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**Housing for the "Worst of the Worst" Inmates:  
Public Support for Supermax Prisons\***

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**Housing for the “Worst of the Worst” Inmates:  
Public Support for Supermax Prisons**

**ABSTRACT**

Despite concerns about whether supermaximum security prisons violate human rights or are effective, these facilities have proliferated in America over the past 25 years. This punishment, aimed at the “worst of the worst” inmates and involving 23-hour-per-day single-cell confinement with few privileges or services, has emerged despite little evidence that the public supports it. Using public opinion survey data, we identify the extent to which support exists for supermax prisons and test three interrelated hypotheses about variation in public views. We contend that support can be linked to groups most concerned about symbolic threats, most embracing of a belief in individual agency, and who have had negative contacts with offenders. We conclude by discussing implications for theory, research, and policy.

**KEYWORDS:** supermax prisons public opinion

## INTRODUCTION

Supermaximum security prisons—facilities where inmates are housed in single-cell confinement for 23 hours per day with few or no privileges or services—have been argued to be cruel and inhumane, an extreme form of punishment in violation of international standards of human rights (Miller, 1995; Pizarro & Narag, 2008). Whether the view is correct, it raises questions about why supermaxes have become common in America: in the past twenty-five years, 44 states have built at least one or more supermaxes that collectively house at least 25,000 inmates (Mears, 2008). During this same period, correctional systems grew dramatically—between 1980 and 2005, the number of individuals under local, state, or Federal correctional control increased from 1.8 million to over 7 million (Glaze & Bonczar, 2006, p. 2), with prisons housing 1,570,861 inmates as of 2006 (Sabol, Couture, & Harrison, 2007). This “get tough” trend in American criminal justice has been well-documented and examined (Caplow & Simon, 1999; Garland, 2001; Elsner, 2004), and so, too, have punitive attitudes among Americans (Cullen, Fisher, & Applegate, 2000). Yet, as Roberts and Hough (2005, p. 286) have recently observed, the emphasis in opinion research typically has been on public views toward sentencing, not the conditions of confinement or the nature of custody.

The oversight is notable for several reasons. First, supermax confinement constitutes an extreme and largely unprecedented type of confinement, one that may contribute to a range of problems, including the onset and aggravation of mental illness among inmates (Haney, 2003; Cloyes, Lovell, Allen, & Rhodes, 2006). In addition, systematic, empirical research on the uses and effectiveness of supermaxes is minimal, with some accounts suggesting that they may cause more harm than good; at the same time, supermaxes have been described as being considerably more costly to build and operate than other prisons (King, 1999, 2005; Riveland, 1999; Kurki & Morris, 2001; Briggs, Sundt, & Castellano, 2003; Toch, 2003; Rhodes, 2004; Pizarro, Stenius, & Pratt, 2006; Lovell, Johnson, & Cain, 2007; King, Steiner, & Breach, 2008; Pizarro & Narag, 2008). Supermaxes thus constitute an extreme on many fronts—on the one hand, they entail considerable deprivations and require substantial and long-term allocations of scarce correctional resources, and, on the other hand, may cause harm to inmates and be ineffective. The fact that

most states now have supermax prisons suggests, if only indirectly, that the public supports their use. Certainly, policymakers and corrections officials appear to have proceeded upon that assumption (Mears & Watson, 2006; Pizarro et al., 2006).

The typical account of punitive sanctions points to policymakers responding to public concerns and desires (Flanagan & Longmire, 1996; Elsner, 2004). From this perspective, the lack of scholarship on how the public views supermax prisons stands as a concern, especially given the debates about the morality of such prisons and accounts that emphasize the role of state legislators in correctional system decisions to build them (Riveland, 1999; Mears & Watson, 2006). It also stands as a concern because correctional administrators have promoted supermaxes in part based on the claim that they provide the public “with an additional sense of safety” (Pizarro et al., 2006, p. 13). However, even if policymakers and administrators promoted these prisons without considering public opinion, a focus on public views would be warranted precisely because American democracy is premised on the notion that government should be responsive to the will of the people (Moon, Sundt, Cullen, & Wright, 2000). The international condemnation of supermax prisons and the persistent moral debates about and legal challenges to such prisons underscores the importance of tapping into public views about them. Certainly, their views should not necessarily dictate whether supermaxes continue to exist anymore than it should dictate policymaking in general; even so, public views indisputably are critical to policy debates (Burstein, 2003). In addition, it bears emphasizing that much remains unknown about how the public views a range of sanctions, leading scholars to call for studies that investigate views about a range of punishments (Cullen et al., 2000; Roberts & Hough, 2005).

Against such observations, the question arises, What exactly does the public think about supermax prisons? Generalizing from prior studies provides a questionable platform for answering that question, given the variation in and complexity of views about different sanctions (e.g., community supervision, prison sentences, the death penalty) (Roberts & Stalans, 1998; Cullen et al., 2000). Nevertheless, they provide a partial foundation on which to develop expectations concerning support for supermaxes. At the same time, a focus on these prisons affords a unique opportunity to advance research by examining the extent to which key

determinants of punitiveness—including symbolic threats, an emphasis on individual agency, and contact with offenders—influence views about extreme punishment.

Proceeding from these observations, we begin first by describing supermax prisons and public opinion research on punishment. Drawing on this research, we then develop three interrelated hypotheses about public support for supermax prisons, which we test using data collected from a public opinion survey of Florida residents. Our central contention is that support for supermaxes can be linked to groups most concerned about symbolic threats, embracing of a belief in individual agency, and who have had negative experiences with offenders. Linking the results to the broader literature on public support for punitive sanctions, we identify the salience of the study's results for theory, research, and policy.

## **BACKGROUND**

### **Supermax Prisons**

Supermax prisons represent a return to an old idea packaged in a modern way. The first prisons in America were, for example, premised on the idea that inmates could be reformed by isolating them from society and one another and by enforcing strict regimes of isolation and silence (Morris & Rothman, 1995). This approach, embodied by the practices at Eastern State Penitentiary in Philadelphia in the early 1800s, came under criticism, not least for the possibility that they psychologically harmed inmates (Toch, 2001). Among the more prominent critics, Charles Dickens visited Philadelphia in 1842 and wrote of the prison there: “I hold this slow and daily tampering with the mysteries of the brain to be immeasurably worse than any torture of the body” (as quoted in Rothman, 1995, p. 124). The Pennsylvania system eventually faded, and America experimented with other methods of punishing and managing inmates.

Sustained isolation did not emerge as a prominent corrections strategy again until well into the 20th century. The opening of the federal prison at Alcatraz set the stage for the ascendance of special facilities built around the idea of isolating inmates indefinitely from one another (Ward & Werlich, 2003). Operated from 1934 to 1963, Alcatraz housed the most violent inmates in single-cell confinement. The same year that Alcatraz was shut down, the Federal Bureau of

Prisons opened a new maximum security, U.S. Penitentiary (USP) Marion. Beginning in 1973, the Control Unit at the Marion facility began to house the most violent offenders in the federal prison system, as well as some inmates from states, thus reincarnating the logic that had justified Alcatraz. Then, in the early 1980s, a spate of inmate and officer murders led the prison to declare a “state of emergency” in which all “congregate activities were terminated, and Marion was ‘locked down’” (Ward & Werlich, 2003, pp. 57-58). State prisons systems soon followed suit, creating special facilities that enabled single-cell housing coupled with state-of-the-art surveillance technology (King, 1999). Today, it is estimated that 44 states have supermaxes that collectively house at least 25,000 inmates (Mears, 2008; cf. Naday, Freilich, & Mellow, 2008).

Correctional systems have always had prisons to house their most serious inmates. However, as Riveland (1999) has emphasized, “seldom have those prisons operated on a total lockdown basis as normal routine. Even prisons designated as maximum security have generally allowed movement, inmate interaction, congregate programs, and work opportunities” (p. 5). By contrast, inmates in supermax prisons typically are incarcerated by themselves in single-cell confinement for 23 hours per day, with minimal opportunities for participating in programming or receiving services (Kurki & Morris, 2001). Some variation exists in how supermaxes are defined and, by extension, how they are operated, but the above characteristics are central to the definitions most commonly used (Naday et al., 2008, pp. 71-73). In a similar vein, although supermaxes are described as serving to house the “worst of the worst” inmates, operational definitions of “worst” are unclear (King, 1999), in turn creating ambiguity about the goals of supermaxes. Some states emphasize, for example, that their supermaxes serve to help maintain order throughout the prison system; others emphasize that they serve to safely control the behavior of a small number of inmates; and still others view supermaxes as promoting public safety and providing punishment for disorderly or violent acts (Mears & Watson, 2006).

The considerable growth in supermax prisons over a short period of time might lead to the conclusion that a strong empirical foundation exists to support them. In fact, only a handful of studies have evaluated the uses and impacts of these prisons. Briggs et al. (2003), for example, compared outcomes of three states that had supermaxes with one that did not, and concluded that



the evidence was mixed—in Illinois, the opening of a supermax “corresponded with a gradual permanent reduction in assaults against staff” (p. 1367), but the analyses suggested few other impacts in Illinois or the other two supermax states (Arizona and Minnesota). Crouch and Marquart’s (1989) study suggested that supermax prisons in Texas helped contribute to a general decline in inmate murders in the mid-1980s. Focusing on the federal prison system, Ward and Werlich (2003) examined inmates released from the Marion facility and found that 16 percent returned to it; yet, without evidence about the actual behavior of the inmates or of an appropriate comparison group, it remains difficult to know whether such a percentage indicates success.

Juxtaposed against these studies are those that have relied on ethnographies and interviews. These accounts generally portray supermax facilities in a negative light—inmates are described as being arbitrarily placed in supermax confinement with few procedural safeguards, and the conditions of confinement are argued to cause or aggravate mental illness and to encourage abuse of inmates (King, 1999, 2005; Kurki & Morris, 2001; Haney, 2003; Pizarro & Stenius, 2004; Rhodes, 2004; Irwin, 2005; Cloyes et al., 2006; King et al., 2008). Other concerns include the substantial costs of these prisons and the possibility that supermaxes may actually undermine prison order and create such unintended effects as increased inmate violence and recidivism among both supermax and general population inmates (Mears & Reisig, 2006; Pizarro et al., 2006; Lovell et al., 2007). Critics also claim that supermax confinement violates international standards of human rights (Pizarro & Narag, 2008).

### **Public Opinion**

To our knowledge, no studies have examined public support for supermax prisons. Rather, such support appears to have been taken for granted by policymakers (Mears & Watson, 2006), and, to a lesser extent, researchers. For example, accounts of the ascendance of “get tough” criminal justice policies tend to emphasize the idea that policymakers have merely implemented the “will of the people” (King, 1999; Garland, 2001; Pizzaro et al., 2006). Whether such an assessment is accurate remains debated (see, e.g., Useem & Piehl, 2006). Nonetheless, even a cursory review of the literature indicates that public views tend not to be monolithic, simple, or

consistent when it comes to different crimes and punishments. Indeed, as Cullen et al. (2000) have concluded in a recent review, “public opinion, while clearly punitive in important ways, nonetheless is progressive in equally important ways” (p. 6; see also Flanagan & Longmire, 1996; Roberts & Stalans, 1998; Roberts & Hough, 2005).

The variation in public support for punitiveness largely stems from differences in the types of sanctions investigated. For example, public support for the death penalty decreases markedly when the sanction is contrasted with other alternatives, such as life without parole. Similarly, responses differ when the questions concern the death penalty, intermediate sanctions, and rehabilitative programming, and they differ yet again when views about specific populations (e.g., juveniles versus adults) are explored (Cullen et al., 2000).

Thus, studies to date provide a less-than-coherent foundation on which to anticipate the extent of public support for supermax prisons or the factors that contribute to it. Yet, as the preceding discussion highlights, these prisons constitute a critical part of American corrections today and represent a retributive punishment that arguably is second only to the death penalty. Moreover, although the “public around the world underestimates the severity of life inside prison” (Roberts & Hough, 2005, p. 290), supermax confinement represents a type of experience that the public may be able to contemplate. Few people know or appreciate the day-to-day experience of confinement or of living under the threat of death. However, many may be able to at least imagine what it is like to be isolated for long periods, an essential feature of supermaxes.

An exploration of public views about supermax prisons thus provides a unique opportunity to develop a more nuanced understanding of public opinion concerning punishment, especially extreme punishment, and the criminal justice system. It serves, in particular, to examine potential divides among the public in their support for supermax confinement, and, more generally, to highlight questions about “get tough” correctional policies in the United States.

## **HYPOTHESES**

To develop our hypotheses, we weave together several interrelated bodies of research. Our central argument is that three sets of factors give rise to support for punitive policies—symbolic

threats, orientations associated with or that emphasize individual agency, and direct experiences with crime or criminals. To test the hypotheses, we make predictions about specific groups that the literature indicates are associated with each of these factors.

We begin first by examining whether policymakers have accurately gauged public support for punitive policies and, in particular, for supermax prisons. First, we hypothesize that 70 percent or more of the public support the use of supermax prisons. Selection of that threshold stems from the fact that public support among Americans for the death penalty has hovered around 70 percent, although in recent years it has declined slightly (Cullen et al., 2000; Bureau of Justice Statistics, 2005). Since supermax prisons represent a less extreme sanction, we anticipate that support for them should be comparable to or greater than for the death penalty.

Turning from this initial hypothesis, we focus on arguments concerning public support for supermaxes. An increasing body of work on symbolic threats underscores the salience of race and its connections to crime (Chiricos, Welch, & Gertz, 2004; Stucky, Heimer, & Lang, 2007; Unnever & Cullen, 2007). With roots dating back to Blalock (1967), this literature suggests that the public often equates crime with race, and, specifically, African-Americans. Commenting on media accounts, for example, Beckett and Sasson (2000) have observed that “television news and the new reality crime programs associate blackness and crime and do so in emotionally charged ways that encourage punitiveness among the viewing public” (p. 136).

The symbolic threat literature intimates that segments of the public feel especially threatened by crime and support sanctions that target those believed to be responsible for undermining the social order. In a similar vein, studies have investigated the extent to which punitiveness can be linked to economic insecurity (Hogan, Chiricos, & Gertz, 2005). A central argument is that “scapegoats are easily created in a climate of insecurity, and punishing them is one way to expiate the associated anxieties” (p. 394), and another is that a climate of insecurity engenders hostility towards certain groups, such as criminals, held to be the cause of the insecurity, whether it be economic or political (p. 395). Research on sentencing has developed this idea, emphasizing the notion that certain groups, especially young, black males, come to constitute “focal concerns” that help guide sentencing decisions (Steffensmeier, Ulmer, & Kramer, 1998).

These strands of research all point to a unifying theme—namely, certain groups in American society believe that criminals deserve extreme punishment because they constitute a grave threat to society. However, from a symbolic threat perspective, the support should not be random, but rather derives from the direction of concern indicated by the perceived threat. The perspective holds that young, black males are perceived to be the most violent offenders—the very type of offending associated with accounts of the “worst of the worst” inmates in prison systems—and that economic insecurity helps to fuel these views. In turn, then, the perspective implies that several groups should be most supportive of tough punishment, including, as we hypothesize, supermax confinement: individuals who are white, older, less educated, and less wealthy.

A common theme runs through studies of public opinion about punishment and gives rise to a second hypothesis: groups who emphasize agency as a moral criterion of evaluation—that is, one where individuals, not social contexts or others, are responsible for their actions—are more likely to support punitive sanctions, including supermaxes. Certainly, variation across studies exists, but many suggest that public attributions of criminal responsibility affects views about punishment (Cullen, Clark, Cullen, & Matthews, 1985; Applegate, Cullen, & Fisher, 2002), and, specifically that males, political conservatives, and religious fundamentalists tend to emphasize both individual agency and punitiveness (Cullen et al., 2000; Roberts & Hough, 2005).

For example, work by Gilligan (1982) and others (e.g., Beutel & Marini, 1995; Hurwitz & Smithey, 1998) indicates that, relative to men, women are more likely to make moral decisions based on “sensitivity to the needs of others” (p. 16) and the primacy of human relationships, including an obligation to care for and avoid harming others (p. 100). By contrast, men tend to emphasize individual agency and downplay notions of interdependency and interconnectedness (Worden, 1993). Such differences are argued to translate into gender differences in punitiveness. To date, research typically finds that women are less likely than men to endorse the death penalty (Grasmick, Cochran, Bursik, & Kimpel, 1993) but reveals few consistent patterns for other punishments (Smith, 1984; Hurwitz & Smithey, 1998; Sprott, 1999). The consistency in studies of the death penalty suggests, in our view, support for the contention that for other extreme punishments, such as supermax confinement, comparable differences can be expected.

Similar observations have been made about political conservatives. For example, Jacobs and Carmichael (2004) have noted: “Beliefs about personal responsibility provide a foundation for views about the morality and effectiveness of capital punishment. Conservatives see criminals as unfettered individuals whose reprehensible choices make them accountable for their venal acts”; by contrast, “liberals . . . see crime as the result of unjust social arrangements” (p. 252). Such views appear to translate into differences in punitiveness, with conservatives supporting tougher punishments, especially the death penalty (Taylor, Scheppele, & Stinchcombe, 1979; Applegate, Cullen, Fisher, & Ven, 2000; Silvia, 2003; Unnever & Cullen, 2007; Stucky et al., 2007).

Likewise, fundamentalist religious beliefs have been linked to punitive attitudes (Young & Thompson, 1995; Applegate et al., 2000; Unnever & Cullen, 2006). Although the explanations vary, a central contention is that religious conservatives, especially conservative Protestants, “follow their political counterparts and place little weight on environmental conditions that diminish culpability” (Jacobs & Carmichael, 2004, p. 253) and instead emphasize a largely unyielding view of moral responsibility for one’s actions (Cullen et al., 2000, p. 10).

A fourth group, those who subscribe to a retributive punishment philosophy, can also be linked to views about individual agency and punitiveness. This philosophy implicitly discounts the possibility that extenuating circumstances compensate for individuals’ actions; indeed, it situates ultimate responsibility for one’s actions within individuals. Thus, under our second hypothesis, retributivists can be expected to be more likely than others to support harsher punishments (Ellison & Sherkat, 1993; Cullen et al., 2000). Although the three factors discussed above can be argued to increase punitiveness through adherence to retribution, our contention is that they also are linked to a belief in individual agency and thus should independently be associated with greater support for extreme punishments like supermax confinement.

We turn now to our third hypothesis, which asserts that (de)humanization processes factor prominently in whether individuals support punitive punishment. Specifically, individuals who have had negative contacts with criminals (e.g., victims or criminal justice employees) should be more likely to support punitive sanctions, while those who have had ongoing exposure to them (e.g., having been incarcerated with other criminals) should be less likely to support such

sanctions. These expectations derive from the observation that if individuals see others as somehow less-than-human, they find it easier to support punitive sanctions, and, conversely, if they can see others as like themselves they find it more difficult to support such sanctions. Drawing on a large body of research on “ingroup” and “outgroup” relations, Mullen and Hu (1989) have, for example, emphasized that “it may be easier to contemplate or perpetrate violence against members of the outgroup if they are *dehumanized* into a faceless horde of ‘them’” (p. 234; emphasis added). Conversely, violence against others, whether directly or through support of tough punishments, appears to be less likely “when intergroup contact occurs under highly auspicious circumstances” (Sigelman & Welch, 1993, p. 782).

Although studies have not systematically investigated dehumanization as an aspect of support for extreme punishment, they nonetheless argue that victims may be more supportive of punitive sanctions (Taylor et al., 1979; Wanner & Caputo, 1987); research suggests, however, that victims may not be more punitive (Hogan et al., 2005). In a related vein, studies, including Conover’s (2000) “insider” account of working in a supermax-like prison, suggest that criminal justice system agents may be prone to view offenders as less-than-human, a pattern that may be more pronounced when the individuals are supermax inmates (Webb & Morris, 2002; Mears & Watson, 2006). By contrast, individuals, with direct or indirect experience at the hands of the criminal justice system—for example, as a prison inmate or via friends or relatives who have been under some form of correctional supervision—may be more prone to relate to inmates and thus see them as human, in turn rendering it more difficult to support punitive sanctions. In a study of factors linked to support for correctional system changes, for example, Silvia (2003) stressed that “interpersonal similarity is a powerful predictor of liking . . . [and so] perceived similarity to prisoners should . . . predict positive attitudes toward prison reform” (p. 2559).

A more direct exploration of the salience of dehumanization is simply to ask individuals whether they think such sanctions as supermax confinement are inhumane. We expect that those who disagree that supermaxes are inhumane will be more likely than those who do not to support them and that introduction of such a measure should eliminate any effect of victimization, criminal justice employment, or experiences at the hands of the criminal justice system.

## DATA AND METHODS

Data for the study come from a telephone survey, conducted in spring 2006, of a random sample (N=1,308) of Florida adults, age 18 or older. The survey was designed to tap into residents' views about Florida correctional system. Because we focus on one state, the results may not generalize to the rest of the country. However, state-specific surveys can yield important insights about public views that in turn can be used to establish benchmarks for comparing and interpreting other state-specific and even national studies (Cullen et al., 2000, p. 61). Indeed, Florida arguably is representative of the national trend toward tougher punishment, and partly for that reason has served as the focus of a number of public opinion studies (e.g., Hogan et al., 2005; Applegate & Davis, 2006). Indeed, as with almost every state in the country, it has supermax housing spread across five facilities and is part of a block of southern states typically associated with support for "get tough" correctional policies. Even so, its relatively tough sanctioning policies lie closer to the national average than is the case with many southern states. For example, Florida's incarceration rate (509 inmates per 100,000 residents) is certainly higher than that of the rest of the nation (445), but lower than that of Alabama (595), Georgia (558), Louisiana (846), Mississippi (658), and Texas (683) (Sabol et al., 2007, p. 21). In short, the fact that Florida, like many states, has supermax housing, that its relatively tough sanctioning policies reflect correspond with the rise in more severe sanctioning nationally during recent decades, and that its population reflects, at least demographically, the country as a whole, makes it a useful setting in which to investigate public views toward sanctioning practices.<sup>1</sup>

We created the sample using a two-stage modified Mitofsky-Waksberg method (Tourangeau, 2004, pp. 778-779), and obtained a 48.6 percent response rate, using the American Association for Public Opinion Research (AAPOR, 2004) recommended calculation. This rate is comparable to that in studies that use rigorous survey methodologies (Pew, 2004) and is comparable to or higher than that of many other published public opinion studies (e.g., Cullen, Wright, Brown, Moon, et al., 1998; Moon, Wright, Cullen, & Pealer, 2000). Cases of unknown eligibility, such as answering machines, busy signals, no answer, and known ineligibility, such as disconnected

numbers, businesses, and fax numbers, were excluded from the calculation, as recommended by AAPOR (2004). Ci3 Sawtooth computer assisted telephone interviewing (CATI) software was used to ensure accuracy in recording data. Ninety-one percent of respondents who began the survey completed the interview, a completion rate substantially higher than the 60 percent national average for telephone interviews (Weisberg, Krosnick, & Bowen, 1989). The age, sex, and racial and ethnic composition of the sample was largely similar to that for the state as a whole, and the sample size afforded us the opportunity to test hypotheses concerning specific segments of the Florida population while controlling for factors that might bias our estimates.

Items for the survey tapped into public views about supermax prisons and included social and demographic measures commonly used in public opinion research (e.g., Flanagan & Longmire, 1996; Cullen et al., 2000; Roberts & Hough, 2005). Using ordinary least squares (OLS) regression, we test hypotheses concerning the effects of three sets of variables—those related to symbolic threats, views about individual agency, and to contacts with offenders, respectively—on support for and views about supermax prisons. Logistic regression analyses using a dichotomous version of the dependent variables (1=strongly support/agree or support/agree and 0=strongly oppose/disagree or oppose/disagree) produced largely similar results, as did ordinal logistic regression analyses using the full range of response categories (results available upon request). Given the similarity in the results using all three approaches, we opted to present the OLS analyses to facilitate discussion and interpretation of the findings.<sup>2</sup> Table 1 describes each variable used in the analyses and the associated coding and descriptive statistics.

Table 1 about here

Three different dependent variables were used to capture views about supermax prisons. In the survey, respondents were given the following description of these prisons: “Super-maximum security prisons are facilities where certain inmates are housed indefinitely-by themselves-for 23 hours-per-day. The inmates typically have few if any opportunities to receive programs, treatment, or visitors. Supermaxes generally cost two to three times more to build and to operate than other prisons.” This description conveys the essential features of supermax prisons (Riveland, 1999; Mears, 2005) and thus provides a reasonable basis for gauging the extent to



which the public supports such prisons and, in turn, for examining factors that predict support.

In addition, respondents were asked three questions. First, “How much do you support the use of supermax prisons to handle inmates who are disruptive, violent, or difficult to manage?” where the options were “strongly oppose” to “strongly support.” Second, “If the only benefit of supermax prisons was to help prison officials manage inmates—and not to reduce crime in society—how much would you support having supermaxes?” which used the same options. Third, “How much do you agree that placing inmates in a supermax type of prison is inhumane?” where the options were “strongly agree” to “strongly disagree.”

In the analyses that follow, we discuss race, age, and income in relation to the literature on symbolic threats; sex, political ideology, conservative Protestant, and retributivist philosophy in relation to the literature on individual agency; and victimization, criminal justice system employment, prison or probation experience, and views about the (in)humanity of supermaxes in relation to research on dehumanization. Each measure is described below, beginning with age.

Multiple categories were used to capture subtle differences across age groups: age 18-24, 25-34, 35-44, 45-54, 55-64, and 65-and-over. Preliminary analyses revealed non-linear age effects and so we used dummy variables to capture more nuanced differences across the age groupings. Sex was captured using a dummy variable. Race/ethnicity was created by combining information from two questions, one that asked whether the respondent was of Spanish, Latino, or Hispanic origin, and the other that asked what race the respondent considered him or herself. There was no appreciable difference among the non-White racial and ethnic groups with respect to the dependent variable, and so we combined the two categories of non-Hispanic White.

For the measure of income, respondents were asked, “Now consider your family’s household income from all sources. As I read a list, please stop me when I get to the income level that best describes your household income in 2005.” The groups were dummy-coded, with “less than \$20,000” serving as the reference category because of our focus on individuals from households who occupy a precarious financial situation, one where poverty looms large.

Education was measured using the following question: “What is the highest grade of school or year in college you yourself completed?” Responses were coded in one measure as “high

school degree or less,” “some college,” “college graduate,” and “attended and/or completed graduate school.” We coded high school graduates with those who had not graduated because the latter comprised only 2 percent of our sample. Analyses with dummy variables revealed no non-linear effects, and so the ordinal-level measure of education was used here.

Political ideology was measured using responses to the following question: “Overall, do you consider yourself liberal, middle of the road, or conservative?” Dummy variables were created for each of the three groups, with “1” indicating a given ideology and “0” indicating the other two. In the regression models, liberals are the omitted reference category.

To create a conservative Protestant measure, we combined information from two questions. First, respondents were asked, “Which of the following best describes your current religious preferences: Protestant, Catholic, Jewish, or something else?” They then were asked to specify the denomination with which they were affiliated. Using this information, and following coding of various Protestant denominations into conservative and non-conservative categories (see, e.g., Roof & McKinney, 1987; Smith, 1990), we then created three Protestant groups: Baptists; non-Baptist, conservative Protestants; and non-conservative Protestants. Because no appreciable differences between the first two groups surfaced in preliminary analyses, we combined them to form one group (“conservative Protestant”) and compared it to all other religious groups.

A retributivist orientation was captured by asking respondents, “How much do you agree that giving offenders the punishment they deserve should be a top priority for the Department of Corrections?” Given that over 60 percent of respondents said that they strongly agreed that punishment should be a top priority, we coded respondents as retributivists if they strongly agreed with the question and all others were grouped together. This classification enables us to more clearly highlight the salience of strongly retributivist orientations towards offenders.

The victimization question was, “Over the past five years, has anyone in your immediate family been the victim of a crime?” The employment question asked: “Is anyone in your household employed by the media, law enforcement, criminal justice, or the corrections system?” If respondents said “yes” to any of the last three categories, they were coded as “employed by the criminal justice system.” Finally, to capture criminal justice system

involvement, respondents were asked, “Have you, any of your immediate or extended family members, or friends ever been placed in the Florida prison system or on state probation?”

## **FINDINGS**

Beginning with our initial hypothesis, we see from Table 1 that the mean level of support for supermax prisons, when the goal is to handle inmates who are disruptive or violent, is 3.2, where “1” is strongly oppose and “4” is strongly support. Since 2.5 would constitute a “middle-of-the-road” divide between the two extremes, we can see that a substantial majority of Florida adults support supermax prisons. Indeed, when stated in percentages, 82 percent “support” or “strongly support” supermaxes, well-exceeding the expectation of 70 percent support.

When the question turns to endorsing supermaxes if there is no crime reduction benefit to society, support drops markedly. The mean was 2.7, with 61 percent indicating that they “support” or “strongly support” supermax prisons. Thus, then, even when they expect no direct benefit through reduced crime, a sizable majority of Florida residents support supermaxes. Even so, the support is 21 percent lower than when the public anticipates public safety benefits.

Finally, we see that, when asked if they agree that supermaxes are inhumane, substantial agreement exists among the public that supermax confinement is not inhumane (mean = 2.8, where “1” is strongly agree and “4” is strongly disagree). In fact, 71 percent of residents “disagreed” or “strongly disagreed” that supermax prisons are inhumane.

Table 2 about here

Table 2 presents the regression models used to test our hypotheses concerning the net effects of specific factors.<sup>3</sup> Models 1 and 2 reveal a largely similar pattern of results. Whites are more likely to support the use of supermax prisons; indeed, the substantive effect is nearly identical, although the statistical significance of race is marginal in model 2. The fact that race remains statistically significant in the presence of the other variables is notable; some studies find that after controlling for political orientation, race is no longer significant (Rossi & Berk, 1997).

Turning to age, we see a significant curvilinear relationship surfacing between age and support for supermaxes, an effect that is slightly more pronounced in model 2. In each instance,

older age groups are more likely than the youngest age group to support supermax prisons, which may stem from a greater fear of crime, given that prior research shows that older individuals tend, on average to be more fearful than younger individuals (see, e.g., Skogan, 1995; McGarrell, Giacomazzi, & Thurman, 1997; Ferguson & Mindel, 2007). However, when the focus is on support for supermaxes when the only benefit is to the prison system, individuals in the 35-44 year-old range and the age 65-and-older group are the most likely to support supermaxes, relative to the youngest age group.

The models also indicate that family income is linked to support for supermax prisons, but that education is not. Individuals in households with incomes placing them on the threshold of poverty or within \$10-15,000 of the threshold express greater support relative to the very poor.

The fact that the effects of race, age, and income do not diminish in statistical or substantive significance in model 2 as compared with model 1 is notable. Symbolic threat perspectives contemplate that those who feel threatened perceive an instrumental benefit from punitive sanctioning. If, however, they see no personal benefit arising from the sanctioning (e.g., increased public safety), their support presumably should be less. That is not the case here.

Notably, men in the sample were more likely than women to support supermax prisons, but the effect was both substantively and statistically stronger in model 2. Put differently, men and women do not appear to differ markedly in their support of supermaxes when there is an expectation of a public safety benefit. When, however, only the prison system is expected to benefit, men are more likely than women to support the use of them.

The effect of political ideology is also more apparent in model 2, where, relative to political liberals, moderates and conservatives can be seen to more strongly endorse supermaxes. By contrast, in model 1, the only difference is between liberals and conservatives. Thus, as with gender differences, political ideology appears to be more salient when public safety is not part of the calculus used to determine whether supermaxes merit support. Religious (Protestant) conservatism exerts no influence in either model.

Across both models, holding a retributivist philosophy of punishment is associated with increased support for supermax prisons; however, the effect is stronger in model 1. The pattern

is odd in that one would expect a retributivist philosophy to be absolute—punishment is for punishment’s sake—and so, by extension, we would expect support for supermaxes to be constant, regardless of whether a public safety benefit accrues.

Finally, and contrary to expectation, none of the offender contact measures, including victimization, criminal justice system employment, or correctional system involvement of self, family, or friends, emerges as significant. That is, the former two factors are not linked to increased support for supermaxes, and the third is not linked to decreased support.

In sum, across both models, we find support for our first two theoretical hypotheses, concerning symbolic threats and individual agency, respectively, but not the third, concerning contact with offenders. More concretely, race, age, income, sex, political ideology, and punishment philosophy are all associated with support for supermaxes. However, conservative Protestantism was not significant, and neither were any of the measures of offender contacts.

One of the themes explored in public opinion research is the polarity of views about policies (Evans, 2003), crime policies in particular (Cullen et al., 2000). One way to illustrate how such divides may play a role in public discourse about crime and policy is to examine how they may accumulate to create stronger opposition or support of supermax prisons among certain segments of the general population. To this end, Figure 1 presents the estimated level of support for supermaxes by using the statistically significant coefficients from model 2 in Table 2. Two groups were created—“supporters” and “opponents” of supermaxes, respectively. Specifically, we simultaneously compare Whites vs. non-Whites, middle-age adults (34-45) vs. young adults (age 18-24), males vs. females, political conservatives vs. liberals, and retributivists vs. non- and moderate retributivist respondents. The middle age category was selected because across both models the differences with the very young were pronounced for this group. Similarly, the conservative-liberal contrast was more pronounced than the moderate-liberal contrast.

Figure 1 about here

Among supporters, the predicted level of support is 3.21—a value lying well between the response categories of “3” (“support”) and “4” (“strongly support”)—indicating a clear endorsement of supermax prisons even when no public safety benefit is expected. By contrast,

among opponents, the predicted level of support is 1.68, essentially the mirror opposite of the estimate for supporters, reflecting unambiguous opposition to these prisons.

Shifting now to model 3, we assess whether the hypotheses are supported when the public is asked to express the extent to which they agree that supermax prisons are inhumane. As can be seen, the effects differ from those in models 1 and 2. As with these two models, race emerges as statistically significant but the effect is markedly larger. Age and sex also emerge as statistically significant but the effect is more modest. In model 3, political conservatism exerts a greater effect, while the effect of retributivism is roughly comparable. More notable is the fact that while we find no support for the third theoretical hypothesis in models 1 and 2, some support obtains in model 3—specifically, victimization and criminal justice system employment are both associated with an increased likelihood of disagreeing that supermax prisons are inhumane.

Models 4 and 5 respecify the first two models with, as an independent variable, the addition of whether respondents disagree that supermaxes are inhumane. Our goal is to assess whether symbolic threat and individual agency effects are tempered by views about the humanity of supermax prisons. Comparing models 1 and 2 with models 4 and 5, respectively, shows that the effect of each of the threat and agency measures diminishes or, as with race, is eliminated.

## **CONCLUSION**

Except for the death penalty, supermax prisons constitute the most extreme sanction in America corrections today (King, 2005) and, notably, have become a common feature of almost every state prison system. Their arrival on the corrections landscape is noteworthy, given that just over two decades ago, the only supermax prison was the Marion facility run by the Federal Bureau of Prisons. At the most general level, supermaxes appear to have emerged as part of a general “get tough” movement, one policymakers leveraged for political capital (King, 1999; Pizarro & Narag, 2008). Yet, such an assessment leaves many questions unanswered. Does the public actually support the use of supermax prisons? More specifically, who among the public supports these prisons? Would support diminish if there were no expectation of a crime reduction benefit? Not least, does the public agree with critiques that supermaxes are inhumane?

It might be argued that what the public thinks in these matters is irrelevant. For example, it clearly is the case that corrections administrators require tools for managing inmate populations. Given that supermaxes serve as one such tool for creating greater inmate order and safety, it may seem odd to consider what the public thinks about such housing. But this view neglects the fact that policymakers have justified supermax prisons, at least in part, on the premise that the public demands them (Riveland, 1999; Mears & Watson, 2006; Pizarro et al., 2006). It also ignores the fact that, in a democracy, government is supposed to be responsive to the public (Moon, Sundt, et al., 2000; Burstein, 2003), not least when policies, such as supermaxes, engender considerable moral and legal debate. Not least, it neglects the need for more systematic attention to how the public views a range of sanctions (Cullen et al., 2000; Roberts & Hough, 2005) and the possibility that scholars may gain much insight into public views about punitiveness by focusing on the most extreme punishments. Indeed, and largely for this reason, considerable research has focused on the death penalty. The emergence of supermax prisons thus provides an opportunity to advance research aimed at understanding and explaining public support for punitive sanctions.

In this study, we assessed the extent of public support for supermaxes, using data from a survey of Florida adults. Over 80 percent of respondents supported these prisons, but the support declined to 60 percent when there was no expectation of a public safety benefit. Seventy percent of the respondents disagreed that supermaxes are inhumane.

It warrants emphasizing that including the cost information in the definition of supermax housing might have biased how individuals responded and, in particular, led them to be less likely to support supermaxes. As the analyses show, however, the vast majority of respondents indicated strong support for them, and so any bias would not appear to have been appreciable; in addition, any bias would not necessarily or in an obvious way influence the estimated effects of the factors that we included as predictors of public views toward supermaxes.

Even so, it is possible that the support is even greater than what we found in this study. Our contention is that cost is in fact a central feature of supermaxes and so should be included in a definition. However, future research, ideally conducted nationally or in other states, would do well to use multiple questions, such as ones that include cost and ones that do not as well as ones

that mention potential benefits and harms of supermaxes.

Two of our hypotheses were largely supported—namely, support for supermax prisons was positively associated with those groups typically most concerned about symbolic threats (e.g., Whites, older people and especially those in middle-age, people in lower to middle-class income strata) and most likely to locate agency in individuals rather than relationships or circumstances (e.g., males, political conservatives, and retributivists). Religious conservatism was not associated with support, nor were offender contacts, the focus of our third hypothesis. When the question turned to whether supermaxes are inhumane, all three hypotheses were supported. The threat and agency effects were in the expected direction, and, as expected, individuals who had negative experiences with offenders (e.g., being victimized) were less likely to view supermaxes as inhumane. There was no effect, however, of experiences with correctional supervision. Additional analyses revealed that the influences of different factors on support for supermaxes were reduced slightly by controlling for public views about whether supermaxes are inhumane.

Prior research suggests that groups most likely to be concerned about symbolic threats and who adhere to a belief in individual agency may be entrenched in their support of punitive sanctions. The results here echo that view. Certain groups, including whites, older and middle-income individuals, males, and conservatives, were more supportive of supermax prisons, even after controlling for retributivist punishment philosophy and views of supermaxes as inhumane.

The study's findings point to the need for studies that investigate more thoroughly how different theoretical traditions can be synthesized to develop explanations of punitiveness that can account for variation in views about a range of sanctions. They also suggest that a theory of punitive views may need to incorporate symbolic threat perspectives and how these may intersect with philosophies of individual agency and possibly with offender contacts (see Unnever & Cullen, 2006, 2007; see also Sunstein, 2000; Evans, 2003; Baldassarri & Bearman, 2007). Tyler and Boeckmann (1997), among others, have emphasized the notion that the public supports punishment for many reasons, not least because of commitments to certain values and norms. This perspective may help explain why members of the public support supermax prisons even when there is no expectation of a crime reduction benefit. Our study relied on rather blunt,



proxy measures for these different theoretical possibilities, but we believe the findings indicate that more research along these lines is warranted.

There is little evidence that research has had any role in the adoption of supermaxes, despite calls in recent years for more evidence-based policy (Cullen, 2005). There also is little evidence that policymakers and corrections officials have correctly gauged public opinion about the use of supermax prisons, even though public support is mentioned in defense of such prisons (King, 1999; Riveland, 1999; Kurki & Morris, 2001; Mears & Watson, 2006; Pizarro et al., 2006). Clearly, considerable support exists if a safety benefit is anticipated, but just as clearly, such support diminishes greatly if no such benefit is expected. That pattern is relevant to policy debates, given that supermaxes are often justified as a way to improve the orderly operations of the prison system and not, fundamentally, as a means to make the public safer.

Considerable debate exists about whether public opinion influences policymaking (see, however, Burstein, 1998, 2003). The perhaps even more important question is whether public opinion *should* matter when it comes to building or operating supermax prisons. Many correctional systems, for example, have adopted the view that they need such prisons to maintain order and safety. From this perspective, supermaxes appear to constitute more of an administrative decision than one involving public policy considerations. At the same time, however, policymaker support typically is required for correctional systems to proceed with building supermax prisons (Mears & Watson, 2006), and, ultimately, policymaker decisions serve to represent, even if inaccurately, the will of the people (Flanagan & Longmire, 1996). Public views would appear to be relevant as well given the moral questions they raise. Is it acceptable, for example, to place the mentally ill in supermaxes, or, related to that question, to induce mental illness in healthy inmates by placing them in such places (Haney, 2003)? Similarly, does supermax confinement, as many lawsuits contend, constitute, by its very nature, cruel and unusual punishment (Collins, 2004)? If so, it nonetheless be viewed by the public as a more palatable alternative to the death penalty, a sanction that has drawn, if anything, more criticism. In short, on several counts, public opinion would seem to be a critical dimension relevant to policy debates about supermax prisons and so warrants closer scrutiny.

## NOTES

<sup>1</sup> The following social and demographic contrasts illustrate the similarities. In Florida and in the country as a whole, males constitute 49 percent of the population. About three-fourths of Florida residents (77 percent) and of Americans (75 percent) are adults age 18 or older. The age-65-and-older population (17 percent) is slightly higher than that of the country (12 percent). The racial and ethnic profile of Floridians (77 percent White, 15 percent Black, 20 percent Hispanic or Latino of any race) is similar to the national profile (75 percent White, 12 percent Black, and 15 percent Hispanic or Latino). Of the Florida population age 25 or older, 85 percent have a high school education or more and 25 percent have a bachelor's degree or more; nationally, the figures are 84 percent and 27 percent, respectively (U.S. Census Bureau, 2006a-b).

<sup>2</sup> It can be argued that with Likert-scale items, the appropriate modeling strategy is logistic regression or ordinal regression (Cohen, Cohen, West, & Aiken, 2002). The former approach results in a loss of information, while the latter approach retains full information about each level of the outcome and, as compared with OLS regression, better accounts for the lack of an interval-level scale. Even so, results of OLS, logistic, and ordinal regression analyses frequently produce similar results (Kromrey & Rendina-Gobioff, 2002), as was the case in our study. Given the similarities generally and in our analyses, we opted to present the OLS regression results because they are simpler to interpret. We believe that this consideration is warranted because, as Liberman (2005) recently showed, discussions of logistic regression results often are misinterpreted and are not as intuitive as they sometimes are portrayed (see also Rossi, 1997).

<sup>3</sup> Because of non-overlapping missingness in some of the variables used in the analyses, the sample size for the regression models ranged from 1,007 to 1,044. The income variable was missing in 125 cases and so was the primary contributor to the reduction in sample size. We re-ran all models without the income variable. We also re-ran them using imputed data, produced through AMOS (Arbuckle & Wothke, 1999). The statistical and substantive significance of the variables across all of the regression models were largely the same, indicating that the missingness does not appear to have unduly biased the estimated effects of the covariates.

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**Table 1. Descriptive Statistics**

	Mean	S.D.	N
<i>Dependent Variables</i>			
Supermax—violent inmates (1=strongly oppose, 4=strongly support)	3.175	.844	1,275
Supermax—prison system (1=strongly oppose, 4=strongly support)	2.716	.916	1,263
Supermax—inhumane (1=strongly agree, 4=strongly disagree)	2.835	.849	1,249
<i>Independent Variables</i>			
Race/ethnicity (1=non-Hispanic White, 0=other)	.802	.399	1,277
Age			
Age 18-24 (reference category)	.074	.261	1,302
Age 25-34	.110	.313	1,302
Age 35-44	.180	.384	1,302
Age 45-54	.245	.430	1,302
Age 55-64	.184	.387	1,302
Age 65 and older	.208	.406	1,302
Income			
Income less than \$20K (reference category)	.082	.274	1,141
Income \$20K - \$34,999	.157	.364	1,141
Income \$35K - \$49,999	.200	.400	1,141
Income \$50K and up	.562	.496	1,141
Education (1=high school or less, 4=graduate school)			
High school or less	.297	.457	1,294
Some college	.291	.455	1,294
College graduate	.257	.437	1,294
Graduate school (some or graduated)	.155	.362	1,294
Sex (1=male, 0=female)	.391	.488	1,308
Political ideology			
Liberal (reference category)	.209	.407	1,262
Moderate	.428	.495	1,262
Conservative	.337	.473	1,262
Conservative Protestant (1=yes, 0=no)	.349	.477	1,308
Retributive philosophy (1=strongly agree, 0=agree or disagree)	.602	.490	1,277
Anyone in family victim of a crime in past five years (1=yes, 0=no)	.297	.457	1,292
Employed by criminal justice system (1=yes, 0=no)	.095	.293	1,308
Self, family, or friends ever in prison or on probation (1=yes, 0=no)	.270	.444	1,294

**Table 2. OLS Regression of Public Views about Supermax Prisons on Select Predictors**

	Model 1 SM=Manage Inmates	Model 2 SM=System Benefit Only	Model 3 SM=Conditions Inhumane	Model 4 SM=Manage Inmates	Model 5 SM=System Benefit Only
Intercept	2.328*** (.157)	1.684*** (.170)	1.942*** (.155)	1.764*** (.161)	1.101*** (.176)
White	.137* (.067)	.127† (.073)	.269*** (.067)	.048 (.065)	.017 (.072)
Age 25-34	.339** (.122)	.353** (.132)	.250* (.123)	.281* (.119)	.334** (.129)
Age 35-44	.397*** (.115)	.436*** (.124)	.352** (.115)	.265* (.111)	.374** (.129)
Age 45-54	.306** (.110)	.364** (.119)	.219* (.110)	.241* (.106)	.339** (.116)
Age 55-64	.304** (.116)	.332*** (.126)	.139 (.116)	.243* (.113)	.325** (.122)
Age 65 and older	.274* (.119)	.458*** (.129)	.087 (.119)	.221† (.115)	.465*** (.126)
Income \$20K-34K	.248* (.116)	.234† (.126)	.054 (.115)	.228* (.111)	.248* (.122)
Income \$35K-49K	.198† (.113)	.220† (.122)	.074 (.112)	.189† (.108)	.202† (.118)
Income \$50K+	.167 (.107)	.060 (.115)	.041 (.105)	.174† (.102)	.062 (.111)
Education	-.023 (.027)	.026 (.029)	-.003 (.027)	-.028 (.026)	.018 (.028)
Male	.102† (.053)	.243*** (.057)	.089† (.052)	.072 (.051)	.215*** (.055)
Political moderate	.044 (.067)	.190** (.072)	.153* (.066)	.018 (.064)	.147* (.070)
Political conservative	.139† (.071)	.288*** (.077)	.331*** (.070)	.042 (.069)	.162* (.075)
Cons. Prot.	.031 (.054)	.049 (.059)	.032 (.054)	.015 (.052)	.063 (.057)
Retributivist	.322*** (.054)	.212*** (.058)	.328*** (.053)	.217*** (.052)	.124* (.057)
Victim	.049 (.058)	-.023 (.062)	.124* (.057)	-.003 (.056)	-.059 (.061)
CJS employment	.050 (.088)	.024 (.095)	.168† (.087)	.006 (.084)	-.041 (.091)
Prison or probation	-.064 (.060)	-.095 (.066)	-.062 (.060)	-.059 (.058)	-.070 (.063)
Supermax inhumane				.306*** (.030)	.299*** (.033)
Adj. R2	.061	.073	.101	.147	.143
N	1,044	1,035	1,029	1,014	1,007

† p ≤ .10 \* p ≤ .05 \*\* p ≤ .01 \*\*\* p ≤ .001

Note: SM=supermax. Unstandardized coefficients (with standard errors in parentheses) are presented.

**Figure 1. Opponents versus Supporters of Supermax Prisons When a Benefit to the Prison System Only, and Not to Public Safety, is Expected**

