2), race/ethnicity (26.2% not White), education (nearly three-fourth without a four-year college degree or higher), and family income (about half below $50,000). Similarly, there was a diversity in political orientation. More respondents identified as Democrats, but this still comprised only 44.1% of the sample. Further, the sample was fairly evenly divided between those reporting they were liberal (28.8%), were moderate (31.3%), and were conservative (31.9%); 8.0% were not sure. Given these considerations, it appears that the YouGov sample represents a politically diverse group. If so, this suggests that, at least on this dimension, the sample is not tilted toward ideologically toward any particular policy position, including on the inclusion and exclusion of offenders.

**Conclusion**

The YouGov survey methodology allows for a survey to be conducted of a national sample in an era where it is increasingly difficult to poll the public. The current study presents data on 1,000 respondents who completed a questionnaire measuring the extent to which they supported inclusionary correctional policies and practices. The results of this survey are presented in Chapter 3, and then their implications are discussed in Chapter 4.
Chapter 3

RESULTS

The purpose of this dissertation was to explore systematically public opinion about the “4 R’s” of correctional reform: rehabilitation, reentry, reintegration, and redemption. Again, these attitudes were explored through a survey that contained survey questions aimed at measuring the extent to which citizens favored offender inclusion over offender exclusion. Because the goal is to assess overall levels of support for a range of policies, the tables report descriptive data on the responses to each of the survey questions. Subsequent analyses following the dissertation will explore factors that might account for variation in public opinion. Below, the data are presented within the context of each of the 4 R’s. Note that due to rounding errors, some totals may not precisely equal 100% when percentages are reported in the tables.

PUBLIC SUPPORT FOR REHABILITATION

Respondents’ general, global attitudes toward rehabilitation are reported in Table 3.1 and Table 3.2. Specifically, Table 3.1 displays what participants believe should be the “main emphasis in most prisons.” As shown, rehabilitation for the purposes of returning a “productive citizen” to society was the leading choice among the possible emphases, selected by more than one-third of the sample (40.9%). Furthermore, as shown in Table 3.2, over a quarter of the sample (25.7%) selected rehabilitation as the “second most important emphasis” of prisons. Thus, in sum, fully two-thirds of participants (66.6%) supported offender treatment as either the primary or secondary goal of imprisonment.

Although the rehabilitation of offenders was the most valued primary function of the prisons, the findings suggest that the public desires the correctional system to serve multiple
functions. Over one-third of the sample (35.1%) selected “protecting society” from offenders’ potential “future crimes” as their preferred main emphasis of prisons. In fact, when considering both the main and secondary goals of prisons, protecting society emerged as the respondents’ most valued goal. More than three-fourths of the sample (77.4%) chose protecting society as either the first or the second most important emphasis of prisons. Notably, a punitive emphasis for prisons—“punishing the individual convicted of a crime”—was not highly endorsed, with only 17.2% of the sample selecting this emphasis as their top goal.

Support for rehabilitation among respondents is also demonstrated in Table 3.3. The sample members expressed high levels of support for the treatment of offenders across a variety of contexts, including for offenders who are “supervised by the courts and live in the community” (89.3%), those “who have been involved in a lot of crime in their lives” (73.4%), and “adults who have committed crimes and are now in the correctional system” (87.2%). The majority of the survey respondents also endorsed the expansion of prison-based rehabilitation programs. Only 36.4% of sample members reported that they would not support such initiatives. The findings reported in Table 3.3 also suggest that the public believes rehabilitation programs are capable of effectively reforming offenders. The majority of the sample (57.5%) disagreed with the notion that rehabilitation programs simply allow “criminals who deserve to be punished to get off easily.”

Public support for correctional rehabilitation was also examined by assessing support for various “problem-oriented” (or “specialty”) courts designed to target offenders’ specific underlying issues in the community as an alternative to imprisonment. As shown in Table 3.4, high levels of support were found for community-based, problem-oriented court programs that target a diversity of issues, including drug addiction (82.2%), mental illness (82.6%), and
Table 3.1 Public Support for the Main Emphasis (or Goals) of Prisons

<table>
<thead>
<tr>
<th>Main Emphasis of Prison Should Be</th>
<th>Percent Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Punishment—punishing the individual convicted of a crime</td>
<td>17.2</td>
</tr>
<tr>
<td>2. Rehabilitation—trying to rehabilitate the individual so that he or she might return to society as a productive citizen</td>
<td>40.9</td>
</tr>
<tr>
<td>3. Protecting Society—protecting society from future crimes he or she might commit?</td>
<td>35.1</td>
</tr>
<tr>
<td>4. Not Sure</td>
<td>6.7</td>
</tr>
</tbody>
</table>
Table 3.2 Public Support for the Second Most Important Emphasis (or Goals) of Prisons

<table>
<thead>
<tr>
<th>Second Most Important Emphasis of Prison Should Be</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Punishment—punishing the individual convicted of a crime</td>
<td>24.0</td>
</tr>
<tr>
<td>2. Rehabilitation—trying to rehabilitate the individual so that he or she might return to society as a productive citizen</td>
<td>25.7</td>
</tr>
<tr>
<td>3. Protecting Society—protecting society from future crimes he or she might commit?</td>
<td>42.3</td>
</tr>
<tr>
<td>4. Not Sure</td>
<td>7.9</td>
</tr>
</tbody>
</table>
### Table 3.3 Public Support for Rehabilitation

<table>
<thead>
<tr>
<th>Items</th>
<th>Percent Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. It is a good idea to provide treatment for offenders who are supervised by the courts and live in the community.</td>
<td>89.3</td>
</tr>
<tr>
<td>2. Rehabilitation programs should be available even for offenders who have been involved in a lot of crime in their lives.</td>
<td>73.4</td>
</tr>
<tr>
<td>3. It is important to try to rehabilitate adults who have committed crimes and are now in the correctional system.</td>
<td>87.2</td>
</tr>
<tr>
<td>4. All rehabilitation programs have done is allow criminals who deserve to be punished to get off easily.</td>
<td>42.5</td>
</tr>
<tr>
<td>5. I would not support expanding the rehabilitation programs that are now being undertaken in our prisons.</td>
<td>36.4</td>
</tr>
</tbody>
</table>

Note: Agree includes respondents answering 4 = somewhat agree, 5 = agree, 6 = strongly agree (versus 3 = somewhat disagree, 2 = disagree, and 1 = strongly disagree).
Table 3.4 Public Support for Problem-Oriented Courts by Offense

<table>
<thead>
<tr>
<th>Type of Court</th>
<th>Percent Support</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Offenders who are addicted to drugs</td>
<td>82.2</td>
</tr>
<tr>
<td>2. Offenders who are mentally ill</td>
<td>82.6</td>
</tr>
<tr>
<td>3. Offenders who are veterans</td>
<td>90.1</td>
</tr>
<tr>
<td>4. Offenders who are homeless</td>
<td>88.1</td>
</tr>
<tr>
<td>5. Offenders who engage in domestic violence</td>
<td>60.3</td>
</tr>
</tbody>
</table>

Note: Support includes respondents answering 4 = somewhat support, 5 = support, and 6 = strongly support (versus 1 = strongly oppose, 2 = oppose, 3 = somewhat oppose).

Note: Question Asked—Recently, a number of places have started what are known as “problem-oriented” (or specialty) courts. These courts deal with a specific kind of offender—such as someone using drugs. The goal is to try to treat the underlying problem (e.g., drug addiction) by placing an offender in a rehabilitation program in the community rather than sending them to prison for punishment. We would like to know the extent to which you would support or oppose this kind of problem-oriented court for each of the types of offenders listed below.
homelessness (88.1%). In addition, the respondents were especially supportive of problem-oriented courts for veterans. More than nine in ten participants (90.1%) indicated support for courts designed to target and rehabilitate offenders with a veteran status. Less enthusiasm was found for problem-oriented court programs designed for individuals who engaged in a domestic violence crime. However, nearly two-thirds (60.3%) of the sample still endorsed community-based court programs for these offenders with a history of violence. These findings suggest that the public’s support for offender treatment extends beyond prison and probation and into the functioning of the court system itself. Such strong support for problem-oriented courts also indicates that the public would prefer the criminal justice system to address a variety of potentially criminogenic issues within the community rather than simply send offenders to prisons.

**PUBLIC SUPPORT FOR REENTRY**

The survey assessed public attitudes toward several specific reentry programs that have been found to help released offenders adjust to life upon release from prison. As depicted in Table 3.5, the sample expressed high levels of support for a variety of these services. In fact, more than nine in ten respondents indicated support for each program assessed, including job training (94.8%), education programming (92.6%), drug treatment (93.6%), mental health treatment (95.4%), and housing assistance (93.7%). Despite this nearly unanimous support for the provision of reentry treatment services, it is clear that the respondents also simultaneously value the provision of the appropriate control and monitoring of released prisoners. Thus, 93.6% of sample members endorsed “close supervision by a parole officer” for released offenders. Considered together, these findings provide strong evidence that the public believes that the correctional system has a responsibility to aid offenders as they transition from prison back into
Table 3.5 Public Support for Providing Services to Offenders After Release from Prison

<table>
<thead>
<tr>
<th>Services</th>
<th>Percent Support</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Close supervision by a parole officer</td>
<td>93.6</td>
</tr>
<tr>
<td>2. Job training</td>
<td>94.8</td>
</tr>
<tr>
<td>3. Education</td>
<td>92.6</td>
</tr>
<tr>
<td>4. Drug treatment</td>
<td>93.6</td>
</tr>
<tr>
<td>5. Mental health treatment</td>
<td>95.4</td>
</tr>
<tr>
<td>6. Help finding a place to live</td>
<td>93.7</td>
</tr>
</tbody>
</table>

Note: Support includes respondents answering 4 = somewhat support, 5 = support, and 6 = strongly support (versus 1 = strongly oppose, 2 = oppose, 3 = somewhat oppose).
Table 3.6 Public Views on Factors Helping Reentering Offenders Stay Out of Crime

<table>
<thead>
<tr>
<th>Question</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>For offenders who come back into society after being in prison for five years, what would help them stay out of crime? Please check ALL items below that you think would help them stay crime-free.</td>
<td></td>
</tr>
<tr>
<td>A. A supportive family</td>
<td>78.5</td>
</tr>
<tr>
<td>B. Mentors who guide them</td>
<td>76.4</td>
</tr>
<tr>
<td>C. Employers who given them a chance to work</td>
<td>81.1</td>
</tr>
<tr>
<td>D. Church groups where they meet friends</td>
<td>53.2</td>
</tr>
<tr>
<td>E. Community service activities</td>
<td>64.9</td>
</tr>
<tr>
<td>F. None of these</td>
<td>6.2</td>
</tr>
</tbody>
</table>
correctional system has a responsibility to aid offenders as they transition from prison back into their communities.

In addition to high levels of support for formal reentry initiatives on the part of the criminal justice system, the respondents also viewed several informal measures as important to reentering offenders’ successful transitions to the community. As seen in Table 3.6, clear majorities of the sample indicated that a supportive family, the guidance of mentors, and employment would help offenders who have been in prison for five years to “stay out of crime.” While a fewer respondents selected both “church groups where they meet friends” (53.2%) and “community service activities” (64.9%), more than half of the sample still indicated a belief that these informal social supports would aid offenders in their reentry processes.

PUBLIC SUPPORT FOR REINTEGRATION

The survey also examined attitudes toward policies that may aid in offenders’ reintegration into civil society as equal citizens. As shown in Table 3.7, the findings indicate that sample members have different attitudes toward two commonly imposed collateral sanctions—felony disenfranchisement and jury exclusion. First, there was general support for allowing those convicted of a felony to serve on juries. Thus, more than three-fourths (77.1%) either favored restoring voting rights once offenders “had completed their sentence” (59.3%) or stated that offenders should “not lose their right to vote” (17.8%). Less than a quarter (23.1%) supported lifetime disenfranchisement. Second, by contrast, the sample was more mixed regarding whether convicted felons should lose their right to serve on juries. Even here, however, the respondents were virtually split evenly on the issue of jury exclusion—50.3% agreed that felons should be permanently excluded from sitting on juries and 49.7% indicated that this right should be restored once offenders complete their sentences.
Table 3.7 Public Support for Voting and Jury Rights for Offenders

<table>
<thead>
<tr>
<th>Questions</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Which of the following comes closest to your opinion about voting</td>
<td></td>
</tr>
<tr>
<td>for U.S. citizens who have been convicted of felonies?</td>
<td></td>
</tr>
<tr>
<td>A. They should permanently lose their right to vote</td>
<td>23.1</td>
</tr>
<tr>
<td>B. They should lose their right to vote only until they have completed</td>
<td>59.3</td>
</tr>
<tr>
<td>their sentence</td>
<td></td>
</tr>
<tr>
<td>C. They should not lose their right to vote at all</td>
<td>17.8</td>
</tr>
<tr>
<td>2. Which of the following comes closest to your opinion about people</td>
<td></td>
</tr>
<tr>
<td>who have been convicted of felonies sitting on juries?</td>
<td></td>
</tr>
<tr>
<td>A. They should be permanently excluded from sitting on juries</td>
<td>50.3</td>
</tr>
<tr>
<td>B. They should be allowed to sit on juries once their sentence is complete</td>
<td>49.7</td>
</tr>
</tbody>
</table>
Table 3.8 Public Support for “Ban the Box” Laws

<table>
<thead>
<tr>
<th>Question</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Which of the following views about ban the box laws is closer to your own?</td>
<td></td>
</tr>
<tr>
<td>A. “Ban the box” laws are a good idea because ex-offenders’ skills and qualifications for jobs will be considered. This could help them get jobs because they won’t just be rejected right away for having criminal records.</td>
<td>66.1</td>
</tr>
<tr>
<td>B. “Ban the box” laws are a bad idea because they make employers waste time considering hiring people that they may end up rejecting later when they find out about their criminal records.</td>
<td>34.0</td>
</tr>
</tbody>
</table>

Note: Question Asked—As you may know, many job applications contain a “box” that a person applying for the job must check if they have a criminal record from their past. Recently, however, many elected officials have passed “ban the box” laws. These laws say that employers must remove this “box” on job applications that people must check if they have been arrested and/or convicted of a crime. With ban the box laws, employers can still conduct criminal background checks and choose not to hire someone who has a criminal record. However, they can only do this AFTER they have looked at the person’s job application and decided to interview them or give them a job offer. Which of the following views about ban the box laws is closer to your own?
Attitudes toward one key fair-chance hiring initiatives—“ban the box” laws—are presented in Table 3.8. As shown in the table, nearly two-thirds of the sample (66.1%) expressed support for the removal of the box that felons often must check on job applications to indicate that they have a criminal record. Only 34.0% agreed that such initiatives are a poor policy because they force employers to “waste time considering hiring people that they may end up rejecting later when they find out about their criminal records.” Thus, for the majority of sample members, any concerns about employers’ resources were outweighed by concerns for offenders’ potential barriers to attaining employment. Most were more aligned with the view that it is important for job-seeking offenders to have the opportunity for potential employers to review their skills and qualifications. These findings provide evidence that the public generally views employment as integral to offenders’ reintegration into prosocial society and is receptive to policies that may aid offenders in this regard.

Support for a reintegrative correctional approach was also explored via four measures of general attitudes toward collateral sanctions. As shown in Table 3.9, among these items, the sample members were most united in their agreement that offenders should be made aware of the collateral sanctions associated with their crimes. More than nine in ten participants (91.8%) indicated support for providing this information to individuals as it relates to the charges they receive and before they enter a plea decision. The majority of respondents also indicated high levels of support for limiting the collateral sanctions associated with criminal convictions under certain conditions. About three in four respondents (73.5%) agreed that collateral sanctions that fail to serve a crime-reduction purpose should be eliminated. In addition, 86.4% agreed that a review and subsequent purging of collateral sanctions shown to “serve no useful purpose” should occur every five years.
Despite this openness to rolling back ineffectual penalties, as Table 3.9 also reports, the majority of sample members (58%) viewed collateral sanctions as serving some crime-reduction purpose. However, only 5.0% of this group agreed that collateral sanctions generally make offenders “a lot less likely” to commit crimes; 53.0% said they make offenders just “a little less likely” to engage in future criminality. Further, more than four in ten respondents expressed concern that collateral consequences might prove criminogenic.

Table 3.10 reports the first of several items used to examine attitudes toward the expungement of criminal records. As can be seen, the subjects were split over the wisdom of wiping the slate clean for offenders. Slightly more than half felt that expungement is a bad policy because public access to records might keep “communities safe.” Still, fully 45.2% of the sample agreed that expunging criminal records was a good idea, recognizing that this policy “gives criminal offenders a chance to get their lives back on track.”

More nuanced views of expungement are presented in Table 3.11. Asked to select how many years an offender should have to stay out of crime prior to becoming eligible for expungement, only 14.5% of survey respondents indicated a belief that individuals should never be eligible to have their criminal records expunged. Instead, about a quarter of the sample members (26.3%) reported that individuals should be required to stay out of crime for five years before they are eligible to have their criminal records expunged, whereas another 17.1% stated that even fewer crime-free years are necessary. Thus, nearly half of the sample (43.4%) indicated a view that records for crimes should persist for no longer than five years. At the 10-year crime-free mark, nearly eight in ten respondents were willing to permit the expungement of criminal records. By contrast, only 22.7% of the sample felt that offenders either must wait 15 or 20 years for expungement (8.2%) or opposed expungement permanently (14.5%). Additionally,
Table 3.9 Public Support for Limiting the Collateral Consequences of Conviction

<table>
<thead>
<tr>
<th>Items</th>
<th>Percent Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Offenders should be given information regarding all of the possible collateral sanctions they may face if they are convicted of a crime, both at the time they are charged with a crime and before entering a plea of guilty or innocent.</td>
<td>91.8</td>
</tr>
<tr>
<td>2. Every five years, state and federal lawmakers should review all of the existing collateral sanctions of convictions, and eliminate the ones that are found to have no useful purpose.</td>
<td>86.4</td>
</tr>
<tr>
<td>3. A collateral sanction should be eliminated unless it is shown to reduce crime.</td>
<td>73.5</td>
</tr>
<tr>
<td>4. Do you think that collateral sanctions generally make offenders more or less likely to commit crimes?</td>
<td></td>
</tr>
<tr>
<td>1 = a lot less likely</td>
<td>5.0</td>
</tr>
<tr>
<td>2 = a little less likely</td>
<td>53.0</td>
</tr>
<tr>
<td>3 = a little more likely</td>
<td>32.1</td>
</tr>
<tr>
<td>4 = a lot more likely</td>
<td>9.8</td>
</tr>
</tbody>
</table>

Note: Agree includes respondents answering 4 = somewhat agree, 5 = agree, 6 = strongly agree (versus 3 = somewhat disagree, 2 = disagree, and 1 = strongly disagree).

Note: Question Asked — As you may know, when people are convicted of many types of misdemeanor and felony crimes, they often also face a lot of other regulatory or civil penalties, called collateral sanctions. Collateral sanctions are separate from the direct punishments for crimes (such as a prison sentence or a probation term) and offenders are generally not told about these restrictions when they are convicted of a crime. Thus, someone convicted of a crime might face many different types of restrictions on the rights and privileges that U.S. citizens typically have. Such collateral sanctions include not being allowed to work in a lot of jobs, to serve on a jury, to join the military, to receive student loans and other forms of public assistance, and to have a driver’s license. How much do you agree or disagree with each of the following statements?
Table 3.10 Public Support for Expunging Criminal Records

<table>
<thead>
<tr>
<th>Question</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Some people argue that <em>expunging criminal records</em> is a <strong>good policy</strong> because it gives criminal offenders the opportunity to wipe their slate clean and get their lives back on track. Other people believe that <em>expunging criminal records</em> is a <strong>bad policy</strong> because public access to criminal records helps keep communities safe.</td>
<td></td>
</tr>
<tr>
<td>Which of the following statements is closest to your own opinion?</td>
<td></td>
</tr>
<tr>
<td>A. Expunging criminal records is a <strong>good policy</strong> because it gives criminal offenders a chance to get their lives back on track</td>
<td>45.2</td>
</tr>
<tr>
<td>B. Expunging criminal records is a <strong>bad policy</strong> because public access to criminal records helps keep communities safe</td>
<td>54.8</td>
</tr>
</tbody>
</table>
Table 3.11 Public Support for Expunging Criminal Records, by Time Crime Free

<table>
<thead>
<tr>
<th>Question</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>In some states, individuals who have <em>stayed out of</em> crime for a certain period of time are eligible to have their criminal record expunged (that is, removed and sealed so nobody can look at it any longer).</td>
<td></td>
</tr>
<tr>
<td>In your opinion, how many years must an individual stay out of crime before they should be eligible to have their criminal record expunged?</td>
<td></td>
</tr>
<tr>
<td>A. 1 year</td>
<td>3.3</td>
</tr>
<tr>
<td>B. 2 years</td>
<td>4.0</td>
</tr>
<tr>
<td>C. 3 years</td>
<td>7.3</td>
</tr>
<tr>
<td>D. 4 years</td>
<td>2.5</td>
</tr>
<tr>
<td>E. 5 years</td>
<td>26.3</td>
</tr>
<tr>
<td>F. 6 years</td>
<td>1.6</td>
</tr>
<tr>
<td>G. 7 years</td>
<td>7.4</td>
</tr>
<tr>
<td>H. 8 years</td>
<td>1.5</td>
</tr>
<tr>
<td>I. 9 years</td>
<td>0.2</td>
</tr>
<tr>
<td>J. 10 years</td>
<td>23.1</td>
</tr>
<tr>
<td>K. 15 years</td>
<td>3.2</td>
</tr>
<tr>
<td>L. 20 years</td>
<td>5.0</td>
</tr>
<tr>
<td>M. Individuals should never be eligible to have their criminal records expunged</td>
<td>14.5</td>
</tr>
</tbody>
</table>
Table 3.12 Public Support for Expunging Criminal Records, by Offense and Time Frame (percentage reported)

<table>
<thead>
<tr>
<th>Offense</th>
<th>Preference Regarding Number of Crime-Free Years Prior to Expungement Eligibility</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>3 Years Crime Free</td>
</tr>
<tr>
<td>1. Shoplifting</td>
<td>51.4</td>
</tr>
<tr>
<td>2. Burglary</td>
<td>16.8</td>
</tr>
<tr>
<td>3. Sex offense involving a child</td>
<td>2.7</td>
</tr>
<tr>
<td>4. Domestic battery of a spouse</td>
<td>41.9</td>
</tr>
<tr>
<td>5. White-collar crimes (e.g., tax evasion, embezzlement)</td>
<td>23.0</td>
</tr>
<tr>
<td>6. Driving under the influence (DUI)</td>
<td>18.9</td>
</tr>
<tr>
<td>7. Possession of illegal drugs</td>
<td>13.9</td>
</tr>
</tbody>
</table>

Note: Question Asked—Please consider each criminal offense listed below. For each one, indicate if you think individuals who were convicted of that offense in the past should or should not be able to have their criminal record expunged (that is, removed and sealed so nobody can look at it any longer). If you think people convicted of that offense should be able to have their record expunged, indicate how long they should have to stay out of crime (i.e. stay “crime-free”) before they can be eligible to have their record expunged.
only 23.1%, 3.2%, and 5.0% of respondents specified a belief that offenders should have to stay out of crime for 10, 15, and 20 years respectively before they should become eligible to expunge their criminal records.

The data presented in Table 3.12 suggest that public support for expungement is shaped by the nature of the crime committed. Thus, three-fourths of the sample felt that offenders who committed “a sex offense involving a child” should be ineligible for record expungement. Although not asked, it is possible that similar views would be manifested for those who have engaged in a serious violent crime (e.g., rape, murder) or in repeated predatory acts (e.g., robbery). Involvement in a range of other criminal behaviors, however, do not carry the same preference for permanent exclusion. Thus, for property, substance-related, white-collar, and even domestic violence convictions, seven to eight in ten respondents favored the possibility of expungement—about half by five years of being crime free and the rest by 10 crime-free years.

To further assess reintegrative correctional attitudes, the respondents indicated specific factors they desire judges to consider when making decisions regarding the expungement of criminal records. Study participants had the opportunity to select as many or as few of the six factors listed in Table 3.13 as they preferred. The offender’s completion of a rehabilitation program followed by maintenance of full-time employment for a year emerged as the factors most commonly selected by respondents as those that judges should consider—with 69.6% and 62.0% of sample members choosing each of these respectively. Approximately four in ten respondents also endorsed volunteer work in the community (41.1%) and a letter of support from the offender’s neighbors (38.8%) as factors that judges should consider when making expungement decisions. Less frequently endorsed as appropriate components of expungement decisions were marriage and parenthood (27.7%), as well as church service attendance (23.1%).
Table 3.13 Public Support for Expunging Criminal Records, by Factors a Judge Might Consider

<table>
<thead>
<tr>
<th>Question</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Below are some factors that a judge might consider when deciding whether or not to approve criminal offenders’ requests to expunge their criminal records, meaning that the records would no longer be available for the public to see.</td>
<td></td>
</tr>
<tr>
<td>Check each factor that you think <em>judges should consider</em> when making decisions about whether or not criminal records should be expunged. Please check ALL of the factors listed below that you think judges should consider.</td>
<td></td>
</tr>
<tr>
<td>A. The offender has been employed full time for a year</td>
<td>62.0</td>
</tr>
<tr>
<td>B. The offender is married with kids</td>
<td>27.7</td>
</tr>
<tr>
<td>C. The offender is a community volunteer</td>
<td>41.1</td>
</tr>
<tr>
<td>D. The offender has a letter of support from his or her neighbors</td>
<td>38.8</td>
</tr>
<tr>
<td>E. The offender attends church services regularly</td>
<td>23.1</td>
</tr>
<tr>
<td>F. The offender has completed a rehabilitation program</td>
<td>69.6</td>
</tr>
<tr>
<td>G. None of these</td>
<td>19.8</td>
</tr>
</tbody>
</table>
Table 3.14 Public Views on for Policies Related to the Eternal Criminal Record

<table>
<thead>
<tr>
<th>Items</th>
<th>Percent Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. If a person never has the opportunity to expunge their criminal record, they may face problems that lead them back to a life of crime.</td>
<td>76.5</td>
</tr>
<tr>
<td>2. Juvenile records for non-violent crimes should be automatically expunged so that the public cannot see them.</td>
<td>73.7</td>
</tr>
<tr>
<td>3. More often than not, it is a good idea to put criminal records on the Internet for anyone to see.</td>
<td>38.7</td>
</tr>
<tr>
<td>4. Only law enforcement agencies should be able to see adults’ records for non-violent crimes.</td>
<td>74.2</td>
</tr>
</tbody>
</table>

Note: Agree includes respondents answering 4= somewhat agree, 5 = agree, 6 = strongly agree (versus 3 = somewhat disagree, 2 = disagree, and 1 = strongly disagree).
Table 3.15 Public Views on for Maintaining Accurate Criminal Records

<table>
<thead>
<tr>
<th>Question</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>At times, the criminal records kept on people are not accurate or kept up to date, and if used can hurt their chances to get jobs, rent apartments, or get approved by credit agencies. The U.S. Congress is now considering a law that would require the FBI to review their criminal records to make sure that citizens are not hurt by incomplete or inaccurate records that are given out in background checks. How much, if at all, do you support this effort on the part of the federal government?</td>
<td></td>
</tr>
<tr>
<td>Strongly Support</td>
<td>38.1</td>
</tr>
<tr>
<td>Support</td>
<td>28.9</td>
</tr>
<tr>
<td>Somewhat Support</td>
<td>25.1</td>
</tr>
<tr>
<td>Somewhat Oppose</td>
<td>4.0</td>
</tr>
<tr>
<td>Oppose</td>
<td>1.5</td>
</tr>
<tr>
<td>Strongly Oppose</td>
<td>2.3</td>
</tr>
<tr>
<td>Total Support</td>
<td>92.1</td>
</tr>
<tr>
<td>Total Oppose</td>
<td>7.8</td>
</tr>
</tbody>
</table>
Table 3.14 provides additional evidence that the majority of the public supports avenues that allow individuals to expunge or seal the records of their criminal pasts. Nearly three in four respondents (73.7%) agreed that juvenile records for non-violent crimes should be automatically expunged. A similar proportion of the sample (74.2%) supported the notion that only law enforcement agencies should have the ability to view adults’ records for non-violent crimes. In line with these findings, just 38.7% approved of criminal records usually being made available to the public on the Internet. Notably, more than three-fourths (76.5%) of the sample agreed that without the opportunity for expungement, criminal records might trigger recidivism.

Public support for initiatives designed to aid in offender reintegration is even clearer in Table 3.15. More than nine in ten survey respondents (92.1%) were in support of the REDEEM Act provision whereby the FBI would be required to review their criminal records to make sure that citizens are “not hurt by incomplete or inaccurate records” during background checks. This finding suggests that the public believes that if the government is going to make criminal records available, it also has the responsibility to ensure their accuracy.

PUBLIC SUPPORT FOR REDEMPTION

The concept of redemption refers to the complete acceptance of offenders back into society as equal members with, in essence, their criminal past erased. One way to achieve such redemption is to provide offenders with an official way to restore themselves fully to society. Table 3.16 explores this policy issue. As can be seen, eight in ten respondents supported the view that rehabilitation ceremonies “will help them reintegrate back into the community and stay our of crime.” About half of those endorsing this statement answered “agree somewhat.” This finding may mean that they support rehabilitation ceremonies but may see them as less effective
for some offenders. Still, only one in five sample members disagrees that ceremonies aimed at offender redemption might be helpful.

Table 3.16 also contains the subjects’ responses regarding official “certificates of rehabilitation” that offenders might use when seeking employment and showing that they “have paid their debt to society.” A similar pattern of findings is evident, with eight in ten respondents seeing such certificates as aiding offender reintegration.

Notably, Tables 3.17 and 3.18 show that the American public sees the redemption as possible for many offenders but also as a goal that not all offenders will achieve. As reported in Table 3.17 (see items 1 and 2), about eight in ten respondents stated that “most” or “many” offenders can “lead productive lives” and “become law-abiding citizens.” Achieving this outcome will required “help and hard work” and “the right conditions.” Redemption thus is seen as achievable. On the other hand, more than half (56.2%) of the sample agreed that “most criminals are unlikely to change” and that “some” are so “damaged that they can never lead productive lives.”

In a way, the American public might be seen as having a realistic view of those in the correctional system—viewing redemption as a possibility but not as a realistic goal for all offenders. Thus, Table 3.18 reports on the “percentage of prison inmates” that the respondents felt can be law-abiding upon release if provided with rehabilitation services. About half the sample (48.3%) felt that at least 41-50% of prison inmates can avoid recidivating. That percentage rises to nearly two-thirds of the sample (65.6%) when the percent of redeemable offenders is placed at 31-40%. It is possible that the results might be even more favorable if the subjects were asked about first offenders or those on probation. These results suggest that the
Table 3.16 Public Support for Rehabilitation Ceremonies

<table>
<thead>
<tr>
<th>Questions</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Some courts hold “rehabilitation ceremonies” for ex-offenders who have done certain things to prove to the community that they have left behind a life of crime—such as completing rehabilitation programs and community service activities, taking responsibility and apologizing for their past crimes, and/or staying crime-free for a certain period of time (such as five years). At these public rehabilitation ceremonies, ex-offenders are declared “rehabilitated” and free from all legal penalties and other collateral sanctions of their crimes. How much would you agree or disagree that rehabilitation ceremonies for ex-offenders reintegrate back into the community and stay out of crime?</td>
<td></td>
</tr>
<tr>
<td>Total Agree</td>
<td>81.4</td>
</tr>
<tr>
<td>Agree Strongly</td>
<td>16.5</td>
</tr>
<tr>
<td>Agree</td>
<td>25.8</td>
</tr>
<tr>
<td>Agree Somewhat</td>
<td>39.1</td>
</tr>
<tr>
<td>Disagree Somewhat</td>
<td>11.9</td>
</tr>
<tr>
<td>Disagree</td>
<td>3.0</td>
</tr>
<tr>
<td>Disagree Strongly</td>
<td>3.6</td>
</tr>
<tr>
<td>2. At some rehabilitation ceremonies, ex-offenders are given “certificates of rehabilitation.” These certificates are like letters of recommendation, which state that an ex-offender has been formally “rehabilitated.” Ex-offenders can give these certificates to licensing agencies, employers, and state officials to show that they have paid their debt to society for their crimes. How much would you agree or disagree that “certificates of rehabilitation” will help ex-offenders be reintegrated into their communities and stay out of crime?</td>
<td></td>
</tr>
<tr>
<td>Total Agree</td>
<td>80.5</td>
</tr>
<tr>
<td>Agree Strongly</td>
<td>15.0</td>
</tr>
<tr>
<td>Agree</td>
<td>27.1</td>
</tr>
<tr>
<td>Agree Somewhat</td>
<td>38.4</td>
</tr>
<tr>
<td>Disagree Somewhat</td>
<td>13.1</td>
</tr>
<tr>
<td>Disagree</td>
<td>4.1</td>
</tr>
<tr>
<td>Disagree Strongly</td>
<td>13.1</td>
</tr>
</tbody>
</table>
Table 3.17 Public Belief in Offender Redemption

<table>
<thead>
<tr>
<th>Items</th>
<th>Percent Agree</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Most offenders can go on to lead productive lives with help and hard work.</td>
<td>79.1</td>
</tr>
<tr>
<td>2. Given the right conditions, a great many offenders can turn their lives around and become law-abiding citizens.</td>
<td>82.4</td>
</tr>
<tr>
<td>3. Most criminal offenders are unlikely to change for the better.</td>
<td>56.2</td>
</tr>
<tr>
<td>4. Some offenders are so damaged that they can never lead productive lives.</td>
<td>83.0</td>
</tr>
</tbody>
</table>

Note: Agree includes respondents answering 4= somewhat agree, 5 = agree, 6 = strongly agree (versus 3 = somewhat disagree, 2 = disagree, and 1 = strongly disagree).

Note: Question Asked—Policymakers concerned with developing effective crime policies need to better understand how people feel about those who commit crimes. We would like your opinion on some of these policies. How much do you agree or disagree with each of the following statements?
Table 3.18 Public Belief in Offender Redemption, by Percentage Redeemable

<table>
<thead>
<tr>
<th>Question</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>If an effort is made to provide specialized rehabilitation services in prison, what percentage of prison inmates do you think can lead a law-abiding life after they are released to their community?</td>
<td></td>
</tr>
<tr>
<td>A. Under 20%</td>
<td>17.2</td>
</tr>
<tr>
<td>B. 21-30%</td>
<td>17.3</td>
</tr>
<tr>
<td>C. 31-40%</td>
<td>17.3</td>
</tr>
<tr>
<td>D. 41-50%</td>
<td>14.8</td>
</tr>
<tr>
<td>E. 51%-60%</td>
<td>15.1</td>
</tr>
<tr>
<td>F. 61-70%</td>
<td>8.4</td>
</tr>
<tr>
<td>G. 71-80%</td>
<td>5.5</td>
</tr>
<tr>
<td>H. Over 80%</td>
<td>4.5</td>
</tr>
</tbody>
</table>
respondents realize that correctional change is difficult but that the redemption of a sizable proportion of offenders is possible under the right conditions.

CONCLUSION

One thousand respondents in a national survey were polled in their opinion about a range of inclusionary policies—captured under the 4 R’s. Support for rehabilitation, reentry services, the removal of unnecessary barriers, and redemption were particularly widespread. Support for various reintegration policies, especially with regard to the impact of collateral consequences and the expungement of criminal records, were more nuanced. Attitudes were more mixed and shaped by factors such as the nature of the crime committed and the impact on public safety. Still, the data seem to suggest that the American public is largely inclusionary, rather than exclusionary, in its correctional orientation.
Chapter 4

CONCLUSION:
PUBLIC SUPPORT FOR INCLUSION

As the era of penal harm and the logic of “total incarceration” that informs it comes to an apparent end (Simon, 2014), the question arises as to the future of correctional policy. Public opinion does not always determine the precise policies that elected officials will implement, and at times it follows rather than directs policy developments (Beckett, 1997). Still, studies of citizen attitudes are important in understanding what has been called the “boundaries of political permission” (Doble, 2002; Thielo et al., 2016; Wood, 2009; Yankelovich, 1991). In essence, this concept refers to the policies that the public is willing to support and that will not inspire strong opposition and “confrontational politics” (Moran, 2001, p. 416). In this context, this dissertation was intended to probe how much political permission policymakers will be given by the American public to pursue inclusionary correctional initiatives. As reported in the previous chapter, with a few exceptions, the American public is prepared to support a range of policies that are inclusionary rather than exclusionary in nature. Table 4.1 summarizes the extent of public support for offender inclusion, again revealing that it is extensive across fifteen key policies. This conclusion is explored in more detail in the following sections.

REHABILITATION: A HABIT OF THE HEART

The results of this national study of one thousand U.S. residents from 49 states and the District of Columbia reveal significant support for the rehabilitation of criminal offenders. Regardless of the type of measure used to examine attitudes, the respondents clearly favored correctional strategies that seek to remedy offenders’ criminogenic tendencies and lead them to membership in civil society. Findings stemming from all three methods used to examine
Table 4.1 Public Support for Fifteen Inclusionary Policies

<table>
<thead>
<tr>
<th>Policy</th>
<th>Level of Support</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Rehabilitation as a goal of imprisonment</td>
<td>High</td>
</tr>
<tr>
<td>2. Treatment programs for offenders</td>
<td>High</td>
</tr>
<tr>
<td>3. Problem-solving (“specialty”) courts</td>
<td>High</td>
</tr>
<tr>
<td>4. Reentry services for inmates released from prison</td>
<td>High</td>
</tr>
<tr>
<td>5. Ban-the-box laws regarding employment applications</td>
<td>High</td>
</tr>
<tr>
<td>6. Regular review and elimination of legal prescribed collateral consequences</td>
<td>High</td>
</tr>
<tr>
<td>7. Provide defendants with information about collateral consequences when charged</td>
<td>High</td>
</tr>
<tr>
<td>8. Voting rights for ex-offenders</td>
<td>High</td>
</tr>
<tr>
<td>9. Right of ex-offenders to serve on a jury</td>
<td>Divided</td>
</tr>
<tr>
<td>10. Automatic expungement of records of non-violent juveniles</td>
<td>High</td>
</tr>
<tr>
<td>11. Expungement of criminal records</td>
<td>Divided</td>
</tr>
<tr>
<td>12. Expungement of criminal records for non-violent offenders who stay crime free for 5 to 10 years</td>
<td>High</td>
</tr>
<tr>
<td>13. Government responsible for accuracy of criminal records posted for public review</td>
<td>High</td>
</tr>
<tr>
<td>14. Rehabilitation ceremonies that restore all legal rights to offenders</td>
<td>High</td>
</tr>
<tr>
<td>15. Official rehabilitation certificates that can be used as evidence of redemption</td>
<td>High</td>
</tr>
</tbody>
</table>
attitudes toward offender treatment support this conclusion.

First, the sample’s preferred goals of imprisonment suggest that Americans desire prisons to prioritize compassionate confinement, where offenders are given opportunities to meaningfully reform. The public does not desire prisons to have a singular focus on warehousing and controlling wayward individuals and inflicting vengeful pain upon them for their past misdeeds. Instead, citizens want prisons to serve multiple utilitarian aims: bettering the incarcerated before they return, but also protecting communities from dangerous individuals.

The findings of the Likert-style measures provide further indication of this sentiment. Thus, the respondents clearly favored the provision of rehabilitation to both adult and juvenile offenders across different levels of correctional control, including imprisonment and community supervision. For the vast majority of Americans, even long-term and frequent offenders are seen as worthy of an opportunity to travel the road toward reform. Moreover, Likert-style responses revealed that relatively few subjects rejected the expansion of prison-based programs or viewed treatment as merely coddling offenders who deserve to be punished.

Third, an assessment of attitudes toward one specific rehabilitation strategy—problem-solving courts—reveals further approval of an inclusive approach to handling offenders. The public expressed high levels of support for this community-based alternative to prison, in which offenders’ unique criminogenic tendencies are addressed via an individualized approach. In sum, this study suggests that the public rejects the “extreme penology” or “total incapacitation” that suggests that criminal offenders must be excluded from society in order to keep communities safe (Simon, 2014, p. 23). Instead, the public appears to view a sole focus on punitive strategies, the infliction of punishment, and incapacitation as often counterproductive for a wide range of lawbreakers.
The results of this study will come as no surprise to those familiar with the literature on public attitudes toward correctional rehabilitation. Indeed, strong support for rehabilitation among Americans has been found since polling on these topics began more than half a century ago (e.g., Louis Harris & Associates, 1968; Galliher, 1970; see also Cullen et al., 2000). Regardless of the type of question used to examine attitudes, the method used to survey respondents, or the dominant political and cultural orientations of society more generally, the public’s desire for the correctional system to reform offenders has emerged with remarkable consistency.

Since the question was first posed to the U.S. public fifty years ago, assessments of the public’s preferred goals (or “emphases”) of the correctional system have revealed high levels of support for a focus on the rehabilitation of incarcerated offenders. In Louis Harris & Associates (1968) national survey, more than seven in ten respondents endorsed rehabilitation as their preferred main emphasis of prisons. These results have been echoed in several subsequent examinations of the public’s preferred goals of imprisonment (e.g., Applegate et al., 1997, 2000, 2002; Cullen et al., 1990; Flanagan & Caulfield, 1982; Gallup, 1982; Maguire & Pastore, 1995; Moon, Sundt, Cullen, & Wright, 2000; Sundt et al., 1998, 2015). In fact, in one recent December, 2016 national online survey of 3,007 respondents conducted by RTI International and Zogby Analytics (2017), support for rehabilitation as the primary emphasis was again demonstrated. The authors found more than six in ten (62%) “Americans believe that rehabilitating the person’ is the most appropriate response to non-violent offenses, as opposed to ‘punishing the person for committing the crime’ or ‘keeping the person off the street so they can’t commit more’” (2017, p. 1). The poll also showed that support for the treatment option increased to 74% for offenders being sentenced who “suffer from mental illness” (2017, p. 1).
Studies that have used Likert-type questions to assess general attitudes toward correctional treatment have also long produced results consistent with those of the present study. The use of such questions has generated strong and unwavering evidence across decades that Americans support providing rehabilitative services to adults and juveniles alike, and within both institutional and community settings (e.g., Applegate et al., 1997; Cullen et al., 1983; Cullen et al., 1988; Duffee & Ritti, 1977; Mears, Pickett, & Mancini, 2014; Peter D. Hart Research Associates, 2002; Riley & Rose, 1980).

Moreover, consistent with the strong support for problem-oriented courts found in this study, a large body of prior research suggests that Americans endorse specific community-based correctional policies, community-based alternatives to prison, and correctional treatment strategies that target the specific criminogenic needs of criminal offenders (American Civil Liberties Union, 2015; Duffee & Ritti, 1977; Farkas, 1993; Jacobs, 1993; Nagin, Picquero, Scott, & Steinberg, 2006; Pew Research Center, 2014; Public Opinion Strategies & The Mellman Group., 2012a, 2012b, 2012c; Thielo et al., 2016).

Strong public support for rehabilitation has also emerged regardless of the method used to survey the public. Mail surveys (e.g. Cullen et al., 1988), telephone surveys (Justice Action Network, 2015), and Internet surveys such as the present study have all shown that Americans prefer an inclusive, reformatory approach for those who come under the auspices of the criminal justice system. Moreover, support for rehabilitation does not appear to vary based on the nature of the sample examined—convenience samples of university students (e.g., Ahlin, Gibbs Kavanaugh, & Lee, 2017; Mackey, Courtright, & Packard, 2006; Perelman & Clments, 2009), statewide surveys (e.g., Nagin et al., 2006; Sundt et al., 2015; Thielo et al., 2015), and national surveys (e.g., Marquette University Law School, 2015) all indicate widespread support. This
support has furthermore remained strong throughout several distinct political and cultural eras—from the dominance of progressive correctional ideals in the early 1960s, to the “War on Drugs” and the “get tough” era of the 1980s and 1990s, and into the present day.

The persistent support for offender treatment suggests that the rehabilitative ideal is a cultural universal. Writing in reference to early intervention programs, Cullen, Vose, Jonson, & Unnever (2007, p. 117) argued that “a belief in ’child saving’ and, more generally, in correctional rehabilitation is a ‘habit of the heart.’” This was a term first used by Alexis de Toqueville in Democracy in America (1969/1835-1840, p. 287) and then more recently by Bellah, Madsen, Sullivan, Swidler, and Tipton (1985, p. 37) in their book Habits of the Heart, which attempted to explain the nature of the American character. As noted by Cullen et al. (2007, p. 117), the term “encompasses the fundamental beliefs, mentalities, and practices that constitute the American character—the stuff that makes us who we are.”

This belief that offenders should be reformed extends to the naming of the nation’s first prisons as “penitentiaries” (Rothman, 1971), to the creation of the juvenile court, probation, and parole in the Progressive era (Rothman, 1980), and to the use of the term “corrections” to describe the current system used to supervise offenders (Cullen & Gendreau, 2000). The more contemporary support for rehabilitation—found in the current survey and in poll after poll conducted decade after decade—shows that Americans’ belief in rehabilitation is an enduring part of the nation’s culture. According to Cullen et al. (2007, pp. 117-119):

For the past three decades, this faith that the wayward should be reformed has faced an ideological and policy assault—a period that has privileged the “nothing works” doctrine, “law and order” rhetoric, and an amalgamation of punitive policies that have filled the nation’s prisons to the brim. One would have expected that this perfect storm of punitiveness—this intersection of the culture of control and penal harm—would have swept away any futile effort to keep a firm grasp on this belief. But instead of wilting, Americans’ belief that future and current offenders can be saved from a life in crime has remained sturdy—rock solid—and continues to weather the storm.
Finally, it should be reiterated that rehabilitative attitudes do not exist in a vacuum. Although Americans embrace offender treatment, they also simultaneously hold punitive sentiments. For example, in the current survey, the respondents were asked the General Social Survey question about whether “the courts in this area deal” offenders harshly enough. Notably, the leading answer at 41.8% was “not harsh enough,” followed by “about right” (20.8%) and “don’t know” (20.2%). Only 17.3% believed that the courts were “too harsh.” If anything, punitiveness was stronger in past years, creating fertile soil for the growth of get tough policies (Unnever et al., in press). In this context, the boundaries are political permission in the United States should be seen as fairly wide in both an exclusionary and inclusionary direction.

REENTRY: THEY ALL COME BACK

The steady growth of mass incarceration had the effect of creating a related problem: the growth in the mass release from prison. It is an unavoidable fact that the more offenders who are sent to prison, the more who will eventually return to the community. Travis (2005, p. xxi) referred to this as an “iron law of imprisonment”—they all come back (see also Petersilia, 2003).

Thus, Table 4.2 shows the increase in released inmates from 1980 to 2008)—and then what has occurred in recent years. As can be seen, between 1980 and 2008, the number of state and federal prisoners returning to society increased 4.7 times, from 157,604 to 734,144. After reaching a peak in 2008, the population of released inmates dipped under 700,000 in 2011. Still, the latest available figures from the Bureau of Justice Statistics report that 641,027 inmates “came back home” in 2015 (Carson, 2016).

Scholars have recognized, however, that inmates not only come home in large numbers but also that most of them subsequently are returned to prison (Clear, 2007; Jonson & Cullen,
2015; Mears & Cochran, 2015). According the studies reviewed by Jonson and Cullen (2015, pp. 525-526), about two-thirds of all released prisoners are arrested within three years and three-fourths within five years. About half (49.7%) of offenders are returned to prison in three years and more than half (55.1%) within five years. Failure is particularly high in the first six months following release. Further, the constant cycling of offenders between prison and the community can have a disruptive effect on families and on neighborhood disorganization (Clear, 2007; see also Wacquant, 2001).

As Jonson and Cullen (2015) reveal, the growing problem of returning inmates went largely unrecognized until the early part of the current century. Before that time, inmates returning to society were either seen as part of parole or discussed under the general term of “reintegration.” According to Jonson and Cullen (2015), the key factor in calling attention to this issue was it being socially constructed as a problem of “reentry.” Two classic books, written within two years of one another, used this term in their titles. In 2003, Joan Petersilia published her book under the title of When Prisoners Come Home: Parole and Prisoner Reentry. And in 2005, Jeremy Travis published his book under the title of But They All Come Back: Facing the Challenge of Prisoner Reentry.

From that point on, the issue of mass release from prison was known as “reentry.” This concept had entered the correctional lexicon. Under the umbrella of “reentry,” numerous programs inside and outside prison were created, website were created, and articles and books were written (see Jonson & Cullen, 2015; Mears & Cochran, 2015). These developments all argued that offenders returning to society faced numerous barriers (e.g., housing, jobs, health, family). Once excluded by being sent to prison, it seemed apparent that former inmates needed help when the time came for them to be included in society. Where does the public stand on this
issue? One possibility is that Americans have little sympathy for returning criminals and want them to suffer continued exclusion in the community. The other possibility is that citizens favor the reentry philosophy of giving returning inmates assistance. The current 2017 survey sheds light on this policy issue.

As seen in the previous chapter, support for reentry services was very high in the sample—almost universal. More than nine in ten of the respondents favored giving reentering prisoners job training, education, drug treatment, mental health treatment and, help finding a place to live (see Table 3.5). They also recognized that more informal social supports would help these offenders stay out of crime. They saw family, mentors, and employers giving them a chance to work as very important (more than three-fourths of the sample agreed these were important). Although support was not as high, a majority of the sample also recognized that participation in church groups and community service activities could be helpful. Thus, the results of this study suggest that the American public understands that coming home after years in prison is difficult and that prisoners might return to crime if not helped to go straight.

Importantly, the results of the current study are not exceptional but are similar to other polls that have been conducted in recent years. This empirical convergence can be seen by examining the limited existing literature on public attitudes toward reentry. For example, a 2010 survey of 1,215 randomly sampled adults in Oregon measured support for the same reentry services assessed in the current study. The results were strikingly similar, with nine in ten Oregonians also supportive of providing offenders with reentry assistance in the areas of employment, education, drug addiction, mental health, and housing (Sundt et al., 2015). Likewise, a second statewide study conducted using RDD techniques in 2005 found that more than 90% of Massachusetts residents believed that it was important to provide nonviolent offenders released
Table 4.2 Number of Inmates Released from State and Federal Prison, by Year

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of Released Inmates</th>
</tr>
</thead>
<tbody>
<tr>
<td>1980</td>
<td>157,604</td>
</tr>
<tr>
<td>1990</td>
<td>404,000</td>
</tr>
<tr>
<td>2000</td>
<td>635,094</td>
</tr>
<tr>
<td>2008</td>
<td>734,144</td>
</tr>
<tr>
<td>2009</td>
<td>729,740</td>
</tr>
<tr>
<td>2010</td>
<td>708,877</td>
</tr>
<tr>
<td>2011</td>
<td>691,072</td>
</tr>
<tr>
<td>2012</td>
<td>637,411</td>
</tr>
<tr>
<td>2013</td>
<td>623,337</td>
</tr>
<tr>
<td>2014</td>
<td>636,346</td>
</tr>
<tr>
<td>2015</td>
<td>641,027</td>
</tr>
</tbody>
</table>

early on parole with help finding a job and a place to live as well as to provide mandatory
treatment for those with a drug problem (Roberts et al., 2005).

The findings of a third statewide RDD survey conducted in 2008 also suggest that the
American public holds highly favorable views of reentry services (Garland, Wodahl, &
Schuhmann, 2013). In this study, nearly nine in ten surveyed Missourians agreed that “it is a
good idea to help people who are coming out of prison readjust to life in society” (p. 11). Strong
support was also found for communities having “programs and services in place to help ex-
prisoners,” and for the notion that “we should strive to have recently released prisoners earning
enough money to make a stable living” (Garland et al., 2013, p. 11). These findings are echoed
in a subsequent mail survey of random sample of 165 South Carolina residents that employed
these same measures verbatim—more than seven in ten respondents agreed with both statements
(Oullette, Applegate, & Vuk, 2016). The respondents to the survey examined by Garland et al.
(2013) also endorsed aiding released offenders with housing, drug tre-
tatment, mental health
treatment as well as providing “vouchers” to “people who are released from prison for the first
time to help pay for the necessities of life after release” (p. 11).

The existing literature also reinforces findings from the present study regarding public
belief in informal supports as integral to the reentry process. In the Roberts et al. (2005)
statewide survey noted above, more than eight in ten sample members agreed with the notion
that “too many released prisoners lack positive influences like job, church and family that can
give structure to their day-to-day life” (p. 37). Furthermore, in a more recent survey of
Massachusetts residents, nearly nine in ten respondents indicated that requiring prisoners nearing
release to “connect with community groups that can help them after release” would be effective
in “substantially reducing crime” (Koczela, Parr, & Forman, 2014, p. 6).
In sum, the findings of the present study add to the limited but growing body of evidence suggesting that public opinion toward reentry can be harnessed as a resource by policymakers interested in pursuing an inclusive correctional agenda. There are few indications that politicians would face significant political backlash for pursuing reentry initiatives. Future research should investigate variations in levels of this support, in terms of both survey respondent and offender characteristics.

**REINTEGRATION: BEYOND THE ETERNAL CRIMINAL RECORD**

The mounting concern about mass reentry increasingly revealed the diverse barriers that prisoners face when attempting to reintegrate into society. Whether one, three, or ten years, a stay in prison means that offenders must find a place to live, a job, and health care—not to mention try to establish ties to family and friends. Over the past decade or so, however, another barrier to fully reintegrating into society—one that affects not only reentering inmates but the millions on probation seeking to avoid revocation and incarceration—has been increasingly highlighted: how a criminal record excludes offenders from full participation in civil, economic, and social life. As Pager (2007) noted, a criminal background “marks” offenders in ways that foster their exclusion. Still worse, in *The Eternal Criminal Record*, Jacobs (2015) shows how, in the age of the Internet, criminal records are easily accessed and permanently available—that is, they are inescapable.

In short, a criminal record is a major source of the continued exclusion of offenders. Given that a past criminal history is a strong predictor of recidivism (Bonta & Andrews, 2016), considering a person’s record is reasonable when seeking to protect public safety. However, as research also shows, a past criminal history is only one predictor of future behavior, and its underlying sources should be targeted for treatment (Bonta & Andrews, 2016). Further, punitive
and exclusionary responses are likely either to have either no effect on recidivism or to be criminogenic (Cullen & Jonson, 2017). Scholars have been particularly concerned about exclusionary practices or laws that are implemented for apparent political gain and without citing any evidence that these initiatives make communities safer (see, e.g., Alexander, 2010; Mears & Cochran, 2015; Travis, 2002).

In this context, the current project sought to explore the extent to which the American public supports the use of criminal records to exclude offenders or favors efforts to give offenders relief from these restrictions through inclusionary policies. The survey provided insights on four areas of reintegration experienced by ex-offenders: (1) access to voting and jury duty, (2) employer hiring decisions, (3) the collateral consequences that attach to a criminal record, and (4) the expungement of criminal records. Each of these are discussed next.

**Access to Voting and Jury Duty**

One area of exclusion that has received attention is what is known as “felon disenfranchisement” (Gottschalk, 2015, p. 244; Manza & Uggen, 2006). As Gottschalk (2015, p. 2015) has observed, “a maze of state laws denies former offenders as well as probationers, parolees, and prisoners the right to vote.” In their path-breaking *Locked Out: Felon Disenfranchisement and Democracy*, Manza and Uggen (2006, p. 38) argued that this was a case of American exceptionalism, noting that “the United States is the only country in the democratic world that systematically disenfranchises large numbers of incarcerated offenders.” The Sentencing Project (2016, p. 3) estimates that due to the rise in mass imprisonment and mass community supervision, the “disenfranchised population” due to a criminal conviction has risen from 1.76 million in 1960 to more than 6.1 million in 2016 (see also Uggen, Shannon, & Manza,
This figure translates into 2.5% of the voting-age population being barred from voting (Gottschalk, 2015).

Two states—Maine and Vermont—have no restrictions on offenders voting, including those in prison (The Sentencing Project, 2016). According to The Sentencing Project (2016, p. 4), “since 1997, 23 states have modified felony disenfranchisement provisions to expand voter eligibility.” However, because ex-offenders are more likely to be minority and to vote for Democratic candidates. Republicans often remain staunch opponents of felon voting. As Gottschalk (2015, p. 246) warns about recent gains in enfranchisement:

> These gains have been precarious. For example, hours after taking office in January 2011, Republican governor Terry Branstad of Iowa made good on a campaign promise to rescind a 2005 executive order signed by his predecessor Tom Vilsac that allowed felons to vote after they had completed their sentences. That order had been credited with reducing the number of disenfranchised people in Iowa by 80 percent, or by about 100,000 people.

At present, about three-fourths (77%) of disenfranchised offenders are under community supervision, not in prison (The Sentencing Project, 2016). Further, twelve states had permanent bans on voting for some or all of those convicted of a felony—meaning that an “estimated 3.1 million people are disenfranchised in states that restrict voting rights even after completion of sentence” (The Sentencing Project, 2016, p. 1).

Manza and Uggen (2006, p. 218) argue that “public support for disenfranchisement” is a “myth.” In a 2002 national telephone poll, 1,000 adults were asked about voting rights for felons still under supervision. Notably, they found that the respondents favored enfranchisement for those on probation (68%) and on parole (60%), though support fell to 30% for those in prison. When they examined support by crime type, the level of support was 80% for a generic criminal (no crime type specified). A clear majority of the sample favored voting rights for those who had committed a white-collar crime (63%) and a violent crime (66%). Although lower, a
majority of the sample (52%) even agreed that sex offenders should have the right to vote 
(Manza, Brooks, & Uggen, 2004, p. 280; see also Manza & Uggen, 2006).

A limited body of additional research reinforces the notion that Americans are open to 
the restoration of voting rights, at least for some offending types and particular stages of justice 
system control. For example, in a 2001 national RDD phone survey of adults in the United 
States, 71.8% of the respondents believed that felons should only be prevented from voting while 
they are serving their prison sentence, on probation, or on parole (Pinaire, Heumann, & Bilotta, 
2002). An additional 9.9% felt that felons should never lose voting rights at all. In a second 
study, Heumann, Pinaire, and Clark (2005) used a non-probability sampling procedure to select 
students attending several universities to engage in focus group discussions of 
disenfranchisement policy. This research similarly found high levels of public support for felon 
re-enfranchisement. In addition, the investigation yielded evidence indicating that members of 
the public support restoring voting rights to ex-felons because they perceive negligible crime 
control benefits in voting prohibitions.

A more recent national survey conducted via YouGov/Polimetrix in 2011 found more 
varied support for the restoration of voting rights. In this survey, 35% of the sample indicated 
that their Congressmen should support “legislation that would restore the right to vote in federal 
elections to ex-prisoners who are U.S. citizens” (Wilson, Owens, & Davis, 2015, p. 81). Another 
27% indicated that they were not sure, while 38% expressed opposition to such a measure. 
However, the sample members reported some potentially conflicting views regarding the 
restoration of voting rights, as more of them agreed (35%) than disagreed (27%) that “permitting 
felons to vote after they served their time would better society by improving their ability to 
integrate back into society” (Wilson et al., 2015, p. 81; see also Dawson-Edwards & Higgins,
Moreover, all Black respondents were excluded from this analysis, which may explain overall lower support for voter re-enfranchisement (see Chiricos, Padgett, Bratton, Pickett, & Gertz, 2012).

The results of the current national survey are thus largely consistent with this previous research. Only 23.1% of the sample agreed with the option that felony offenders “should permanently lose their right to vote.” Almost three in five respondents (59.3%) stated that voting right should be suspended only until offenders had completed their sentence; another 17.8% believed that felons “should not lose their right to vote at all.” Thus, it appears that Manza and Uggen (2006) are correct that any claim that Americans favor a lifetime ban on offenders’ voting is a myth. Instead, a strong majority of the respondents—more than three-fourths of the sample—rejected the exclusionary policy of “civil death” in favor of the inclusionary policy of felon enfranchisement.

This project also asked the respondents if they thought that convicted felons should be allowed to sit on juries. As Binnall (2014) reports, virtually every state and the federal government places some restriction on jury service by felons. Fully twenty-eight states “ban convicted felons from jury service permanently” (2014, p. 2). Two core reasons are given for excluding felons from jury service. First, felons’ bad character would undermine the “probity” or integrity of the jury; second, felons would harbor a potential bias against the state and for the defendant (Binnall, 2014; Kalt, 2003). As Kalt (2003) notes, this categorical denial of jury duty due to felon status does not consider why non-felons of bad character also are not excluded. Further, Binnall (2014) presents evidence from a field experiment showing that there is little evidence that all felons possess this bias and, even if prodefense/antiprosecution in their views, that they are more biased than other groups (e.g., law students). Perhaps reflecting this debate,
the respondents were virtually split between those believing that felons should be “permanently excluded from sitting on juries” and those who believed that jury service should be allowed once “their sentence is complete.”

Future research should explore this issue in three ways. First, the respondents favoring exclusion versus inclusion should be surveyed as to the reasons for their policy position. Again, issues of probity and bias should be considered. Second, it may be that the use of a single question cannot reveal how support for each side might differ by a range of relevant considerations. For example, support for allowing ex-felons to serve on a jury might differ by the type of crime committed, the length of an offenders’ criminal record, and the length of time a felon has been crime free. Third, a study might also explore if there are other factors that the public believes undermine probity and increases bias, such as working in law enforcement, experience as a crime victim, being a high school dropout, or voting for an unqualified presidential candidate. Such research might show whether the public’s willingness to exclude offenders from jury service is unique to their felon status or just one of many factors that influence the decision to deny this right.

**Employer Hiring Decisions**

Scholars have voiced considerable concern about how a criminal record is a major barrier to employment for prisoners reentering society as well as for those on probation (Bushway, Stoll, & Weiman, 2007). As Pager (2007, p. 159) notes, “across a wide range of occupations and industries, ex-offenders are systematically excluded from entry-level job openings on the basis of their criminal record.” Some of this exclusion is due to convicted offenders being excluded by law, denied licenses to work in certain jobs (e.g., as teachers, in various professions) (Alexander,
However, the other barrier is when employers refuse to consider ex-offenders for a job opening due their criminal history (Holzer, Raphael, & Stoll, 2007).

Indeed, research using a variety of methodological approaches indicates that employers are typically averse to hiring individuals with criminal records (e.g., Holzer, Raphael, and Stoll, 2002; Holzer, Raphael, & Stoll, 2004; Pager & Quillian, 2005; Pager, Western, & Bonikowski, 2009; Uggen, Vuolo, Lageson, Ruhland, & Whitham, 2014). For example, survey researchers have found that employers frequently express an unwillingness to hire individuals with a criminal record, with attitudes varying somewhat based on the nature of the job and the specifics of the applicant’s prior offending behavior. Particularly instructive in this regard is a survey of more than 3,000 establishments conducted by Holzer and colleagues (2002) between 1992 and 1994. Across the three major metropolitan areas examined, more than 60% of surveyed employers indicated that they would “probably not” or “definitely not” be willing to hire an applicant with a criminal record. By contrast, only 12.5% were “definitely willing” to make them a job offer. These findings are consistent with more recent examinations of employers’ attitudes. As one example, in a survey of 122 Los Angeles employers conducted in 2001, more than 40% of employers said they were “probably not” or “definitely not” willing to hire offenders with a criminal record, while 36.4% stated that it “depends on the crime” (Holzer et al., 2004).

Experimental examinations of this issue have provided additional evidence that a criminal record significantly reduces the willingness of employers to make job offers. In one classic study, Pager (2007) conducted an experiment to see how a criminal record affects employers’ hiring decisions. She developed fictitious job candidates who differed only in whether they had a criminal record. She then submitted these applications to entry-level job
positions advertised in newspapers in the Milwaukee metropolitan area. Overall, the results revealed that having a criminal record decreased the chances of receiving callback by over 50% ( Pager, 2007). This study also provided convincing evidence that the stigma resulting from criminal record may be conditioned by a job seeker’s race. Pager found that compared with those with no “criminal mark,” White applicants with a criminal record were half as likely to receive a “call back” (17% vs. 34%). For African Americans, the call back was about a third as often (5% vs. 14%). These findings were important in showing a general pattern of racial discrimination in hiring preferences; Whites with criminal records (17%) receiving more call backs than Blacks free of any records (14%). The findings also showed that African American ex-offenders faced a substantial barrier to being hired (5%). Subsequent experimental investigations of the impact of race and criminal record on employment decisions have produced similar findings (e.g., Agan & Starr, 2016; Decker, Spohn, Ortiz, & Hedberg, 2014; Pager et al., 2009; but see, Galgano, 2009). Pager (2007, p. 100) referred to this combined race-criminal record effect as “two strikes and you’re out” (see also Pager, 2003).

One attempt to address this reluctance to hire ex-offenders has been the policy of “ban the box.” On most job applications, there is a box that candidates must check to disclose if they have ever been arrested or convicted of a crime. This question can be used by employers to automatically screen out anyone checking this box. Ban-the-box statutes remove this criminal record box from job applications. The goal is to have ex-offenders reviewed in the same way as other applicants (Cepero, 2015). Once offenders reach the interview stage, ban-the-box laws allow employers to consider their criminal history. However, as Rodriguez and Avery (2017, p. 1) note, the goal is to have “the employer consider a job candidate’s qualifications first—without the stigma of a criminal record.” Ban-the-box policies are part of the “fair-chance hiring”
movement—a larger set of policies and recommendations designed to aid individuals with criminal records in attaining employment (Emsellem & Rodriguez, 2015).

In recent years, ban the box has been a popular reform aimed at including, rather than excluding, offenders from employment. As Rodriguez and Avery (2017) report, ban the box has been adopted by more than 150 cities and counties and by 25 states located across all regions of the nation. Consistent with this trend, the results of the current study show that a strong majority of Americans support this policy. As may be recalled, two-thirds of the respondents (66.1%) stated that ban-the-box laws were a “good idea,” because employers would consider “ex-offenders’ skills and qualifications” rather reject them “right away for having a criminal record.” Only one-third of the sample (34.0%) thought that ban the box was a “bad idea,” because it would “make employers waste time” looking at applicants that they “may end up rejecting later when they find out about their criminal records.” Although prior examinations of attitudes toward fair-chance hiring initiatives are limited, these findings are similar to those from a 2015 telephone survey of likely voters in Louisiana. This poll reported that two-thirds of the respondents (67%) supported allowing employers to make inquiries into a job applicant’s criminal backgrounds only once they have decided offer them a job offer (Justice Action Network, 2015).

It should be noted that ban-the-box laws are not without criticisms or detractors. For example, in a 2015 survey of more than 500 U.S.-based employers, nearly half of the respondents (48%) felt that ban-the-box laws are unfair to employers and nearly a quarter indicated that these statutes unnecessarily delay hiring decisions (EmployeeScreenIQ, 2015). Additionally, the findings of a few recent studies suggest that ban-the-box policies may actually exacerbate employers’ heightened discrimination against job-seeking offenders who are racial
minorities (e.g., Agan & Starr, 2016; Doleac & Hansen, 2016; Vuolo, Lageson, & Uggen, 2017). As Solinas-Saunders and Stacer (2015) explain, the primary explanation for this unintended effect is that “in the absence of complete information about applicants’ criminal history, employers might use race, sex, and educational attainment as proxies” (p. 1188). In turn, ban-the-box laws could “potentially increase the odds that law-abiding individuals who share similar demographics to the ex-offender population are incidentally excluded from employment” (Solinas-Saunders & Stacer, 2015, p. 1194). The potential for such iatrogenic effects, as well as employers’ grievances about this initiative, are issues that should not be ignored by policymakers. Nonetheless, it remains instructive that a robust majority of the survey respondents in the present study endorsed trying this new strategy to aid the employment of those with criminal records. This observed support likely indicates that most Americans view a fair shot at employment as critical to ex-offenders’ ability to reintegrate meaningfully into civil society. The public does not want criminal history to necessarily exclude otherwise qualified job candidates. More broadly, convincing support for ban-the-box laws provides further evidence that the public would like offenders to have opportunities to escape the stigma of a criminal record.

Future research should explore attitudes toward this issue in at least four ways. First, investigations could probe if support for ban-the-box policies varies depending on a range of employer and offender characteristics. For example, among other factors, support for this approach may be dependent on the type of employer, the duties of the position, the relevance of a job-seeker’s specific crimes to a job, and the length and seriousness of an offender’s criminal record. Second, additional research is needed to examine the public’s motives for supporting ban-the-box initiatives. While the survey respondents were asked to consider one justification
for these laws—to help ensure that ex-offenders’ job skills and qualifications get a fair review—it is possible that additional or alternative factors led to observed endorsement of this policy. As one example, Americans may be particularly uneasy about recidivism rates among ex-offenders who cannot find employment. The public may also believe that the “box” artificially narrows the pool of qualified workers available to employers (see Rodriguez and Avery, 2017). The consequences of ex-offender unemployment for their families and communities may also be a driving concern. Similarly, additional potential reasons for opposition to ban the box should be examined beyond the notion that employers could be inconvenienced. For example, research might be undertaken that assesses the reliability and quality of ex-offenders as employees. Do they use their positions to commit further crimes or is their work performance as good as non-offenders?

Third, variation in support for the initiative based on respondents’ personal characteristics should be examined, particularly in terms of characteristics that may make individuals more or less likely to be trusting of ex-offenders and sympathetic to their plight. Finally, future inquiries could explore support for other strategies intended to help those with criminal records to find employment. In particular, the public could be asked to consider other specific recommendations of the U.S. Equal Opportunity Commission (EEOC), such as making some criminal record information (e.g. arrests that have not led to conviction) inaccessible to employers across all stages of the hiring process (Rodriguez, 2015).

**Collateral Consequences of a Conviction**

In 2002, Jeremy Travis wrote one of the earliest and most important essays calling attention to the many rights and privileges that offenders lost when convicted of a crime. These are commonly termed “collateral consequences” because they are not part of the criminal
sanction, which might include a fine, restitution, probation supervision, or time in prison. Rather, they are rights and privileges denied to offenders following conviction by civil statutes (Chin, 2012). As Travis (2002, p. 18) observed, under these “enactments,” convicted offenders “can be denied public housing, welfare benefits, the mobility necessary to access jobs that require driving, child support, parental rights, the ability to obtain an education, and, in the case of deportation, access to the opportunities that brought immigrants to this country” (see also Mears & Cochran, 2015; Travis, 2005).

Travis (2002) made two important observations about these collateral consequences. First, he noted that they are “invisible punishments.” He pointed out that “prisons have this virtue: they are visible embodiments of society’s decision to punish criminals” (2002, p. 15). Collateral consequences, however, are “nearly invisible,” operating “largely beyond public view” (pp. 15-16). They are not listed in the criminal statutes, and they are often passed in laws that receive little public debate (p. 16). Second, Travis argued that such “invisible punishment” was “an instrument of social exclusion” (p. 15). He reported that the passage of these legal restrictions “experienced a surge in popularity beginning in the mid-1980s” (p. 18). They were part of the exclusionary policies—the penal harm—that expanded generally during a period marked by mass imprisonment (Alexander, 2010; Clear & Frost, 2014).

Due to the writings of scholars such as Jeremy Travis (2002, 2005) and Michelle Alexander (2010), these invisible punishments have been made more visible. As they have been increasingly scrutinized, their fairness and effectiveness have been called into question (Burton, Fisher, Jonson, & Cullen, 2014; Chin, 2012; Cullen, Jonson, & Mears, in press). The current study provides public opinion data on the use of collateral consequences statutes in three areas. Overall, Americans favor efforts to review and limit collateral consequences.
First, as noted, because the courts have ruled that these statutes are a form of “civil regulation” and not a criminal punishment per se, no obligation exists to notify defendants of the rights and privileges they will lose if they enter a guilty plea or are convicted (Chin, 2012). According to Alexander (2010, p. 140), “despite the brutal debilitating impact of these ‘collateral consequences’….judges are not required to inform criminal defendants of some of the most important rights they are forfeiting when they plead guilty to a felony. In fact, judges, prosecutors, and defense attorneys may not even be aware of the full range of collateral consequences for a felony conviction” (see also Burton et al., 2014). Moreover, surveys of criminal justice professionals indicate that few believe that defendants are consistently advised of the collateral sanctions of conviction at some point during case processing (Ewald & Smith, 2008; Frank et al., 2011). Notably, the American public does not appear to support a continuation of this practice. More than nine in ten (91.8%) of the respondents agreed that “offenders should be given information regarding all of the possible collateral consequences they may face if they are convicted of a crime.” Further, this disclosure would be required “both at the time they are charged with a crime and before entering a plea of guilty or innocent.”

Second, Cullen et al. (in press) argue that “states should pass ‘sunshine laws’ mandating that all existing collateral consequences should expire automatically in 5 years” unless “explicitly reenacted and signed into law by the governor.” This recommendation is aimed at ensuring that statutes passed many years ago do not continue to exist even if they serve no rational purpose (e.g., do not enhance public safety). The current survey shows strong public support for a sunshine policy. Thus, 86.4% of the sample agreed that “every five years, state and federal lawmakers should review all of the existing collateral sanctions of convictions, and eliminate the ones that are found to have no useful purpose.”
Third, the respondents expressed the belief that collateral consequences made offenders less likely (58.0%) rather than more likely (41.9%) to commit crimes. This view does not seem to be strongly held, given that 53.0% of the sample stated that these statutes made offenders only “a little less likely” to recidivate. More important, nearly three-fourths of the respondents (73.5%) agreed that “a collateral consequence should be eliminated unless it is shown to reduce crime.” This finding suggests that the public will support collateral consequences only if there is a compelling reason to have them in place.

Few prior studies examine opinions of the specific issues related to collateral consequences explored in this study, and most of these report the views of criminal justice professionals rather than the general public. Nonetheless, the results of the present study appear to be relatively congruent with this small body of existing literature. Particularly instructive in this regard are the findings presented by Ewald and Smith (2008) from their 2005-2006 survey of a random sample of 282 state trial court judges. Similar to the members of the public surveyed for the present study, most state judges favored informing defendants of the collateral consequences of their potential conviction. Almost nine in ten surveyed judges agreed that “defendants have a right to know that pleading guilty may affect their post-incarceration rights,” with 97% stating that it is the defense lawyer’s “responsibility to inform the client of possible collateral consequences” (Ewald & Smith, 2008, p. 154). A more complicated view regarding the defendants’ knowledge of collateral consequences was observed in a study of Ohio criminal justice professionals (Frank et al., 2011; see also Goulette, Reitler, Frank, Flesher, & Travis, 2014). Among 903 judges, prosecutors, public defenders, and community supervision officers surveyed in 2010-2011, only 27.9% agreed that the “costs of accurately advising defendants” of the collateral consequences they may face “outweigh the benefits” (p. 157). Despite these
reservation, a majority agreed that the “Ohio Rules of Criminal Procedure should require that defendants be advised of the collateral consequences imposed by Ohio law at some point during case processing,” and more than two-thirds agreed with the “advisement of collateral consequences” being “on the record” (p. 157).

Prior research has not explicitly explored public attitudes toward “sunshine laws” mandating the automatic expiration of each collateral consequence every few years pending a policymakers’ determination that the statute is serving some rational purpose. Attitudes toward eliminating consequences unless they are shown to reduce crime have also not been specifically explored. Nonetheless, the high level of support for these concepts found in the present study is buttressed by other surveys that suggest many in the public object to the imposition of a range of specific collateral consequences. For example, in a recent survey of 165 randomly selected South Carolinians, Ouellette, Applegate, and Vuk (2016) found that only one-third supported restrictions on the provision of federal grants to ex-prisoners for education. Less than three in ten supported a prohibition on government assistance for ex-offenders and just 14% endorsed banning recently released prisoners from public housing (Ouellette et al., 2016). A survey of undergraduate students similarly found low levels of support for excluding probation and parole violators from public housing, as well as a ban on the provision of food stamps, welfare benefits, and student loans or grants to individuals convicted of a drug-related felony (Park, 2009; see also Bendixen & Associates, 2003). However, to be fair, it should be noted that prior research on opposition to collateral consequences has produced mixed results. Some people seem to think they are appropriate at least some of the time. For example, only 36% of the respondents to a 2010 survey agreed with the restoration of the right to hold public office to felons at some point after the completion of their sentence (Wilson et al., 2015). Even so, the limited number of prior
examinations on attitudes toward specific collateral consequences mostly aligns with the conclusion drawn here—the public desires these statutes to serve a useful purpose, and to be eliminated if they are found not to do so.

Finally, as can best be determined, the current study represents the first examination of the general public’s attitudes regarding the potential for collateral consequences to impact reoffending behavior. Even so, findings from surveys of criminal justice professionals appear to reflect the ambiguity demonstrated by sample members about this issue. For example, Frank et al. (2011) found criminal justice officials to be fairly evenly split in their beliefs about whether or not collateral consequences motivate future criminality. A slight majority (55.6%) noted that they do lead to reoffending, but these results varied greatly depending on the position held by the respondent (e.g., 58% of defense attorneys indicated that collateral consequences motivate future criminality versus only 18.7% of prosecutors). Additionally, Ewald and Smith (2008) found that while more than two-thirds of state judges agreed that “collateral consequences inhibit the reentry of criminals into society,” less than 10% expressed strong agreement with this notion (p. 154).

As scholars continue to bring greater attention to the prevalence and impact of collateral consequences, and new policies are pursued to ensure their rationality and to limit counterproductive effects, it is increasingly important to understand public views of these issues. In this context, this study provides some of the earliest evidence that Americans favor efforts to review and limit collateral consequences. Future research should investigate potential nuances in these attitudes. For example, studies should be undertaken to probe the conditions under which the public is more or less supportive of the imposition of these additional penalties. It is possible that Americans are willing to forego concerns about barriers imposed by collateral consequences
to reintegration for some types of offenders (e.g., sex offenders), particularly when they are concerned about a particular threat to public safety. Similarly, the public may feel that periodic review of collateral consequences under sunshine provisions may be necessary for some sanctions but not others. More research is needed to explore these types of offense-level variations as well as potential variation in attitudes toward these issues stemming from survey respondents’ characteristics (e.g. knowledge of and contact with the criminal justice system). Additional research should also be undertaken in order to draw firm conclusions about the public’s perceptions of the impact and necessity of specific collateral consequences.

**Expungement of Criminal Records**

In *The Eternal Criminal Record*, Jacobs (2015) documents how it has become increasingly difficult for ex-offenders to escape public knowledge of past arrests and convictions. In 1972, the U.S. Congress authorized the FBI to conduct criminal background checks on behalf of designated non-law enforcement agencies. Since that time, criminal records have been used with growing regularity “to assess, sort, and categorize” the rights of Americans in terms of a wide range of contexts—including housing, university admissions, federal education loans, military service, employment, and welfare benefits (Jacobs, 2015, p. 4; see also, e.g., Mauer & Chesney-Lind, 2002; Shlosberg, Mandery, West, 2011; U.S. Department of Justice, 2006). No longer are criminal records used exclusively by justice-system actors for the purposes of criminal investigations, sentencing, and parole decisions. Instead, educators, landlords, employers, and other gatekeepers of critical opportunities now frequently examine criminal records as a method of determining the morality and character of their fellow citizens (Center for Community Alternatives, 2010; Society for Human Resource Management, 2012; Oyama, 2009; see also Alexander, 2010; Jacobs, 2015; Lageson, 2016; Roberts, 2015; Pierce,
Runyan, Bangdiwala, 2014).

The exclusion of, and discrimination against, individuals with criminal records has become a normative aspect of American life, frequently justified in the name of “public safety.” Today, even minor contact with the criminal justice system may lead to longstanding “social exile” by neighbors, coworkers, and key decision-makers that ex-offenders encounter as they navigate civil society (Alexander, 2010; Vallas & Dietrich, 2014). Jacobs and Crepet (2007) argue that criminal records have thus become a “negative curriculum vitae” in recent years, considerably more consequential than in the past for the estimated 65 million Americans who have a criminal record (Rodrigeuz & Emsellem, 2011; see also Ewald & Uggen, 2012).

Criminal records not only have come to cast a shadow over nearly every aspect of civilian life, but also their impact has become more enduring (see, e.g., Bell, 2014; Hickox, 2016; Roberts, 2015). A primary reason for this permanency is that public access to criminal records has increased significantly. State agencies and court systems now routinely post criminal records and dockets online, and business is booming for a new industry of private companies that conduct and sell criminal background checks to anyone with a few dollars to spare (Jacobs, 2015; Subramanian, 2014). With annual revenues of approximately $4 billion, these commercial vendors have been wildly successful in promoting their services as essential to protect a wide range of organizations from negligent hiring and other civil liabilities (e.g., Connerley, Arvey, & Bernardy, 2001; Jacobs, 2015). Employers, landlords, and volunteer organizations are among the range of entities that now routinely solicit these firms for criminal history information.

Along with this growth in easily accessible public and private criminal record databases, the increasing dominance of Internet usage in everyday life has all but ensured the “eternity” of criminal records (Jacobs, 2015; see also Ambrose, Friess, Van Matre, 2012; Roberts, 2015).
Anyone with the ability to perform a quick Google search can easily access publicly available databases, teeming with criminal history information and mug shots. Archives of news stories highlighting the criminal pasts of American’s neighbors, friends, and coworkers are also just a few clicks away (Love, 2015). The accuracy of much of this information is often questionable at best, given the lack of oversight faced by private commercial vendors to ensure valid and updated data is reported (Jacobs, 2015; Subramanian et al., 2014). Significant inaccuracies have also been observed in reviews of state and national criminal background databases (Jacobs, 2015; Silva, 2015).

Considered together, the legislative easing of access to criminal records, the rise of a giant for-profit record checking industry, and advances in information technology have made it all but impossible for many Americans to move beyond their criminal past (see, e.g., Ispa-Landa & Loeffler, 2016; Lageson, 2016). In this context, it is a troubling reality that there are few opportunities for Americans to start over with a “clean slate” and gain relief from the wide-reaching consequences of a criminal record (Love, 2002, 2011; Vallas, Boteach, West, & Odum, 2015). Nonetheless, in light of greater recognition of the potential negative consequences of the eternal criminal record, many states have begun to broaden the availability and access to the expungement or sealing of criminal records—removing an offender’s paper trail from the public record (Subramanian et al., 2014; Wolfe, 2016). In fact, between 2009 and 2014, at least 31 states and the District of Columbia pursued a variety of strategies to broaden the scope and increase the efficiency of these procedures (Subramanian et al., 2014; see also Ewald, 2015; Murray, 2016).

Many of these efforts focus on increasing the types of criminal records that are eligible to be expunged. For example, Governor Matt Bevin signed the “Second Chance” bill into law in
2016, permitting Kentuckians with Class D felony convictions to have their records expunged five years after completion of their sentence (Murray, 2016; see also Wolfe, 2016). Similarly, several states have effectively placed caps on the period of time records can be disseminated as part of a background check (Travis, Western, & Redburn, 2014). Some recent initiatives limit the access of records available to private background check companies, such as the agreement announced in 2016 that makes some New York juvenile court records off limits to commercial enterprises (McKinley & McKinley, 2015). A number of new automatic expungement or sealing mechanisms have also been implemented in recent years, whereby records are cleared following a convicted individuals’ completion of their sentence and certain other requirements, such as participation in a rehabilitation program (Subramanian et al., 2014). Moreover, at the Federal level, policies were pursued under the Obama administration to aid citizens in alleviating the impact of a criminal record (Whitehouse, 2015). For example, a National Clean Slate Clearinghouse was established with a goal of expanding “legal services needed to help with record-cleaning, expungement, and related civil legal services” (Whitehouse, 2015). At issue in the present study is the public’s willingness to allow offenders to clean their slates and move beyond their criminal records.

In the current project, the respondents showed that they understood the competing interests regarding public access to ex-offenders’ criminal records. The sample was split in a forced-choice question on whether expungement was a “good policy” that helped offenders “get their lives back on track” (45.2%) or a “bad policy” because “public access to criminal records helps keep communities safe” (54.9%). It may be that, while perhaps tilting in one direction or the other (help offender vs. public safety), most Americans see both sides of the issue. Two sets of findings are relevant.
First, in assessing a series of questions, the respondents showed ambivalence about criminal records that were inescapable, were universally available for viewing, and were inaccurate. Thus, three-fourths (76.5%) of the sample agreed that if offenders never had an opportunity to expunge their records, they “may face problems that lead them back to a life in crime.” Strong majorities also favored the automatic expungement of juvenile records, opposed putting “criminal records on the Internet for anyone to see,” and agreed, “only law enforcement agencies should be able to see adults’ records for non-violent crime.” More than nine in ten respondents (92.1%) expressed support for a federal law that would require the FBI to ensure that criminal records are accurate so that citizens would not be “hurt” by “records that are given out in background checks.”

Second, another series of questions revealed that support for the policy of expungement varied by three factors: how long offenders had been free of crime; the type of crime committed, and actions offenders had taken to become prosocial. First, when asked how long offenders must remain crime free to be eligible to have their records expunged, half the sample (52.5%) chose between 1 and 5 years; by 10 years, more than three-fourths of the sample (77.2%) were open to this possibility. Only 14.5% favored a lifetime ban on record expungement. These views are fairly consistent with research showing that with the exception of those with long criminal histories, most offenders’ risk of recidivating decreases to that of the general population within a decade of being crime free (see, e.g., Blumstein & Nakamura, 2009; Bushway, Nieuwbeerta, & Blokland, 2011). Second, a large majority of the sample favored eligibility for expungement for offenders convicted of substance abuse and property offenses. Nearly three-fourths of the sample (74.3%) even thought that those committing “domestic battery of a spouse” should be eligible for have their records wiped clean. It also is clear, however, that for offenders perceived
to be of continuing danger or as manifesting extreme moral turpitude, support for expungement is far less. Thus, 76.1% of the respondents stated that anyone convicted of a “sex offense involving a child” should never be eligible for expungement. Third, the sample members identified two factors that judges should consider when deciding requests for expungement: if the offender was employed full time for a year and had completed a rehabilitation program. These findings suggest that Americans see inclusion not as a right but as something to be earned.

Although there are few prior investigations of public attitudes toward the expungement of criminal records, the results presented above are not idiosyncratic relative to the existing research. For example, similar to the present study, a 2015 statewide survey of randomly selected voters in Texas (Texas Public Policy Foundation, 2015), as well as a 2014 national survey of a random sample of adults (Reason-Rupe, 2014), both found Americans to be split on the issue of expungement when presented with a forced-choice favor/oppose question. In the statewide survey of Texas voters, 59% supported the sealing of records for “non-violent, non-sexual first time offenders” while 39% opposed this initiative (Texas Public Policy Foundation, 2015). In the national survey by Reason-Rupe (2014), 47% of the respondents favored allowing non-violent drug offenders to petition the court to have their court records sealed and 48% opposed this policy. These two studies are among the only prior investigations of public attitudes toward expungement, with at least one notable exception. Specifically, a national survey of a probability sample of adults conducted in 2000 by the U.S. Department of Justice (DOJ, 2001) explored sentiment toward several issues related to this study. Given that this DOJ study represents one of the only investigations of attitudes toward expungement—and the most extensive review of expungement attitudes to date—each of its four relevant findings will be compared to those of the current study.
First, similar to the high levels of support discovered for a law that would require the FBI to ensure the accuracy of criminal records, the DOJ (2001) found nearly all respondents believed it was important for Americans to have the “right” to see his or her criminal record and to have “items felt to be incorrect re-checked by the recordkeeping agency and corrected, if in error” (p. 37). The DOJ study also found more than nine in ten Americans viewed as important the implementation of an “impartial” procedure that would allow for the investigation and resolution of complaints by individuals about mishandling of their records (U.S. Department of Justice, 2001, p. 37).

Second, the results of the DOJ study support the conclusion that a majority of Americans want access to juvenile records to be limited; 53% of the respondents preferred the government to keep in place restrictions on access to juvenile’s criminal records by entities such as “employers, government licensing agencies, or military enlistment officers” because “giving juvenile offenders the chance to overcome a bad record is a sound approach” (U.S. Department of Justice, 2001, p. 40). Only four in ten alternatively preferred allowing juvenile records to be accessed by these agencies “since protecting society and the public should be the primary concern” (p. 40).

Third, as compared to the present study, there was less support among DOJ survey respondents for allowing offenders to essentially wipe their slates clean after a certain period of time. Specifically, less than half of the respondents to the DOJ survey indicated a belief that criminal records should not be accessible to “employers or licensing agencies” for offenders who remain crime free for a “period, such as 5 years” (U.S. Department of Justice, 2001, p. 42). It should be noted, however, that this item did not assess attitudes toward expungement explicitly. The DOJ survey also did not provide an opportunity for the respondents to indicate a specific
length of time offenders should have to stay crime free before they are eligible, nor did it examine variation in these beliefs given the nature of an offender’s conviction. In fact, as can best be determined, the present study provides the first assessment of public’s views toward these three specific issues.

Finally, the results of the DOJ study support the conclusion that many Americans are uncomfortable with the idea of criminal records being accessible to anyone via the Internet. Only 9% of DOJ survey respondents favored state agencies allowing the general public to access criminal history records on the Internet. Similarly, nearly nine in ten respondents favored restrictions on access to criminal records, based on the type of criminal record (e.g. conviction or arrest) or the entity seeking information regarding an individual’s criminal history (i.e., “a system open only to selected users…such as employers or government licensing agencies”) (U.S. Department of Justice, 2001, p. 31). Majorities of the DOJ sample also desired limitations on criminal record access for “government agencies that issue occupational licenses” (p. 32). About half of the sample preferred that this access to criminal conviction records is dependent on whether or not the license would be for “jobs involving sensitive work” (p. 32). Similar findings resulted when DOJ participants were asked about the access of employers and government occupational licensing agencies to arrest-without-conviction records. The respondents again indicated that the availability of these records should depend on the nature of the job (U.S. Department of Justice, 2001).

In sum, the results of the present study as well as the prior literature indicate that the public wants criminal records to be used responsibly. The public strongly desires the government to accurately maintain criminal history records. Americans are not in favor of unlimited public access to criminal records, and they believe that there should be opportunities to
move beyond the “criminal mark”—at least for most offenders after a certain period of time (Pager, 2003, 2007). Concerns about expungement acting as a barrier to reintegration also appear to be more salient for some types of offenders than others. Future research should be undertaken to better understand the conditions in which the public is more or less supportive of expungement. Vignette research, in which sample members are presented with specific scenarios about hypothetical offenders could be helpful in this regard. Additional investigations could examine reasons beyond “public safety” for unfavorable attitudes toward expungement policies. Future research should also be undertaken to probe the conditions in which the public is more willing to forego concerns for the safety of the public in favor of allowing for the expungement of records.

**REDEMPTION: FORGIVENESS, NOT FORGETTING**

As Cullen (2017, p. 33) notes, “rehabilitation is only the first step toward a greater goal—redemption or the full acceptance back into society as an equal citizen.” He argues that “offenders must do their part by achieving rehabilitation, refraining from crime, and contributing to the commonweal. Ultimately, however, for redemption to be earned, it must be made possible by the state” (p. 33). Thus, a correctional agency might assist offenders to become crime free through a treatment program. Nonetheless, even when their sentences are completed, rehabilitated offenders would still be subject to a range of exclusionary policies. They would not be restored as a full-fledged citizen unless this status was bestowed on them by the state.

As seen in the previous section, one way offenders can escape the collateral consequences that attach to a criminal conviction is by having their record expunged. This practice is a valuable way of “wiping the slate clean.” As commentators have argued, however, expungement is a way of *forgetting* the past—of pretending that it never existed (Hager, 2015;
Rather than seek to conceal past record, redemption recognizes past waywardness and then offers *forgiveness* (Maruna, 2011). This approach builds on the Christian view in which redemption is seen as a form of “deliverance” from sin. In the Christian tradition, Jesus Christ is the Redeemer because He died on the cross to save humankind from its Original Sin, the ultimate act of forgiveness. Individuals can be saved by confessing their sins and asking for God’s forgiveness. Redemption thus is an active process that involves a relationship between those seeking and those granting forgiveness.

Building on the work of Maruna (2001a, 2001b), Cullen (2013) has proposed the use of formal “rehabilitation ceremonies.” Similar to other rituals that offer a rite of passage in society (e.g., First Communion, high school graduation), such ceremonies would signal that offenders had worked over a period of time to become crime free and to achieve rehabilitation—that they were now ready to “graduate from crime” (p. 356). The ceremony would also signal that offenders were being granted redemption or a full restoration of rights and privileges enjoyed by noncriminal citizens (Maruna, 2011b). As Maruna (2011a, p. 97) argues:

> it may be better to forgive than forget past crimes. That is, rather than burying past crimes as if they never happened, states should instead acknowledge and formally recognized that people can change that good people can do bad things, and that all individuals should be able to move on from past convictions.

Maruna (2011a) also recommends that offenders be issued “certificates of rehabilitation.” Unlike expungement, these certificates would not be used to conceal past crimes but to show employers and others in society that offenders were no longer “ex-offenders” but fully redeemed (Maruna, 2011a). Importantly, a number of states, most notably New York, issue certificates of rehabilitation or similar documents (Love & Frazier, 2006). Further, in one of his last acts on the bench before retiring in March 2016, federal district Judge John Gleeson issued a “federal certificate of rehabilitation” to a female offender he had given a 15-month prison sentence in
2003. Despite remaining crime free thereafter, the offender had her nursing license suspended and had difficulty finding a good-paying job (Wegman, 2016). Although the certificate does not officially expunge her criminal record or the collateral consequences of her conviction, it is a document that she can show to employers. Judge Gleeson issued a 31-page opinion to which he attached a certificate he had designed—what he said “amounted to a voucher of good character” (Wegman, 2016).

The current study addressed the issue of redemption in two ways. First, the respondents were asked about the extent to which they believed that offenders were redeemable (see Maruna & King, 2009). They appeared to have a realistic view of the capacity for offenders to change. On the one hand, about eight in ten agreed that offenders “can lead productive lives with help and hard work” (79.1%) and can, “given the right conditions...turn their lives around and become law-abiding citizens” (82.4%). On the other hand, the same proportion agreed that “some offenders are so damaged that they can never lead productive lives” (83.0%), and a majority expressed the opinion that “most” offenders “are unlikely to change for the better” (56.2%). Further, about half the sample (51.8%) estimated that under 41% of “prison inmates” “can lead a law-abiding life” following release to the community. These findings indicate that Americans believe that the redeemability of offenders is possible but also, especially for those incarcerated, difficult to achieve.

Second, the survey asked specifically about whether the respondents would support the use of rehabilitation ceremonies and certificates of rehabilitation. These instruments of redemption appear to have wide support among the American public. Thus, eight in ten sample members favored both holding ceremonies in which “ex-offenders are declared ‘rehabilitated’ and free from all legal penalties and other collateral consequences of their crime” (81.4%) and
issuing certificates that ex-offenders can give “to licensing agencies, employers, and state officials to show that they have paid their debt to society for their crimes” (80.5%).

This study provides the first examination of the public’s views of rehabilitation ceremonies and certificates of rehabilitation. Most survey respondents clearly considered both of these to be endeavors that will help offenders reintegrate back into the community and stay out of crime. While these findings bode well for the notion that Americans are willing to forgive offenders for their past crimes, this issue could be explored more explicitly in future research. It is conceivable that Americans favor rehabilitation ceremonies and certificates of rehabilitation as methods of reintegration, but do not view them as devices of forgiveness specifically. In this regard, the public may have other ideas about how ex-offenders can achieve meaningful redemption in the community. Qualitative research would be useful to explore this possibility in greater depth.

Despite the lack of existing literature on rehabilitation ceremonies and certificates of rehabilitation, prior research nonetheless supports the notion that most Americans believe offenders can change. This includes two studies that used forced-choice questions that juxtapose the belief in offenders’ “redeemability” with the view that criminality is fixed. For example, Roberts et al. (2005) found that for each of two random samples, more than seven in ten of Massachusetts residents endorsed the notion that offenders can “change their lives around and become law-abiding citizens” instead of the idea that “little can be done...” after someone “turns to crime” (p. 33). Similarly, the American Civil Liberties Union (2015, p. 2; see also Krisberg & Marchionna, 2006) reported that more randomly selected registered voters in the U.S. expressed a belief in redeemability given the “right kind of help” for “people who have committed serious
crimes” (59% of sample members) than indicated that serious offenders “will almost always be a
danger to society” (31%).

Although not examined explicitly in the present study, there also is evidence that
Americans believe it is “never too late” to for juveniles to be redeemed (see Piquero, Cullen,
Unnever, Piquero, & Gordon, 2010). This belief in juvenile offenders’ abilities to change for the
better is apparent, for example, in the findings of a 1998 mail survey of 539 residents of
Tennessee (Moon et al., 2000). In this study, only 20.8% of the respondents agreed that “the
only way to protect society is to put the offenders in jail when they are young and throw away
the key” since “most juveniles will commit crimes over and over again” (p. 48). Similarly, in a
more recent RDD survey conducted in 2005, less than a third of Pennsylvanians agreed that there
is an “age at which it is too late to help a young person who has gotten involved in crime change
and become a law-abiding person” (Piquero et al., 2010, p. 196).

Collectively, then, there is mounting evidence that the public primarily believes that
criminality is malleable rather than set in stone (see also Maruna & King, 2004; 2009). While a
majority of respondents in the present study believed most offenders are unlikely to change,
similar to prior research, few indicated that change is impossible with help and favorable
conditions. Future research could be undertaken to explore possible variations in this belief in
redeemability. For example, it is possible that there are certain types of offenders that are seen
as uniquely incapable of changing for the better, regardless of how much assistance they are
provided.

It should be noted that the belief in redeemability among Americans observed in the
present study does not necessarily reflect a willingness to forgive offenders for their past acts.
Nonetheless, it is likely that viewing offenders as capable of reform is a necessary component of
a willingness to offer them redemption—to not forget or ignore their past criminality, but to forgive them and accept them as equals in spite of it.

CONCLUSION: REDEMPTION IN AN ERA OF PENAL HARM

Tonry (2004, p. 70) has used the term “sensibilities” to describe the “time- and place-bound ways of thinking that include ideas and express values that are widely shared and little questioned.” He further notes that a sensibility is “the ethos of zeitgeist of a moment that influences but does not determine what most people think and believe about a particular subject” (p. 70). In his view, how people think about crime matters. Writing in 2004, he argued that the prevailing punitive “crime control policies are to a large part an outgrowth of American sensibilities of the past third of the twentieth century” (p. 5). He also advised that “practices that many Americans endorse—capital punishment, three strikes laws, prison sentences measured in decades or lifetimes—are as unthinkable in other Western countries today as are lynching and corporal punishment in America” (p. 6).

Various names have been used to describe the sensibility that arose in the 1970s and dominated American corrections thereafter (Cullen & Gilbert, 1982), such as Garland’s (2001) “culture of control” and Clear and Frost’s (2014) “punitive imperative.” This dissertation has used the term “penal harm” (Clear, 1994) to emphasize how various policies—most notably, mass imprisonment—sought to define criminals as “the other” and to use harsh means to exclude them from “the rest of us” (see, e.g., Stabile, 2016; Travis, 2002; Uggen et al., 2006). Although troubled by what was accepted if not supported at the beginning of the current century, Tonry (2004) noted that sensibilities are not permanent but cyclical. There was a time when the rehabilitative ideal was dominant (Cullen & Gilbert, 1982; Rothman, 1980). Tonry suggested that there may come a time when “capital punishment, indiscriminate private possession of
handguns, and mass imprisonment of black men in early twenty-first century America will someday be widely deplored” (2004, p. 63)

Not long after Tonry (2004) wrote Thinking About Crime: Sense and Sensibility in American Political Culture, signs emerged that a change in the American correctional sensibility did begin to emerge. Politicians started to talk about second chances and redemption. The extent of collateral consequences was exposed and roundly criticized. Most important, belief in mass imprisonment seemed to fade, and prison populations declined for the first time in decades. There were thus indications the nation was thinking differently about crime, talking less about harming and excluding offenders and more about helping and including them. Almost overnight, it seemed that terms such as truth-in-sentencing, intensive supervision, and get tough were being replaced by terms such as reentry, ban the box, and expungement.

In this context, the current dissertation can be seen as an attempt to determine the extent to which the American public possesses an inclusionary “sensibility” about crime control. Based on a national poll using the innovative technique of an opt-in online survey, this project explored support for a range of policies across rehabilitation, reentry, reintegration, and redemption. Although a few policies drew a mixed reaction, the analysis revealed that American consistently were supportive of reasonable policies that advanced inclusion either by removing senseless restrictions or by offering needed services.

The connection of public opinion to crime policy is complicated (Beckett, 1997; Thielo et al., 2015). However, public opinion is important in at least one way—it establishes the “boundary of political permission” (Doble, 2002, p. 160; see also Yankelovich, 1991). The data presented here suggest that the American public is prepared to support a range of inclusionary policies, with the one limit being that public safety should not be jeopardized. A
new cycle of sensibility and policy thus appears possible. It is time for elected officials to take advantage of this opportunity to move correctional policy and practice in a more justice, humane, and effective direction. Indeed, achieving offender redemption in an era of penal harm, which seemed unimaginable a few years ago, is now a goal that is within reach.
REFERENCES


Chin, G. J. (2002). Race, the war on drugs, and the collateral consequences of criminal conviction. *Journal of Gender, Race, and Justice, 6*, 255–278.


gap: A conference on scholarship and criminal justice reform, Arizona State University, Phoenix.


Roche, S. P., Pickett, J. T., & Gertz, M. (2015). Vulnerable victims, monstrous offenders, and


Society for Human Resources Management. (2012). *Background checking—The use of criminal background checks in hiring decisions*. Retrieved from Author: http://www.shrm.org/Research/SurveyFindings/Articles/Pages/CriminalBackgroundCheck.a spx


163


APPENDIX A. YOUGOV SURVEY

National Survey of Public Opinion on Criminal Justice

1. First, we would like to know your views on several different parts of the criminal justice system in the United States.

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 or she might return to society as a productive citizen, or protecting society from future crimes he or she might commit?

Punishing the individual
Trying to rehabilitate the individual
Protecting society
Not sure

{show answer options not selected in Q1}

2. Now, what do you think should be the second most important emphasis in most prisons – punishing the individual convicted of a crime, trying to rehabilitate the individual so that he or she might return to society as a productive citizen, or protecting society from future crimes he or she might commit?

Punishing the individual
Trying to rehabilitate the individual
Protecting society
Not sure

3. In general, do you think the courts in this area deal too harshly or not harshly enough with criminals?

Too harsh
Not harsh enough
About right
Don’t know

4. Are you in favor of the death penalty for a person convicted of murder?

Favor
Oppose
No opinion
5. Policymakers concerned with developing effective crime policies need to better understand how people feel about those who commit crimes. We would like your opinion on some of these policies.

How much do you agree or disagree with the following statement?

a. It is important to try to rehabilitate adults who have committed crimes and are now in the correctional system.
b. It is a good idea to provide treatment for offenders who are supervised by the courts and live in the community.
c. Rehabilitation programs should be available even for offenders who have been involved in a lot of crime in their lives.
d. Most criminal offenders are unlikely to change for the better.

1. Strongly Agree
2. Agree
3. Somewhat Agree
4. Somewhat Disagree
5. Disagree
6. Strongly Disagree

6. Now, how much do you agree or disagree with the following statement?

a. Most offenders can go on to lead productive lives with help and hard work.
b. Some offenders are so damaged that they can never lead productive lives.
c. All rehabilitation programs have done is to allow criminals who deserve to be punished to get off easily.
d. Given the right conditions, a great many offenders can turn their lives around and become law-abiding citizens.
e. I would not support expanding the rehabilitation programs that are now being undertaken in our prisons.

1. Strongly Agree
2. Agree
3. Somewhat Agree
4. Somewhat Disagree
5. Disagree
6. Strongly Disagree
7. If an effort is made to provide specialized rehabilitation services in prisons, what percentage of prison inmates do you think can lead a law-abiding life after they are released to the community?

Under 20%
21-30%
31-40%
41-50%
51-60%
61-70%
71-80%
Over 80%

8. Recently, a number of places have started what are known as “problem-oriented” (or specialty) courts. These courts deal with a specific kind of offender—such as someone using drugs. The goal is to try to treat the underlying problem (e.g., drug addiction) by placing an offender in a rehabilitation program in the community rather than sending them to prison for punishment.

We would like to know the extent to which you would support or oppose this kind of problem-oriented court for each of the types of offenders listed below.

a. Offenders who are addicted to drugs
b. Offenders who are mentally ill
c. Offenders who are veterans
d. Offenders who are homeless
e. Offenders who engage in domestic violence

<1> Strongly <br>Support
<2> Support
<3> Somewhat <br>Support
<4> Somewhat <br>Oppose
<5> Oppose
<6> Strongly <br>Oppose

As you may know, many U.S. citizens convicted of a “felony” crime—which often leads to a prison sentence—lose the rights to vote and to sit on juries.

Notably, elected officials in many states are now debating legislation that would give back these rights to individuals.

We would like to learn about your opinion on these important matters.
9. Which of the following comes closest to your opinion about voting rights for U.S. citizens who have been convicted of felonies?

They should lose permanently lose their right to vote
They should lose their right to vote only until they have completed their sentence
They should not lose their right to vote at all

10. Which of the following comes closest to your opinion about people who have been convicted of felonies sitting on juries?

They should be permanently excluded from sitting on juries
They should be allowed to sit on juries once their sentence is complete

There has been some debate recently about expunging criminal records for offenders who have completed their sentences and thus paid for their crime.

When a criminal record is expunged, this means that the criminal record is removed or sealed and thus is no longer something that the public, including employers, can see. It’s like starting over from scratch.

We would like to know your views on this matter.

11. Some people argue that expunging criminal records is a good policy because it gives criminal offenders the opportunity to wipe their slate clean and get their lives back on track. Other people believe that expunging criminal records is a bad policy because public access to criminal records helps keep communities safe.

Which of the following statements is closest to your own opinion?

Expunging criminal records is a good policy because it gives criminal offenders a chance to get their lives back on track
Expunging criminal records is a bad policy because public access to criminal records helps keep communities safe
12. In some states, individuals who have **stayed out of crime** for a certain period of time are eligible to have their criminal record expunged (that is, removed and sealed so nobody can look at it any longer).

**In your opinion, how many years must an individual stay out of crime before they should be eligible to have their criminal record expunged?**

1 year  
2 years  
3 years  
4 years  
5 years  
6 years  
7 years  
8 years  
9 years  
10 years  
15 years  
20 years  

Individuals should never be eligible to have their criminal records expunged

{grid – randomize rows}

13. Please consider each criminal offense listed below. For each one, indicate if you think individuals who were convicted of that offense in the past should or should not be able to have their criminal record expunged (that is, removed and sealed so nobody can look at it any longer).

**If you think people convicted of that offense should be able to have their record expunged, indicate how long they should have to stay out of crime (i.e. stay “crime-free”) before they can be eligible to have their record expunged.**

a. Shoplifting  
b. Burglary  
c. Sex offense involving a child  
d. Domestic battery of a spouse  
e. White-collar crimes (e.g. tax evasion; embezzlement)  
f. Driving under the influence (DUI)  
g. Possession of illegal drugs

<1> No – Should never be expunged  
<2> Yes – After 3 years of being crime-free  
<3> Yes – After 5 years of being crime-free  
<4> Yes – After 10 years of being crime-free
14. Below are some factors that a judge might consider when deciding whether or not to approve criminal offenders’ requests to expunge their criminal records, meaning that the records would no longer be available for the public to see. **Check each factor that you think judges should consider when making decisions about whether or not criminal record should be expunged. Please check ALL of the factors listed below that you think judges should consider.**

The offender attends church services regularly
The offender has a letter of support from his or her neighbors
The offender completed a rehabilitation program
The offender has been employed full time for a year
The offender is a community volunteer
The offender is married with kids

None of these

15. At times, the criminal records kept on people are not accurate or kept up to date, and if used can hurt their chances to get jobs, rent apartments, or get approved by credit agencies.

The U.S. Congress is now considering a law that would require the FBI to review their criminal records to make sure that citizens are not hurt by incomplete or inaccurate records that are given out in background checks.

**How much, if at all, do you support this effort on the part of the federal government?**

Strongly Support
Support
Somewhat Support
Somewhat Oppose
Oppose
Strongly Oppose
16. How much do you agree or disagree with each of the following statements?

a. Juvenile records for non-violent crimes should be automatically expunged so that the public cannot see them.
b. More often than not, it is a good idea to put criminal records on the Internet for anyone to see.
c. Only law enforcement agencies and some potential employers should be able to see adults’ records for non-violent crimes.
d. If a person never has the opportunity to expunge their criminal record, they may face problems that lead them back to a life of crime.

<1> Strongly <br>Agree
<2> Agree
<3> Somewhat <br>Agree
<4> Somewhat <br>Disagree
<5> Disagree
<6> Strongly <br>Disagree

17. As you may know, many job applications contain a “box” that a person applying for the job must check if they have a criminal record from their past. Recently, however, many elected officials have passed “ban the box” laws. These laws say that employers must remove this “box” on job applications that people must check if they have been arrested and/or convicted of a crime.

With ban the box laws, employers can still conduct criminal background checks and choose to not hire someone who has a criminal record. However, they can only do this AFTER they have looked at the person’s job application and decided to interview them or give them a job offer.

Which of the following views about ban the box laws is closer to your own?

<1> “Ban the box” laws are a good idea because ex-offenders’ skills and qualifications for jobs will be considered. This could help them get jobs because they won’t just be rejected right away for having criminal records.
<2> “Ban the box” laws are a bad idea because they make employers waste time considering hiring people that they may end up rejecting later when they find out about their criminal records.
21. As you may know, when people are convicted of many types of misdemeanor and felony crimes, they often also face a lot of other regulatory or civil penalties, called **collateral sanctions**.

**Collateral sanctions** are separate from the direct punishments for crimes (such as a prison sentence or a probation term) and offenders are generally not told about these restrictions when they are convicted of a crime. Thus, someone convicted of a crime might face many different types of restrictions on the rights and privileges that U.S. citizens typically have.

Such collateral sanctions include not being allowed to work in a lot of jobs, to serve on a jury, to join the military, to receive student loans and other forms of public assistance, and to have a driver’s license.

How much do you agree or disagree with each of the following statements?

**a. Offenders should be given information regarding all of the possible collateral sanctions they may face if they are convicted of a crime, both at the time they are charged with a crime and before entering a plea of guilty or innocent.**

**b. Every five years, states and federal lawmakers should review all of the existing collateral sanctions of criminal convictions, and eliminate the ones that are found to have no useful purpose.**

**c. A collateral sanction should be eliminated unless it is shown to reduce crime.**

<table>
<thead>
<tr>
<th></th>
<th>Agree</th>
<th>Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>&lt;1&gt;</td>
<td>Strongly</td>
<td></td>
</tr>
<tr>
<td>&lt;2&gt;</td>
<td>Agree</td>
<td></td>
</tr>
<tr>
<td>&lt;3&gt;</td>
<td>Somewhat</td>
<td></td>
</tr>
<tr>
<td>&lt;4&gt;</td>
<td>Somewhat</td>
<td></td>
</tr>
<tr>
<td>&lt;5&gt;</td>
<td>Disagree</td>
<td></td>
</tr>
<tr>
<td>&lt;6&gt;</td>
<td>Strongly</td>
<td></td>
</tr>
</tbody>
</table>

22. Do you think that collateral sanctions generally make offenders more or less likely to commit more crimes?

A lot more likely
A little more likely
A little less likely
A lot less likely
23. For offenders who come back into society after being in prison for five years, what would help them stay out of crime?

Please check ALL items below that you think would help them stay crime-free.

- Employers who give them a chance to work
- Church groups where they meet friends
- Mentors who guide them
- A supportive family
- Community service activities
- None of these

24. Most criminal offenders will be released from prison to the community after serving their sentence. Listed below are services that could be made available after people are released from prison to help prevent their return to crime.

How much do you support or oppose providing each of the following services to offenders when they return to the community?

- a. Mental Health Treatment
- b. Drug Treatment
- c. Help Finding a Place to Live
- d. Close Supervision by a Parole Officer
- e. Education
- f. Job Training

- <1> Strongly Support
- <2> Support
- <3> Somewhat Support
- <4> Somewhat Oppose
- <5> Oppose
- <6> Strongly Oppose
25. Some courts hold “rehabilitation ceremonies” for ex-offenders who have done certain things to prove to the community that they have left behind a life of crime—such as completing rehabilitation programs and community service activities, taking responsibility and apologizing for their past crimes, and/or staying crime-free for a certain period of time (such as five years).

At these public rehabilitation ceremonies, ex-offenders are declared “rehabilitated” and free from all legal penalties and other collateral sanctions of their crimes.

**How much would you agree or disagree that rehabilitation ceremonies for ex-offenders will help them reintegrate back into the community and stay out of crime?**

- Strongly Agree
- Agree
- Somewhat Agree
- Somewhat Disagree
- Disagree
- Strongly Disagree

26. At some rehabilitation ceremonies, ex-offenders are given “certificates of rehabilitation.” These certificates are like letters of recommendation, which state that an ex-offender has been formally “rehabilitated.”

Ex-offenders can give these certificates to licensing agencies, employers, and state officials to show that they have paid their debt to society for their crimes.

**How much would you agree or disagree that “certificates of rehabilitation” will help ex-offenders reintegrate into their communities and stay out of crime?**

- Somewhat Agree
- Agree
- Somewhat Agree
- Somewhat Disagree
- Disagree
- Strongly Disagree
APPENDIX B. YOUGOV CORE PROFILE ITEMS

1. In what year were you born?

2. Are you a male or female?
   A. Male
   B. Female

3. What racial or ethnic group best describes you?
   A. White
   B. Black
   C. Hispanic/Latino
   D. Asian
   E. Native American
   F. Middle Eastern
   G. Mixed Race
   H. Other

4. What is the highest level of education you have completed?
   A. No high school degree
   B. High school graduate
   C. Some college, but no degree (yet)
   D. 2-year college degree
   E. 4-year college degree
   F. Postgraduate degree

5. What is your marital status?
   A. Married, living with spouse
   B. Separated
   C. Divorced
   D. Widowed
   E. Single, never married
   F. Domestic partnership

6a. Thinking back over the last year, what was your family’s annual income?
   A. Less than $10,000
   B. $10,000-$19,999
   C. $20,000-$29,999
   D. $30,000-$39,999
   E. $40,000-$49,999
   F. $50,000-$59,999
   G. $60,000-$69,999
H. $70,000-$79,999
I. $80,000-$89,999
J. $100,000-$119,999
K. $120,000-$149,999
L. $150,000 or more
M. Prefer not to say

6b. What was your family’s annual income last year? (asked if “$150,000 or more” is selected for item 6a)
   A. $150,000-$199,999
   B. $200,000-$249,999
   C. $250,000-$349,999
   D. $350,000-$499,999
   E. $500,000 or more

7. What is your state of residence?

8a. Generally speaking, do you think of yourself as a….?
   A. Democrat
   B. Republican
   C. Independent
   D. Other
   E. Not sure

8b. Would you call yourself a strong Democrat or a not very strong Democrat? (asked if “Democrat” is selected for item 8a)
   A. Strong Democrat
   B. Not very strong Democrat

8c. Would you call yourself a strong Republican or a not very strong Republican? (asked if “Republican” is selected for item 8a)
   A. Strong Republican
   B. Not very strong Republican

8d. Do you think of yourself as closer to the Democratic or the Republican Party? (asked if “Independent,” “Other” or “Not Sure” is selected for item 8a).
   A. The Democratic Party
   B. The Republican Party
   C. Neither
   D. Not sure
9. In general, how would you describe your own political viewpoint?

   A. Very liberal  
   B. Liberal  
   C. Moderate  
   D. Conservative  
   E. Very Conservative  
   F. Not sure  

10. How important is religion in your life?

   A. Very important  
   B. Somewhat important  
   C. Not too important  
   D. Not at all important  

11. Some people seem to follow what’s going on in government and public affairs most of the time, whether there’s an election going on or not. Others aren’t that interested. Would you say you follow what’s going on in government and public affairs....?

   A. Most of the time  
   B. Some of the time  
   C. Only now and then  
   D. Hardly at all  
   E. Don’t know
12. What is your employment status?

A. Working full time now
B. Working part time now
C. Temporarily laid off
D. Unemployed
E. Retired
F. Permanently disabled
G. Taking care of home or family
H. Student
I. Other