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MEDIA PORTRAYAL OF PRIVATE PRISONS & INMATES

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B.A., University of Louisville, 2017

A Thesis
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Department of Political Science
University of Louisville
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ABSTRACT

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Ladye Anna L. Adams

June 30, 2022

Private prisons have existed in the United States since 1986, but research about prison privatization has been limited. To date, there have been two published studies examining how mainstream media sources frame prison privatization to their audiences. This thesis attempts to address this gap in the literature. Using content analysis, I evaluate how mainstream media frames prison privatization and inmates housed in private prisons. The analysis is conducted in two parts. The first tests if private prison reduction or expansion is the focus of the news story if framed using economic benefits, ethical concerns, or prisoner violence. The second tests if prisoners are portrayed as deserving or undeserving if private prisons are framed using economic benefits, ethical concerns, or prison wrongdoing. The results suggest that how private prisons and inmates are framed matters when considering how privatization and inmates are portrayed by media sources.

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CHAPTER I

INTRODUCTION

The United States incarcerates 573 per 100,000 residents, a rate that places it at the top among worldwide prison populations (Prisonpolicy.org, 2022). Within the U.S., it is approximated that 2 million individuals are housed in federal and state prisons, local jails, immigration detention centers, and juvenile detention centers (Prisonpolicy.org, 2022). Of these 2 million, roughly 8% are housed in private prisons. While 8% is a relatively small portion of the nationally incarcerated population, it has nonetheless garnered intense attention from both sides of the issue. While some argue that the economic benefits of prison privatization outweigh the downsides, objections to private prisons lie in the ethical implications of a private business profiting from state-mandated prison time. While private prisons are viewed by some as a means of combating prison overcrowding and reducing the overall cost on federal, state, and local governments, others see an unethical band-aid over a problem that has been pushed to the side for far too long.

The privatization of prisons has raised concerns among citizens, interest groups, and policy makers about the ethical, moral, and judicial implication of using privately-run, for-profit entities to manage state-imposed prison sentences. Private-public prison operations are not a new phenomenon within federal and state prison systems. Prisons

have a lengthy history of partnering with small businesses to offset rising costs, especially the costs associated with housing, feeding, and providing medical care (McDonald, 1992; Schneider, 1999).

This project is filling a gap in the existing body of literature that has not received much scholarly attention: how mainstream media sources frame private prisons and inmates. To date, only two studies have been performed examining how private prisons are framed by the media. This is unfortunate because how and why media sources choose to frame prison privatization may influence public opinion and policy decisions. However, just as little attention has been devoted to public opinion towards prison privatization as media framing of private prisons (Frost et al. (2019). When looking through data repositories, it is clear that the public has simply not been asked its thoughts towards prison privatization. There could be any number of reasons for this. First, it is difficult to accurately gauge public opinion towards an issue that is not particularly salient for most Americans. Prison privatization is not an issue that most individuals encounter regularly, or even periodically, in their lives. Second, there have been overall few policymaking attempts to either expand or reduce prison privatization until late in the Obama administration. Individual states have had bills related to prison privatization and Congress has seen several bills concerning private prison transparency, but to date no bills have captured a large portion of attention. Since the Obama administration, federal support or opposition for prison privatization has varied by administration.

The Obama administration made provisions for federal contracts with private prison companies to expire without renewal, but the Trump administration reversed that decision

immediately after taking office. After the Biden administration took office, it was once again announced that contracts with private prison companies would not be renewed.

Media attention focusing on prison privatization has dwindled over time (Blakely & Bumphus, 2005). Media attention towards prison privatization has primarily centered itself around economic and ethical considerations, though some attention has been dedicated to the violence and abuse that occurs in private prisons (Montes et al. 2020). Prison riots have garnered national attention, often focusing on the prison staffs' inability to regain control of the situation. In each of these situations, the media has been present to provide coverage of the issue. This places media outlets in a unique position to frame the issue to its audiences. Media outlets have the freedom to choose how they portray a particular issue concerning prison privatization and existing private prisons. This portrayal – referred to as framing in this paper – has the potential to have noticeable impacts on public opinion towards prison privatization.

The purpose of this thesis is to evaluate how major news sources portray private prisons and the people who are housed within private prisons. Existing literature examining how major media sources portray private prisons has focused on the economics versus ethics debate that surrounds prison privatization. Private prisons are generally framed using an economically motivated argument, or an ethics argument. Those who favor privatizing prisons point to the economic benefits that private prisons are supposed to bring. These benefits can affect federal or state budgets or bolster local economies through jobs. Opponents to prison privatization argue that the proposed economic benefits of private prisons do not hold up to scrutiny and detailed budgetary evaluations (Lundahl et al., 2009; Pratt & Maahs, 1999). Ethical considerations are also a

sticking point for those who oppose privatizing prisons. Those who favor this argument point out the ethical grey area of a business enforcing state-sanctioned punishment for crimes. Furthermore, according to opponents of privatization, since private business's main objective is to increase profit margins, services are reduced to the bare minimum in private prisons, resulting in subpar living conditions for those who are housed within them. Given that media coverage of prisons likely influences public opinion about criminal justice policy, it is important to examine how the media frame prison privatization and the prisoners housed within private prisons.

Hypotheses:

The following are the seven hypotheses this paper is testing:

H₁: News stories focusing on the economic benefits of prison privatization will also focus on the prison expansion.

H₂: News stories focusing on the ethical concerns of prison privatization will also focus on prison reduction.

H₃: News stories focusing on violence in private prisons will also focus on the reduction of private prisons.

H₄: News stories will be more likely to focus on private prisons rather than the people housed in private prisons.

H₅: News stories focusing on the economics of private prisons will portray prisoners as underserving.

H₆: News stories focusing on the ethics of private prisons will portray prisoners as deserving.

H₇: News stories that portray private prisons as mistreating prisoners, will portray prisoners as deserving.

Paper Structure

This thesis will progress in the following order: First, a detailed review of the existing research about private prisons, social construction of target populations

framework, and media will establish the theoretical framework that this project is built upon. Social construction of target populations is uniquely positioned to help explain the role that media plays when evaluating its coverage of private prisons and its prisoners. How the prison institution itself is portrayed is likely different from how the prisoner is portrayed. One is an extension of law and order, while the other is subjected to law and order. How media sources frame these two entities no doubt helps shape the public's opinion. For this project, "media" is limited to only mainstream newspapers, not social media or other forms of information gathering.

Second, mainstream media's portrayal of private prisons and inmates will be evaluated using a content analysis. 105 random news publications whose topic is centered around private prisons and/or their prisoners are evaluated for their 1) main topic, 2) economic versus ethics focus, 3) expansion versus reduction focus, 4) prisoner deservingness (undeservingness), and 5) prisoner wellbeing. Each of these categories has multiple variables that are coded for if they appear in the publication. Each variable is coded using a binary coding scheme, 1 = yes, issue is present or 0 = no, issue is not present. Online newspapers were chosen because they are assumed to reach a wide audience and can be easily accessed through archival resources. After the content analysis is completed, bivariate regression is used to analysis the collected data. Following this, there will be a detailed explanation of the data and its findings. Finally, a discussion will consider how the findings fit into the broad discussion of media framing and prison privatization. After discussing the content analysis and its findings, there will be a brief discussion of the implications of these findings and the limitations of the study, followed by concluding thoughts.

Prison privatization is a vastly complex issue that encompasses policymaking, ethics, economics, and criminal justice concerns. This paper hopes to gain a better understanding of how mainstream media sources frame relevant issues related to prison privatization.

CHAPTER II

LITERATURE REVIEW

History & Development of Private Prisons

The United States has one of the highest incarceration rates per capita in the world and the costs associated with those high incarceration rates have been firmly established in existing research (Henrichson & Delaney, 2012; Mamun et al., 2020). As incarceration rates continued to rise in the late 1970s and early 1980s, policymakers looked for solutions to the rising costs associated with housing a growing prison population. To many, the appeal of private prisons was immediate. Privately operated prisons were appealing because they boasted more efficient operating costs (Johnston, 1990; Wooldridge & Cochran, 2019). Additionally, Reagan-era economic standards and a push for smaller government helped make room for the private sector to join the prison industry (Jewkes et al., 2016). Because privately owned and operated prisons were, and still are, touted as being more cost-efficient and less susceptible to bureaucratic roadblocks, the economic benefits of prison privatization are usually cited as the primary reason that state and federal governments should gravitate towards prison privatization (Johnston, 1990; Pratt & Maahs, 1999; Wooldridge & Cochran, 2019).

However, the history of prison privatization does not begin in the 1980s, when companies dedicated to housing prisoners first appeared. During the Colonial period, jailers opened and ran jails for local communities, where wages were subsidized through

the local government (Dolovich, 2005). In the post-Civil War era, jail and prison inmates were leased to private businesses for their labor (Dolovich, 2005; Oshinsky, 1997). Convict leasing became popular during this time primarily because of the financial hardships Southern states faced due to emancipation (Oshinsky, 1997). More recently, but still prior to the privatization of prisons in 1986, private companies were contracted for food services, clothing, and security forces (McDonald, 1992; Schneider, 1999). With a lengthy history of private sector involvement in the prison sector, prison privatization was a logical continuation of prior practices.

Private Prison Introduction at the State and Federal Levels

In 1979, the U.S. Congress enacted the Percy Amendment, which legalized prison privatization (Price & Riccucci, 2005). The first private prison appeared at the state level in Kentucky in 1986, which was a minimum-security facility (DOJ, 1990). Shortly thereafter, companies were contracted across the United States to house inmates from overcrowded state facilities. The first private prison for federal inmates was not established until 1997 (DOJ, 2016). As of 2019, thirty-one states plus the federal government utilize private prison companies for housing inmates (Sentencing Project, 2019). *Figure 1* is a visual representation of the proportion of the prison population housed in state and federally contracted private prisons.

Senate on fifteen separate occasions since 2005, though it is important to note that none of these bills have never left their committee placement (Congress.gov).

In 2016, at the closing of the Obama administration, the living and housing standards of private prisons came under fire (Vilher, 2017). After an evaluation of three privately owned and operated prisons by the Inspector General, the Deputy Attorney General released a memorandum that indicated the BOP would begin the necessary steps to end federal contracts with private prison companies. The memo only affected federal prisons operated by private companies, since state prisons are under the control of individual states.

However, after the election of Donald Trump, previous efforts to reduce private prisons were reversed. Attorney General Jeff Sessions announced in a press conference that, “The (BOP) memorandum changed long-standing policy and practice, and impaired the bureau’s ability to meet the future needs of the federal correctional system. Therefore, I direct the bureau to return to its previous approach” (Reuters, 2017). During the Trump administration, over forty contracts were signed with major private prison companies, greatly expanding the financial stability of the private prison industry (ACLU, 2021). Once again, however, the extent of prison privatization was curbed shortly after the Biden administration took office. Through Executive Order, the Biden administration announced that it would begin the process of eliminating contracts with private prison companies (Exec. Order No. 14006, 2021).

Support & Opposition to Prison Privatization

Outsourcing prisons to the private sectors promised to address two pressing issues: prison infrastructure shortage and rising prison costs (Vilher, 2017). While private prisons did address the prison shortage, the privatization of state-sanctioned punishment

for crimes created ethical concerns among many. Some opposition to private prisons stems from the ethics associated with blending together the private sector, which is focused on the highest profit margin possible, and punishing crime. For others, private prisons are a symptom of mass incarceration (Davis 1998; Aviram 2014).

The motivations behind support for prison privatization are debated and scholars have suggested a variety of answers to this question. Support for prison privatization has often been attributed to ideological values that support smaller government and outsourcing traditional government responsibilities to the private sector (Gunderson, 2020; Jewkes et al., 2016). This rationale has only recently received pushback from the academic community. Anna Gunderson (2020) argues that prison privatization has occurred not because of ideological preferences of policymakers, but because of the growing costs associated with inmate litigations. As legal fees associated with litigation increase and impose a continual burden on state and federal prison budgets, those rising costs are remedied through the private sector. Others, however, link broad support for prison privatization with economic motivations, rather than ideological beliefs (Enns & Ramirez, 2018; Kreitzer et al., 2022).

Support for private prisons is rooted primarily in the economic benefits of reducing the burden of corrections on federal and state entities. Prisons are costly entities to manage and maintain, and a large portion of the costs associated with prison management are staffing and corrections officers (Pratt & Maahs, 1999). The evidence that privatizing prisons save money long-term is questionable at best. In a meta-analysis looking at the cost effectiveness of public and private prison studies, the results indicated that private prisons only save a marginal amount of money, while the level of security

required to safely maintain the prison played a much larger factor when determining cost (Pratt & Maahs, 1999). It is also important to note that comparing the cost effectiveness of public and private prisons is problematic, because the two institutions differ in many ways (Jewkes et al., 2016). The level of security required to manage prison populations, the overall health of the prison population, and age of the prison itself all determine the amount of overhead required to successfully run a prison. Further complicating the comparison is the level of data collected and reported by public and private prisons. While public prisons are required to maintain publicly available records, private prisons are under no such obligations and often withhold records, citing their status as private business (Vilher, 2017).

Social Construction of Target Populations Theory & Prison policy

Social construction of target populations is a theory that was first posited in the 1990s by Schneider and Ingram and centers itself around the idea that policies are created based on the social construction of their intended targets (Schneider & Ingram, 1993). Target populations are groups of individuals who are the intended target of specific policies (Fischer et al., 2012; Ingram & Schneider, 1993). These populations can be narrow and aimed at a relatively small group of people, or be more encompassing and include multiple subgroups of people. Target populations are expected to utilize or observe the policy that is enacted for them, the intended target. This behavior modification can be accomplished through “tools.” Tools are anything that motivates – either actively or passively – target groups to behave in a desired way. Prior to the conceptualizing SCTP framework, Schneider and Ingram (1990) identified five policy tools that can motivate target groups to adjust their behavior to the desired adjustment. These five tools are authority, incentives, capacity-building, symbolic and hortatory, and

learning. Policies create benefits or burdens, or both, for their targets. The benefits and burdens a policy target receives is dependent upon their social construction, from the standpoint of both policymakers and policymakers' constituents.

Schneider and Ingram define the social construction of target populations as

“...stereotypes about particular groups of people that have been created by politics, culture, socialization, history, the media, literature, religion, and the like. Positive constructions include images such as “deserving,” “intelligent,” “honest” Negative constructions include images such as “undeserving,” “stupid,” ... and “selfish” (1993, pp. 335).

The concept of social construction of target populations centers itself around the ways in which target groups are perceived by policymakers and the policies that are subsequently enacted to benefit socially preferred target groups (Boushey, 2016; Schneider & Ingram, 1993). This concept is important because it explains why certain policies are favored by policymakers, while others are not. It specifically explains why target groups that are socially undesirable but politically powerful often benefit from policy.

Target populations are one mechanism by which effective policy is created and subsequently enacted. Policymakers must contend with how specific groups of people are viewed by their voting base and how policies can be framed in order to gain the most support from constituents (Boushey, 2016). The four main groups that target populations can fall into are: advantaged, contenders, dependents, and deviants. To explain how and why policymakers pass certain policies over others in regard to these four groups, Schneider and Ingram use a 2x2 typology to demonstrate how individuals are socially constructed into categories (*Figure 2*).

		Constructions	
		Positive	Negative
Power	strong	Advantaged the elderly business veterans scientists	Contenders The rich Big unions Minorities Cultural elites Moral majority
	Weak	Dependents Children Mothers The disabled	Deviants Criminals Drug addicts Communists Flag burners Gangs

Figure 2: 2x2 Framework, Schneider & Ingram, 1993

The 2x2 framework that Schneider and Ingram use aligns each group according to their perceived power and whether they are constructed in largely positive or negative terms. The *advantaged* group are the beneficiaries of more benefits and fewer burdens by policymakers for two primary reasons. First, policymakers are inclined to favor individuals in this category because they are more likely to benefit the policymaker in the voting booth. The second motivator is how constituents view advantaged groups. These groups are largely viewed as deserving and worthy of policy that is designed to benefit them. The *contenders* group are generally just as much, if not more, monetarily powerful than the advantaged group. However, due to their somewhat negative stigma associated with them, contenders usually have larger burdens placed upon them when they receive benefits from public policies. The third social group that Schneider and Ingram recognize are *dependents*. Dependents have little power in society and are dependent upon others for their wellbeing. Individuals in this group are less likely to receive as many benefits as the advantaged group, but they are also less likely to incur burdens from policies. It is worth noting that, especially within the dependent groups, there is a smaller social hierarchy that determines who is and is not more deserving within this group (Romano, 2014). The final socially constructed group that Schneider

and Ingram identify are *deviants*. Deviants receive the fewest benefits and the greatest burdens from policymakers. Individuals in these groups are neglected by policymakers unless additional burdens can be placed on them.

An important consequence of these four socially constructed groups is what is known as the “feedforward effect.” The feedforward effect occurs when certain groups are valued above others by policymakers and therefore receive more benefits and fewer burdens. Those who receive these benefits are motivated to stay politically engaged and, as a result, spur the creation policies that benefit them further. The policymakers are rewarded by those who benefit and therefore are motivated to continuing providing benefits over burdens. On the other hand, those who are valued less than others are given more burdens and fewer benefits during the policy process. These individuals become further disenfranchised due to the policymaking process and become less likely to engage politically. In a later work describing SCTP in greater detail, Schneider and Ingram (2014) explain the preferential treatment of certain groups over others as

“patterns [that] tend to oversubscribe benefits and positive policy for powerful well-liked groups and oversubscribe punishment for weak, marginalized groups. And, there is a ‘feed-forward’ effect such that groups that are not treated well by policy tend to be alienated from the political process; instead of reacting with renewed political vigor, they withdraw. In contrast, those who are treated the best are emboldened and work even harder to maintain what they are gaining from government” (pp. 320).

Kreitzer and Smith (2018) performed the first systematic testing of Schneider and Ingram’s social construction of target populations framework and 2x2 framework.

Kreitzer and Smith crowdsourced approximately 1500 people through Amazon’s Mechanical Turk to evaluate 73 groups of people based on their perceived power and deservingness. Each participant was asked to score social groups from 1 to 100, depending on how deserving and powerful they believed that group was. The results

(shown in *Figure 3*) strikingly mimicked the 2x2 framework originally created by Schneider and Ingram.

The results from Kreitzer and Smith demonstrate that individual groups of people are perceived in specific, unified ways. How these groups are perceived determine who is the anticipated target population of policy and, consequently, how many benefits or burdens that target population will receive. Most relevant to the discussion here, prisoners and criminals are located in the lower right quadrant of *Figure 3*. Prisoners and criminals have violated social norms and are therefore considered less eligible to receive certain social benefits than those who have not violated social norms (Labotka, 2021). In the case of prison policy, the target populations can include two subgroups of people: those currently serving a prison sentence and those who have been released from prison through parole, sentence completion, or some other reason for release. It is therefore not surprising that this category of deviants is the most neglected group within policymaking. They offer no benefit to the policymaker and frequently their intentional neglect is met with approval from voting bases.

(Schneider, 1999). Overly harsh prison policies are frequently met with constituent approval, further motivating policymakers to ignore beneficial policies for prisoners or create policies that punish them more harshly.

The social hierarchy of a group's perceived value is not limited to the world outside of prisons. Some have argued that within prison walls a social construction exists that benefits some while neglecting others (Hogan, 1997). Under this argument, the prison staff are the advantaged group. Personnel from outside the prison, like medical professionals and social workers, are the contenders, while the incarcerated themselves fall into either the dependent or the deviant categories, depending on their personal circumstances (Hogan, 1997). This line of thinking is not unreasonable. Perceived value of individuals and groups does not stop at the prison walls and can instead be traced into the prison and through prison policies. So, while those living in prisons are categorized as members of the deviant population and bear the burden of subpar and punitive prison policies, those same prisoners are categorized a second time, according to their value as prisoner. The status of victim and offender are often portrayed as a rigid dichotomy, but as Clifford and White (2017) point out, individuals can exist in a state of simultaneous victim and offender. In this regard, media framing of private prison inmates can provide helpful insights for how prisoners, who are by default considered offenders, exist in a state of victimhood while also existing as offenders.

Least Eligibility Principle

Social construction of target populations can also be linked to a principle known as the least, or less, eligibility principle (LEP) (Romano, 2014). LEP centers around the idea that there are members of society who are less eligible to receive basic care and

rights than others. LEP is most often applied to social welfare policy, where those who receive welfare cannot live in a way that is considered “better” than someone who is not on welfare.

Jeremy Bentham, an English utilitarian philosopher, was among the principal men to articulate the concept of LEP in reference to English Poor Laws (Sieh, 1989; White, 2008). Many poor laws created social welfare programs, which raised concerns that individuals receiving welfare may enjoy a better, more comfortable life than those who funding the welfare (Fraser, 1984, p. 43-45). The concept of LEP required that the standard of living of the poor who were receiving government benefits could not be better than the standard of someone who was not receiving those benefits (Lanford & Quadagno, 2022; Sieh, 1989).

LEP has received relatively little academic attention, though when it has it has primarily been applied in sociology and law fields (Labotka, 2021; Lanford & Quadagno, 2022; Matthews et al., 1996; Romano, 2014; Sieh, 1989; White, 2008). Serena Romano (2014) linked social construction of target populations framework with LEP to explain the political and social factors that play into poverty policy. Romano notes that LEP plays a major role in framing people as either deserving or undeserving (pp. 24). Since LEP creates a hierarchy of benefits one can receive, which is based on their perceived value to society, their deservingness is likewise dependent upon their social value. This is especially true when considering prison policies, especially in the United States. Most relevantly, LEP has been used to explain how and why specific penal policies are favored over others.

While LEP has not been overtly codified in law in the United States like it was in England, its existence is still obvious in policy design. In her ethnography of female prisoners, Labotka (2021) aptly describes LEP: “Throughout US history, LEP has been variously engaged in public and policy discourses to sort service populations (including prisoners, the homeless, and welfare recipients) into the deserving and undeserving (p. 62).”

LEP was not applied to criminal justice until Georg Rusche, a German criminologist linked the penal system to LEP. Rusche argued that a successful penal system had to facilitate a punishment that was so unfavorable to the outside world, that no one would be tempted to continue committing crime in order to stay in jail or prison (White, 2008). As Sieh (1989) succinctly put it in his history of LEP, “[least] eligibility came to influence not only the conditions under which inmates did time but also their perceptions of the quality of their prison terms” (p. 167). LEP, therefore, can be seen as an extension of Schneider and Ingram’s social construction of target populations, especially when applied to criminal justice issues.

From a prison policy perspective, LEP can be seen through multiple dimensions of U.S. prison policy (Finn, 1996; Labotka, 2021). “No-frills” policies, which were first passed at the federal level in the 1990s, saw the reduction of prison amenities. These policies were framed either in terms of economic constraints or in terms of prisoner deservingness. Behind the arguments supporting no frills policies was the concept of LEP. LEP has been successfully linked to influencing prison policies, especially when it is related to fiscal policies that affect prisons. It is not unreasonable, then, to assume that

LEP also affects private prison policy and the media likely plays a role shaping the deservingness of prisoners.

Public Opinion

There is an extensive body of research examining public opinion towards correctional policy. Existing research suggests that the public is punitive and in favor of harsh prison policies, but also largely misinformed about relevant criminal justice issues (Enns, 2014; Cullen, Fisher, & Applegate, 2000; Wozniak, 2014). Wozniak (2014) found that the public believed that prison life was not pleasant but were still in favor of harsher prison conditions and longer sentences. While the motivators behind prison privatization policy have received a fair amount of attention from scholars, little time has been devoted to the general public's views toward prison privatization. As Frost et al. (2019) points out, there is a substantial body of literature examining American punitiveness and mass incarceration, but only a handful of studies asking the public how they feel about private prisons.

There is a reasonable body of research looking at the main arguments for and against prison privatization (Lundahl et al., 2009; Kim, 2022; Mamun, 2020; Pratt & Maahs, 1999; Shichor, 1998). As previously discussed, these arguments typically fall into the "economics" camp or the "ethics" camp of support or opposition. Unfortunately, none of these studies look at how mainstream media sources frame these issues to the public, which may be the result of an overall lack of public opinion data about prison privatization.

Private prisons have existed since the 1980s but play a small, if any, role in the lives of average Americans. It may be because of this that so little data and research has

focused on public opinion towards private prisons. Measuring the public's attitudes towards prison privatization adds additional challenges to researchers. A simple "are you in favor of prison privatization" does not dive into the nuances of prison privatization that need to be accounted for when measuring public opinion. As has been previously noted, studies evaluating prison privatization have focused primarily on policymakers and the various factors that influence their decisions (Enns & Ramirez, 2018). It may be that the lack of public opinion towards prison privatization stems from a political elite that is relatively ambiguous towards prison privatization (Enns & Ramirez, 2018). However, some research has found that public opinion leads criminal justice policy more than elite opinion (Boushey, 2016; Enns, 2014). It could also be a combination of the two: while the public does lead criminal justice policy, prison privatization is not a salient issue for most Americans, spurring them to look to political elites for position cues.

At the state level, public opinion does seem to play a greater role in shaping prison privatization policy. Boushey (2016) found that public opinion against prison privatization has played a noticeable role in deterring state legislative bodies from passing legislation that would expand private prisons. No research exists, however, examining the relationship of constituent opinion and federal legislation of for-profit prisons.

Enns & Ramirez (2018) tested four possible theories explaining public opinion towards prison privatization. These four possible theories were "racial animus," "business is better," "conflict of interest," and "problem escalation." Racial animus tested if racial prejudices were the primary motivators for individuals who support more punitive correctional policy, whereas problem escalation suggested that the public sees crime as a

growing problem and prison privatization as the solution to a safe society. Business is better theory relies on the assumption that private businesses can more effectively manage and operate a prison than the state or federal government. Finally, conflict of interest theory centers around the ethics of whether a private company should oversee enforcing state-sanctioned punishment. Enns and Ramirez test each of these theories using a matched stratified sample of 1,000 respondents from the 2014 Cooperative Election Study survey data, where they had private prison-specific questions added to the questionnaire.

Enns & Ramirez tested their four theories using two dependent variables, the first being approval of prison privatization and the second being approval of immigration detention center privatization. *Figure 4* is the breakdown of respondents' level of

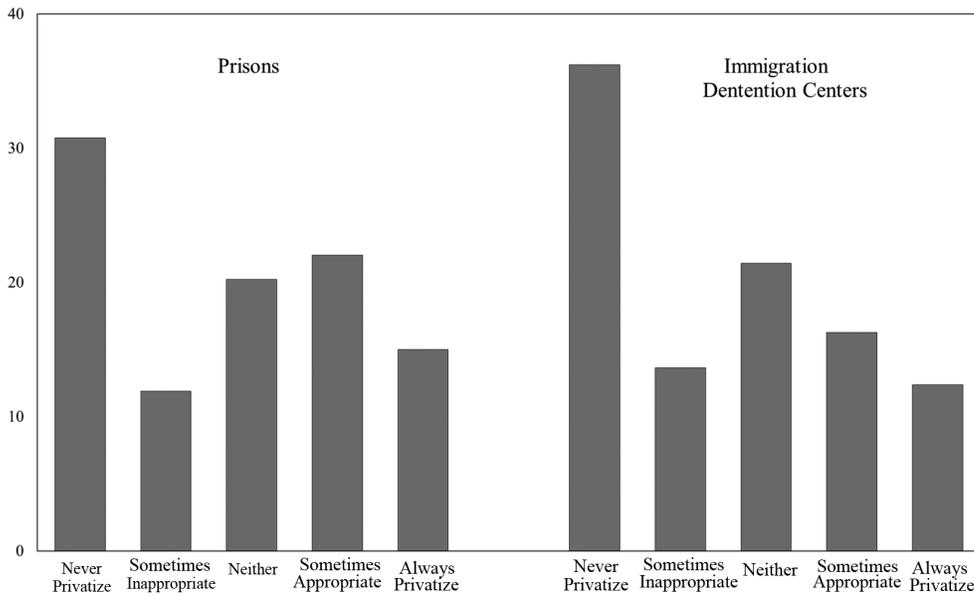


Figure 4: Enns & Ramirez 2018

approval towards prison and immigration detention center privatization.

Of the four theories tested, racial animus and “business is better” theories were supported by their findings. This isn’t surprising, considering that a substantial body of

research exists showing that racial animus is a driving factor for many criminal justice-related beliefs held by the public (Morris & LcCount, 2020; Unnever & Cullen, 2007). Their second finding, the business is better theory, has less support in the literature examining public opinion and prison privatization. There is conflicting data demonstrating whether ideological preferences matter more than business and economic preferences (Price & Riccucci, 2005; Price & Riccucci, 2010; Gunderson, 2020).

Enns & Ramirez also test the importance of core political identities. They find that while being Republican does show a statistically significant relationship for prison privatization support, being Democratic shows no relationship, either positive or negative, to private or public correctional facilities (p. 563). Enns & Ramirez note about these somewhat surprising findings:

“It may be the case that the lack of attention to privatization among most party elite means that citizens are failing to find a clear signal on party or ideological positions regarding this issue. This might lead citizens to look beyond these cues when forming their beliefs on this issue turning toward other considerations, as outlined earlier” (pp. 563).”

Media & Public Opinion

While the research examining public opinion towards prison privatization is slim, there is a substantial body of research evaluating the media’s role in shaping public opinion towards criminal justice policy in general. How media sources choose to portray crime and criminal justice policy shapes much of how the average citizen views crime and the criminal justice system (Boda & Szabo, 2011; Greer, 2005). Mainstream media outlets choose to focus primarily on the most violent and outrageous crimes (Greer, 2006). It is also assumed that most of the public has little or no experience with the criminal justice system and therefore more likely to be influenced by media attention to crime and justice (Boda & Szabo, 2011; Frost, 2010). Furthermore, mainstream news

sources can determine the extent to which incarcerated people are “othered” (Greer & Jewkes, 2005). It should be noted, however, that the media’s influence on public opinion towards crime has been challenged, especially the direct relationship between media coverage of crime and justice and the public’s willingness to base their opinion on media representation of the issue (Boda & Szabo, 2011). Despite the debates surrounding the extent to which media shapes public opinion towards criminal justice policy, scholars generally agree that entertainment forms of crime media are booming (Boling & Hull, 2018). Fashion trends, tourist attractions, and pop culture each draw from a romanticization of the penal system (Novek, 2009).

Mainstream media has the potential to play a unique role in the shaping the public’s view of private prisons and prisoners. The true crime genre has boomed in popularity in recent years, especially among women (Boling & Hull, 2018). Podcasts that focus on true crime consistently hold most listened spots across platforms. Sources like these contribute to the public perception that crime is higher than in reality and aggressive, violent crimes occur more frequently than actual statistics prove (Cheliotis, 2010). News media, then, is uniquely situated to shape the views of Americans who do not regularly partake in true crime media. How news sources choose to frame prisons and inmates may help shape the public’s feelings and opinions towards prison policy and how prisons are operated.

Media Framing

A rich body of research exists examining the concept of framing, its strengths, and its limitations. Framing refers to how an issue is presented (usually by the media, but sometimes by political elites as well) and the words and concepts that are used to present that issue to the intended audience (Iyengar, 1990). Iyengar and Scheufele (2012)

describe framing as, “a dynamic, circumstantially bound process of opinion formation in which the prevailing modes of presentation in elite rhetoric and news media coverage shape mass opinion” (pp.1). Through framing, complex issues are reduced to single, salient issues that the public can relate to and identify as relevant to their lives (Iyengar & Scheufele, 2012). The language used to frame issues has measurable consequences on the way audiences perceive issues and subsequently form opinions about those issues (Cacciatore, Scheufele, & Iyengar, 2015 [Kahneman, 2011; Kahneman & Tversky, 1984]). As Nelson and Kinder (1996) succinctly put it, “frames are more than simply positions or arguments about an issue. Frames are constructions of the issue: they spell out the essence of the problem, suggest how it should be thought about, and may go so far as to recommend what (if anything) should be done” (pp. 1057).

Despite a wealth of research across disciplines examining framing, the concept of framing is still under debate (Cacciatore, Scheufele, & Iyengar, 2016; Scheufele, 1999; Scheufele & Iyengar, 2014). Much of the debate surrounding framing stems from a lack of clear conceptualization of the issue (Scheufele & Tewksbury, 2007). This lack of theoretical congruence stems, according to Cacciatore and colleagues (2016), from framing developing simultaneously from two unrelated fields. Within psychology, framing places the emphasis on how information is being presented instead of what is being communicated. The second field that first conceptualized framing is sociology, where the emphasis is placed on what information is being presented instead of how information is being presented (Cacciatore, Scheufele, & Iyengar, 2016). For the most part, framing studies have used the sociology conceptualization of framing.

Iyengar (1996) divides media framing into two categories: episodic and thematic, noting, though, that they are rarely independent of each other in news stories. Episodic stories focus on singular events, whereas thematic stories “depicts political issues more broadly and abstractly by placing them in some appropriate context – historical, geographical, or otherwise” (p. 62).

Public opinion can be easily swayed depending on how an issue is framed, especially the issue is framed in terms of potential gains or losses (Iyengar, 1996). Episodic and thematic framings are likewise important for shifting the public’s view from individual responsibility to societal responsibility. Episodic stories are typically associated with a shift towards individual responsibility, while thematic stories promote feelings of societal responsibility (Boukes, 2022; Iyengar, 1991, 1996). Episodic storytelling also promotes the usage of emotions when framing a particular story (Gross, 2008). There is some evidence, however, that episodic framing of economic crises *reduces* the likelihood that the public will place the blame on the individual instead of government or political actors, but this may be dependent upon the respondent’s race (Boukes, 2022). Spence (2010) found that Black respondents were more likely to blame Black men who contracted HIV/AIDS, especially if the issue was presented in an episodic framing. More broadly, episodic versus thematic framing may depend more on the topic than framing structure itself.

Previous research has demonstrated that the media sets the agenda for news coverage, which in turn influences public opinion towards that issue (McCombs, 2005; McCombs & Shaw, 1972; Uscinski, 2009 [Rogers & Dearing, 2007]). Furthermore, there is some evidence demonstrating that the intensity that media sources cover issues directly

influences the saliency and strength of public opinion towards those issues (Kioussis, 2011).

However, the extent to which the media can exert influence over public opinion has been debated (Dalton et al., 1998; Lee, McLeod, & Shah, 2008). For example, Lee, McLeod, and Shah (2008) found that while issue frames fail to change public opinion towards specific policy issues, they do cause individuals to substitute partisan affiliation for other salient considerations when expressing their opinion. This finding is not surprising when considering the previously mentioned findings by Enns and Ramirez (2018), who found that political ideology and partisanship play less of a role in shaping public opinion towards prison privatization than do other considerations. Uscinski (2009) successfully demonstrated that while the media does establish the agenda for major events, the public controls the media's focus when less significant events take place. This finding is important to remember when considering how the media shapes public opinion towards less contentious issues like prison privatization. It may be that media coverage of prison privatization is simply reflecting a peripheral interest that the public has towards the issue.

Helping shape public opinion is group-centric framing, which is framing that is focused on a specific group of the population. Group-centric framing has a lengthy body of research exploring its relevance in public policy (Druckman, 2001; Gilliam & Iyengar, 2000; Hurwitz & Peffley, 2005; Nelson & Kinder, 1996). Recent scholarship has found that consistent negative framing involving a specific group – known as group-centric framing – can shift partisanship among whites (Abrajano, Hajnal, & Hassell, 2017). Abrajano, Hajnal, and Hassell (2017) looked at negative *New York Times* coverage of

immigration policy over a thirty-year period and found a shift towards the Republican party among white readers. While this finding is likely not applicable to many issues, it may be relevant to groups who are consistently social constructed in negative terms. Immigrants are more likely to be socially constructed negatively and as less deserving (Short & Magana, 2002; Viladrich, 2019).

Framing involves more than how stories are constructed. The *people* in stories are just as important to the concept of framing as the ways in which stories are constructed and framed for the public. This is especially true when considering how individuals are framed in terms of deservingness. Framing individuals or groups as deserving automatically assigns them to a more deserving or less deserving category, depending on how they are framed within a news story (Viladrich, 2019). Undocumented immigrants, for example, can be framed as undeserving because they are in the United States illegally or as deserving because they are a vulnerable population (Viladrich, 2019). Framing, then, is also tied to Schneider and Ingram's framework of social construction of target populations. The social construction of specific target populations may be the result of socially learned stereotypes, but it may also be the case that media framing contributes to the social perception of negatively constructed groups, like prisoners. If media framing plays a role in shaping public perception of categories of deservingness, then how the media portrays policy issues like prison privatization may also be influenced by media framing.

Media Coverage of Prison Privatization

Little empirical research exists looking at how the media portrays private prisons. To date, two studies exist exploring how private prisons are portrayed by U.S. media sources. Blakely and Bumphus (2005) conducted the first examination of print media's

perceptions of prison privatization. Their findings indicate that media perceptions of prison privatization have become increasingly negative since the 1980s, when private prisons first began receiving attention from the media and public. Most recently, Montes et al. (2020) examine how print media focused on prison privatization and framed the issue. Their findings demonstrate that media primarily focuses on cost (or economic) considerations (44%), ethical considerations (22%), and safety of inmate and abused within private prisons (55%). Additionally, they find that private prisons are framed negatively the majority of the time (71%).

Theoretical Foundations

The theoretical foundations of this paper are built upon social construction of target populations framework and framing theory. These two theories were chosen because they each explain the relevance of media and prison privatization policy. The basic assumption of this paper is that mainstream media sources influence prison privatization policy by influencing elite and lay public opinion towards prison privatization policy. How media sources choose to frame the issue of private prisons likely helps form public opinion towards private prisons, a concept that is politically irrelevant to most people.

Social construction of target populations was brought into prominence in the 1990s by Schneider and Ingram. Schneider and Ingram argued that “social construction of target populations has a powerful influence on public officials and shapes both the policy agenda and the actual design of policy (1993, p. 334). Social construction of target populations contends that how social groups are constructed in the minds of policymakers (and therefore in the minds of constituents), directly influences the kind of policies that are created and subsequently passed for specific target groups. For groups that are

socially constructed as more deserving than other groups, the policies they receive will benefit them both socially and financially, while policies that are passed for groups that are socially constructed as less deserving will received fewer policy benefits and may even be subjected to harsher laws because of policy changes. No frills policies for prisons are an example of policy aimed at a group that is socially constructed as less deserving. No frills policies, which first originated in the mid-1990s, sought to limit the number of amenities that were available to prisoners. Prisoners are socially constructed as undeserving of access to “frills,” resulting in the removal of most amenities within prisons.

Framing theory is the second theoretical foundation this paper builds upon. Framing theory is rooted in the idea that an individual’s personal beliefs and socialization are only part of what forms their opinion on political issues (Iyengar, 1990). In framing theory, a frame is a “an emphasis in salience of different aspects of a topic” (de Vreese, 2005, p. 53). In the case of mainstream media, framing is how media sources choose to present a specific issue. It is assumed that the ways in which prison privatization and inmates are framed will directly influence the social construction of private prison inmates, thus affecting the policies that address prison privatization.

Social construction of target populations and framing theory are highly compatible with each other. How groups are socially constructed is dependent on a variety of factors, including race, socioeconomic status, perceived value to society, and deservingness (Iyengar, 1990). While beliefs towards others may be taught in childhood or be the result of partisan ideology, they are likely to be reinforced by media exposure. This paper is developed on the assumption that the social construction of specific groups

is directly influenced by the framing decisions of mainstream media and how those groups are portrayed. Social construction of target populations assumes that how social groups are constructed will influence the policy decisions that policymakers make. The reasoning behind this is twofold. First, policymakers are going to construct policy in a way that confirms their own construction of population groups. Second, policymakers will construct policy that aligns with their constituents' construction of population groups. Together, these two motivations contribute to the policy feedforward effect, where those who benefit from policy changes are more engaged in the political process, whereas those who are burdened by policy changes further remove themselves from the political process.

Prison privatization and prisoners housed in private prisons fit into social construction of target populations and framing theory nicely. Private prison companies are socially constructed in positive terms and incur benefits from policymakers (Schneider, 1999). These benefits in turn make private prison companies more engaged politically. The prisoners housed in private prisons are socially constructed as the least deserving and most deviant population in society. This status of deviant creates incentives for policymakers to place additional burdens on prisoners, while giving more benefits to the companies operating private prisons. Intertwined in this feedback loop is how the media frames issues about private prisons and the prisoners housed within those private prisons. The framings that major news media sources use can either break down existing social constructions of private prisons and prisoners or reenforce those constructions.

CHAPTER III

EMPIRICAL ANALYSIS

Research Design & Data Collection

The data for this project was collected through a content analysis of major online newspapers. Most research focusing on the media and criminal justice issues are focused on true crime or other aspects of the criminal justice system. There is very little previous research examining media framing, prisons, and prisoners. This presented a challenge for designing the content analysis, because there is little previous research to build upon. The literature that does look at media and private prisons has focused on the “economics versus ethics” argument. Beyond that, I could find no research examining the social construction of prisons and prisoners.

To design a content analysis that best captured the relevance of social construction of target populations theory and mainstream media’s portrayal of private prisons and prisoners housed within private prisons, I decided to use the economic versus ethics argument and the concept of deserving and undeserving. A substantial body of research exists examining the perceived deservingness of social groups when designing public policy (Bell, 2021; Ellis & Faricy, 2019; Kreitzer et al., 2022). Deservingness is particularly important when intended beneficiaries are perceived as ranking lower on the social ladder than other social groups.

As has been previously noted, little data exists that is focused on private prisons and no publicly available data exists evaluating the media's role in private prisons. Instead, an original dataset was collected for this project, which focuses on how mainstream media sources focus on private prisons and private prison inmates. National and local news was included to provide a broad perspective of media coverage of private prisons. While some issues make their way to national newspapers, others remain localized at the state level. Local affiliations of *Associated Press* were included as a way of covering local private prison coverage of issues that may not make national news. The data was collected from national newspapers and their local affiliates using Nexus Uni (formerly Lexus Nexus). *The New York Times*, *Associated Press*, *Associated Press State & Local Wire*, *Associated Press Online*, *Wall Street Journal Abstracts*, and *Los Angeles Times* were the news sources used. Each news story from these sources were obtained using Nexus Uni, beginning in 1984 and ending in November 2021. The search terms used were, "private prison," "prison privatization," "for-profit prison." Only private, for-profit prisons were included in the analysis.

Using a random number generator, each 9th news report was drawn from a pool of approximately 1,500 possible sources until news articles were saved in a separate folder. A total of 150 news stories were set aside for analysis. Of these 150 articles, 15 were removed because they were miscategorized by the archiving site. These were then saved and then 105 of the 135 saved publications were analyzed for their content. The 105 news reports that were analyzed were not selected in a random order. Instead, they were analyzed in the order that Nexus Uni placed them in the folder. I decided that it was unnecessary to randomly draw from the 135 articles because they had already been

randomly chosen during the selection process. It should be noted that the dates of the news reports were evaluated to ensure that they were not listed in according to publication date. The dates ranged between 1989 and 2021, but in not in a definable order.

While the search parameters in Nexus Uni were set to include news articles from *The New York Times*, *Associated Press*, *The Associated Press State & Local Wire*, *Associated Press Online*, *Wall Street Journal Abstracts*, and *Los Angeles Times*, *The New York Times*, *Associated Press*, *The Associated Press State & Local Wire*, *Associated Press Online* were the only sources that articles were randomly selected. I attribute this to chance because a second examination of the search perimeters did not show anything to be amiss.

Since the method of collecting data was a content analysis, special consideration was taken to decide how each article would be analyzed. A basic binary code scheme was used to analyze each of the publications. Included in the analysis were the article's broad theme and if the story was focused on private prisons or the inmates housed in private prisons. The general topic of each article was recorded and when multiple broad themes were present, both were tallied. The topics that were coded were policy, inmate well-being, violence, lawsuit, and prison expansion/reduction. Within each of these broad categories were a series of issues that were coded as either present or absent. These issues range from economic concerns to prisoner welfare. *Table 1* provides the full breakdown of each variable that was used in the analysis.

This method of analysis was chosen because of the simplicity of the content analysis being performed. The risk of human error is an obvious concern, but careful

consideration and planning was taken to mitigate any coding errors, which will be addressed shortly. These considerations included what kind of content would be analyzed. Tone was avoided due to its subjective nature. Instead, concrete topics like economics, ethics, violence, and inmate's sex were the primary source of data. A binary coding scheme was also used to reduce error. The presence of a topic was marked as either present or not present. This reduced the number of "judgement calls" that had to be made during the analysis of newspapers.

Hypotheses

There are seven hypotheses that are evaluated using the collected data. These hypotheses were determined after a careful evaluation of existing private prison research and are designed to capture the main framing topic of a news story and a secondary focus related to the story's framing. It is important to note, however, that very little research exists evaluating how media sources portray prison privatization. No research exists examining how inmates housed in private prisons are portrayed.

The following hypotheses were included in the analysis:

H₁: News stories focusing on the economic benefits of prison privatization will also focus on the prison expansion.

H₂: News stories focusing on the ethical concerns of prison privatization will also focus on prison reduction.

H₃: News stories focusing on violence in private prisons will also focus on the reduction of private prisons.

H₄: News stories will be more likely to focus on private prisons rather than the people housed in private prisons.

H₅: News stories focusing on the economics of private prisons will portray prisoners as underserving.

H₆: News stories focusing on the ethics of private prisons will portray prisoner as deserving.

H7: News stories that portray private prisons as mistreating prisoners, will portray prisoners as deserving.

Dependent variables:

There are a total of four dependent variables used in the analyses of this paper.

The first dependent variable is economics. If a news report focused its argument around the economic benefits or burdens of prison privatization, it was marked as having economics as the focal point of the article. Prior research has noted that debates about prison privatization center almost exclusively around the economics benefits of prison privatization (Lundahl et al., 2009; Kim, 2022; Mamun, 2020; Pratt & Maahs, 1999; Shichor, 1998). This focus on economics is a reflection of both policymakers' and the publics' desire to see costs cut wherever possible. As Shichor (1998) notes while attempting to address some of the conceptual issues facing prison privatization,

“The economic emphasis is a reflection of the conservative socio-economic atmosphere in which many social programmes and public services are being completely eliminated or seriously cut. Thus, the privatisation issue is being argued mainly on a utilitarian level, while ethical, moral and symbolic implications of this trend are relatively neglected.”

Because of the clear relevance and importance of the economics argument surrounding private prisons, it was included as a dependent variable. The economic argument was measured as either present or not present, or yes/no. I did not specify if the argument used a positive or negative economic framing because of the small sample size. I was primarily interested in measuring the frequency of the economics argument when discussing prison privatization.

The second dependent variable is ethics. If a news report focused its argument around the ethical concerns associated with prison privatization, it was marked as having ethics as the focal point of the article. The ethics argument surrounding prison

privatization is more complicated than economics-based arguments. Ethical arguments must grapple with the extent to which private business within prison is acceptable (Reisig & Pratt, 2000; Sparks & Gacek, 2019). Continuing the ethical considerations of private businesses operating prisons, Schwartz and Nurge (2004) question the ethics of decreasing government spending on the penal system, while simultaneously continuing to enforce harsh sentencing policies. Pushing the issue further, they ask if it ethical for governing bodies to pass the duty of punishment on to the private sector, where the primary focus is profit (Sparks & Gecek, 2019).

To build on the existing literature examining the ethics of prison privatization, the presence of an ethical argument against prison privatization was coded for during the content analysis. The ethics argument was measured as either present or not present, or yes/no. As with economic arguments, I did not differentiate between the *kinds* of ethical arguments or considerations that were being raised in a news report. Once again considering the small sample size of the content analysis, I was more interested in the presence of *any* ethical argument, rather than which kinds of ethical arguments. It should be noted that news stories framing using an ethics argument were typically more inflammatory in nature, utilizing harsher language than stories using economics as the primary framing topic.

The third dependent variable for the portion of the analysis testing the relationship between media coverage and private prisons is violence. There is less research examining the relationship between prison privatization and violence than there is examining the economics versus ethics argument for and against prison privatization. After examining 1995 state and federal census records for all United States prisons, Lukemeyer and

McCorkle (2006) found an overall reduction in violence towards prison facility staff in private prisons when compared to state or federally operated prisons. However, it should be noted that private prisons frequently take younger, healthier, and lower security offenders, so that could account for the discrepancy in violence that the authors found (Lukemeyer & McCorkle, 2006; Simon, 1991). In 2015, video footage of inmate fighting was leaked from an Australian private prison. This incident was used by policymakers and the public to challenge the legitimacy of prison privatization (Boyle & Stanley, 2019). Besides this academic paper, I found no other research exploring private prison violence and the legitimacy of prison privatization.

Though there is not a substantial body of research examining the private prison violence, it was included in the analysis as a dependent variable to test if a relationship between violence and privatization expansion or reduction exists. It is very possible that there are no correlations between prison violence and efforts to reduce or expand private prisons, which is why there is no prior research available. Violence was marked as either present or not present in the news report. Inmate towards inmate, inmate towards guard, and guard towards inmate violence was not separated. Instead, only the mention of violence was recorded as being present in a news article.

Finally, prison wrongdoing is the last dependent variable. Besides a research paper exploring private prison violence and legitimacy (Boyle & Stanley, 2019), I could find no research evaluating prison privatization and malmanagement by private prison companies. Despite the lack of research, I felt that private prison wrongdoing was a necessary and worthwhile variable to include, especially when evaluating how arguments for privatization expansion or reduction are framed. Prison wrongdoing was marked as

either present or not present during the content analysis. Like the previously mentioned dependent variables, I did not distinguish between the kinds of prison wrongdoing, e.g., prisoner mistreatment, financial mishandling, etc.

Table 1: Example of framing

Example from news story:	Framing topic
“‘If Senator Shurden's choice is to release inmates, then that would be his choice,’ Mahoney said. ‘Private prisons is a wise investment. We think it's worked and continues to work’” (Talley, 1999).	Economics
“Of course, the whole idea of privatized incarceration is morally repugnant. Imprisoning people should never be entrusted to those whose primary concern is profit and shareholder return” (<i>New York Times</i> , 2017).	Ethics
Private prison experiments in other states have not been painless. One private prison in Ohio operated by Corrections Corporation of America had 13 inmates stabbed and six escape within 15 months of its opening. An inmate was also killed last year in a Wackenhut-run prison in New Mexico” (Gehrke, 1999).	Prison violence
“A company that operates two prisons in the state has not faced fines for repeated contract violations, including the use of inmate labor, according to a newspaper report” (Associated Press State & Local News, 2005).	Prison wrongdoing

Independent variables:

There are ten independent variables used in the analysis of this paper. *Table 2* provides descriptive statistics of each variable. These are expansion, reduction, deserving, undeserving, sex, female, inmate safety, violent offender, non-violent offender, reason for sentence, length of sentence, number of sentences. There are a total of four “primary” independent variables. These are expansion, reduction, deserving, and undeserving. Of these four, deserving and undeserving are rooted in existing framing theory. Existing scholarship examining the economics versus ethics debate include private prison reduction and expansion, but not as their primary focus. Deservingness, however, has

received a attention from a variety of focuses. Schneider and Ingram (1993, 2017) include deservingness in their social construction of target populations framework, which is the primary framework this paper is building upon.

Deservingness plays an important role in determining the extent to which public policies benefit specific groups of people (Ellis & Faricy, 2019; Krietzer et al., 2022). The concept of deservingness fits into social construction of target populations theory because the level of deservingness an individual is assigned is correlated with their social construction. Scholars have noted that race and ideological values play an important role in determining social welfare policy (Bell, 2021; Ellis and Faricy, 2019; Schneider, Ingram, & Newton, 2005).

Reduction and expansion are the other two primary independent variables. These were included because they are essentially the heart of the private prison debate: should they continue to exist (expanded) or should they be phased out of the penal system entirely (reduced). In order to be included in the analysis, any mention of expansion or reduction was only counted if it was central to the focus of the story. If a story was focused on both expansion and reeducation, then both variables were included. There are 17 stories discussing private prison reduction (16%) and 40 stories discussing private prison expansion (38%). Three stories include expansion and reduction (>1%).

The other eight independent variables were included as exploratory variables to see if any relationships between them and the dependent variables included. Sex and female were both included to see if the sex of an inmate plays a role in their framing and, more specifically, if being female is a significant characteristic when framing inmates. Along this same line of reasoning, reason for sentence, length of sentence, and number of

sentences served, and whether the offender is categorized as violent or non-violent are included to gauge the importance of an inmate’s criminal record when evaluating their level of deservingness. Inmates who have offended multiple times or whose offenses are considered violent may be less likely to be framed as deserving by mainstream media news outlets. Lastly, inmate safety may be a significant factor for prison privatization. If inmates are portrayed as being unsafe during their prison term, they may be more likely to be viewed as more deserving or their social construction may improve, though any improvement is most likely temporary.

Table 2: Example of primary independent variable

Example from news story:	Primary Independent Variable
<p>“Four companies have submitted bids to build and operate Utah's first privatized prison. The state hopes to open a 500-bed privatized facility next year” (Gehrke, 1999).</p>	Expansion
<p>“But some lawmakers say the claims of cost savings and other benefits do not check out. ‘There is no convincing argument of why we should have private prisons,’ said Mike Fasano, a former Republican state senator from Pasco County, Fla., who voted against a 2012 measure to privatize much of Florida’s prison system” (Williams and Oppel 2018).</p>	Reduction
<p>“Officials at the private prison say the changes have created happier inmates, which makes the prison safer and cuts costs. ‘In most state prisons, the wardens do not talk to the inmates,’ said Lowell Hudson, warden of the new medium-security facility owned and operated by Houston-based Cornell Corrections Inc. ‘But if you don't talk to them, you don't know what's going on. And if they've got a beef, you can defuse a situation a lot better early on’” (Pilcher, 1998).</p>	Deserving
<p>"We found a place for them that I think will be suitable for their behavior and I don't think they're going to like it one bit," New Mexico Corrections Secretary Rob Perry said while overseeing their transfer early Friday morning” (Associated Press State & Local Wire, 1999).</p>	Undeserving

Analysis & Results

Table 3: News Publications & # of Articles from Each Publications

<i>Associated Press</i>	<i>Associated Press State & Local Wire</i>	<i>Associated Press Online</i>	<i>New York Times</i>
8 (2007-2021)	77 (1998-2018)	4 (2001-2007)	16 (1989-2021)

Table 4: Descriptive statistics

<i>Dependent Variables</i>	<i>Observations</i>	<i>% of occurrences</i>	<i>Independent Variables</i>	<i>Observations</i>	<i>% of occurrences</i>
<i>Economics</i>	49	46%	<i>Reduction</i>	17	16%
<i>Ethics</i>	16	15%	<i>Expansion</i>	40	38%
<i>Prison wrongdoing</i>	15	14%	<i>Sex</i>	15	14%
<i>Prison violence</i>	17	16%	<i>Female</i>	7	6%
			<i>Violent offender</i>	2	1%
			<i>Non-violent offender</i>	5	5%
			<i>Inmate safety</i>	18	17%
			<i>Reason for sentence</i>	14	13%
			<i># of sentences</i>	5	5%
			<i>Deserving</i>	7	6%
			<i>Undeserving</i>	2	1%

Table 5: Bivariate Regression Analysis Predicting Private Prison Portrayal

<i>Independent variables</i>	<i>Model 1 DV: Economics</i>	<i>Model 2 DV: Ethics</i>	<i>Model 3 DV: Prison Violence</i>	<i>Alternate Model 3: DV: Prison Violence</i>
<i>Reduction</i>		0.070 (0.091)	-0.004 (0.094)	
<i>Expansion</i>	0.333*** (0.095)			-0.190** (0.071)
<i>Multiple R-squared</i>	0.107	0.005	0.000	0.064

*** $p < 0.0001$ ** $p < 0.05$ * $p < 0.1$

Table 6: Comparison of Private Prison media coverage compared to prisoner media coverage

<i>Coverage Focus</i>	<i># of stories</i>	<i>Percentage</i>
<i>Private Prisons</i>	80	76%
<i>Prisoners</i>	25	24%

The analysis is broken into two sections. The first section tests the hypothesis that evaluate private prison framing and a focus on either expansion or reduction. The second section tests the other four hypotheses, which are focused on private prison framing and prisoner deservingness or undeservingness. Binary logistic regression was used to test each hypothesis.

The first analysis, presented in *Table 3*, is focused on private prison expansion and reduction. Three hypotheses were tested during these analyses, two testing reduction and one testing expansion. Hypothesis 1 tested the relationship between private prison expansion and arguments that leaned on economics as the primary motivator for prison expansion.

I found support for hypothesis 1, which is testing the relationship between economic framing and private prison expansion. As expected, when economics is the

primary motivator in news stories focusing on private prisons, private prison expansion is the focus. *Model 1* in Table 1 show the regression coefficient with asterisks denoting the P-value.

I did not find any support for hypothesis 2, which is testing the relationship between ethics framing and private prison reduction. I expected to find that when private prisons are framed as an ethical issue, private prison reduction will be a significant factor in news stories. *Model 2* in Table 3 shows the regression coefficient with asterisks denoting the P-value.

For hypothesis 3, I likewise found no support in my regression analysis. Hypothesis 3 tests if framing private prisons in terms of increased violence (within private prisons) will lead to news stories promoting a reduction in private prisons. *Model 3* in Table 3 shows the regression coefficient with asterisks denoting the P-value.

After evaluating the relationship between violence and private prison reduction, I decided to test the model using expansion instead of reduction. Unlike hypothesis 3, this new model, *Model 4*, regressed support for violence and private prison expansion. This finding will be discussed in greater detail in Chapter 4.

Hypothesis 4 tested the assumption that private prisons are more likely to receive media attention than the prisoners housed in this. This was tested by comparing the number of news stories focusing on private prisons versus the news stories focusing on the prisoners housed in private prisons. Table 4 provides descriptive statistics and demonstrates that private prisons *are* more likely to be covered by media sources than the prisoners housed within private prisons. 76% of stories were focused on private prisons, whereas 24% of stories focused on the prisoners housed within private prisons.

Media Framing, Private Prisons, and Inmate Portrayal

Table 7: Bivariate Regression Analysis Predicting Prisoner Portrayal

Independent variables	Model 5 DV: Economics	Model 6 DV: Ethics	Model 7 DV: Prison wrongdoing
Deserving		0.420* (0.168)	0.321* (0.161)
Undeserving	-0.526 (0.359)		
Sex	-0.084 (0.233)	0.391** (0.148)	0.339* (0.143)
Female	-0.222 (0.234)	-0.292 (0.192)	-0.161 (0.188)
Sentence length	-0.227 (0.305)	-0.044 (0.194)	-0.090 (0.188)
Reason for sentence	-0.066 (0.218)	-0.088 (0.138)	0.112 (0.133)
# of sentences	-0.028 (0.298)	-0.382 (0.189)	-0.148 (0.181)
Violent offender	-0.024 (0.133)	0.055 (0.084)	-0.063 (0.085)
Non-violent offender	-0.037 (0.267)	0.438 (0.206)	0.248 (0.197)
Inmate Safety			0.157 (0.086)
Multiple R-squared	0.086	0.292	0.323

** $p < 0.05$ * $p < 0.1$

Hypothesis 5 tested if prisoners housed within private prisons are framed as undeserving if economics is the primary argument for prison privatization. For this analysis, economics is the dependent variable. During the content analysis, a news report was marked as having an economic-centered argument for private prison expansion. If a news report focused on the savings that prison privatization could bring to local, state, or federal government, it was marked as having an economic argument.

The independent variables for this analysis were undeserving, sex, female, sentence length, reason for sentencing, number of sentences served, violent offender, and non-violent offender. If an inmate's sex was mentioned or identified during the article, it was recorded. There were 15 mentions of an inmate's sex in the 105 articles. 8 of these were male and 7 were female. Undeserving was the independent variable that I was most interested in for this regression analysis. A logistic regression analysis showed that there was no correlation between news stories focusing on the economics of prison privatization and prisoners framed as undeserving in the news story. Further, the analysis showed no correlation between the dependent variable and any of the independent variables. This is likely due to the low sample size. Models 1 and 5 (economics framing) have a sample size of 49 observations, whereas models 2 and 6 (ethics framing) have a sample size of 16. Models 3 and 7 (prison wrongdoing and prison violence framings) have a sample size of 15 and 17, respectively.

A second possible explanation for this is the coding scheme used for economics in the content analysis. Economic arguments were not categorized by positive economic change or negative economic change. Had there been a clear distinction between the two, then the regression analysis might have shown more favorable results.

Hypothesis 6 tested if prisoners housed within private prisons are framed as more deserving if the discussion about private prisons is centered around ethics. For this hypothesis, the dependent variable is ethics. As in the regressions focusing on prison portrayal, an article was marked in the ethics category if it questioned the validity of a private company operating a prison based on moral concerns. These concerns could come from the author of the article or from a story or interview with an outside source. Of the

105 articles that were evaluated based on their content, 15 focused on the ethics of prison privatization.

The regression analysis did yield significant results for this hypothesis. When ethics is the primary focus of prison privatization, prisoners are more likely to be framed as deserving. Additionally, the variable sex regressed to show a positive correlation with ethics. It is important to note, however, that female did not yield any significant results. So, while the sex of a prisoner does matter when the discussion around prison privatization is centered on ethics, it does not matter if the inmate is female or not.

I found support for hypothesis 7 after conducting a binary logistic regression analysis. Hypothesis 7 tested whether prisoner mistreatment results in prisoners being portrayed as deserving. For this hypothesis, the dependent variable was prison wrongdoing, which consisted of 15 observations. If a news report included an incidence of a private prison violating prisoner rights or displaying negligence in some manner, the article was marked as featuring prison wrongdoing.

The independent variables for this analysis were deserving, sex, female, length of sentence, reason for sentence, number of sentences served, violent offender, non-violent offender, and inmate safety. If an inmate's sex was mentioned or identified during the article, it was recorded. There were 15 mentions of an inmate's sex in the 105 articles. 8 of these were male and 7 were female. Deserving was the independent variable that I was most interested in for this regression analysis. A multiple regression analysis showed that there was a correlation between news stories focusing on prisoner mistreatment in private prisons and the deservingness of the inmates housed within private prisons.

Binary logistic regression analysis showed a positive correlation between private prison wrongdoing and prisoners being framed as deserving in the news report.

Additionally, the variable sex also showed a positive correlation between private prison wrongdoing and the sex of an inmate. It should be noted, however, that the variable female did not regress to show any significance.

CHAPTER IV

DISCUSSION AND CONCLUSION

The results shown in this paper demonstrate that the framing of a private prison issue can be connected to expansion (reduction) of private prisons and the deservingness (un-deservingness) of prisoners housed in private prisons. How private prisons are portrayed by major media sources has the potential to lend valuable insights to why and how private prison policy is created. It is also valuable to understanding what may contribute to public opinion towards prison privatization, which in turn can help influence policymakers' decisions about privatizing prisons.

Hypotheses one, two, and three each tested the correlation between either economic or ethical arguments about prison privatization and how an economic or ethics framing impacts expansion or reduction of private prisons. How private prisons are framed – either as economic assets or ethical dilemmas – may sway public opinion towards or away from prison privatization. More importantly, these framings may help shape policymakers' views towards prison privatization. This is especially relevant when considering policy that places heavier burdens on deviant groups and more benefits on non-deviant groups. If prison privatization is framed as an economic benefit to government and citizens, then policymakers may be more likely to support policies that work to privatize the penal system (Burkhardt, 2014). On the other hand, if the ethical considerations around prison privatization are framed adequately, they may be persuasive

enough to dissuade policymakers from pursuing policies that privatization prisons. The hypotheses tested in these analyses do not evaluate the effectiveness of framing on policy changes and public opinion, but they do examine the connection between framing and support for either the expansion or reduction of private prisons.

Hypothesis 1 tested if an economic framing would be more likely accompany a focus on private prison expansion. The regression analysis found support for this hypothesis, indicating that when private prisons are framed in terms of economics, prison privatization expansion is also present in the discussion. This is not a surprising result, since prison privatization is often framed by policymakers as an economic benefit to the community (Kim, 2022). However, as discussed previously, there is very little empirical evidence showing that prison privatization reduces costs and, in some cases, has been shown to marginally increase costs associated with housing prisoners (Lundahl et al., 2009; Kim 2022; Pratt & Maahs, 1999).

The other side of the debate surrounding prison privatization are the ethical considerations that accompany privatization. Hypothesis 2 tested if an ethics framing around prison privatization coincides with a focus on private prison reduction. The results of these regressions fail to reject the null hypothesis, indicating that there is no relationship between ethics framing and private prison reduction. This is most likely because an ethical argument against prison privatization centers around violating an ethical norm (in this case, a private business enforcing government-imposed punishment). The target of this ethical norm violation are prisoners, who are characterized as deviant and undeserving according to social construction of target populations (Kreitzer et al., 2022). Policymakers and their constituents see no value in challenging an ethical

violation when the target population are the least eligible members of society. A separate analysis would be well-positioned to more closely examine the ethical arguments associated with prison privatization and compare them to a more detailed review of how prisoners are portrayed by the media.

Prison violence was the focus of the third hypothesis. Hypothesis 3 tested if a prison violence frame is accompanied with a focus on private prison reduction. A regression analysis showed no significance for this hypothesis, meaning that prison violence and private prison reduction are not correlated. However, I tested this hypothesis a second time, but using private prison expansion as the independent variable instead of private prison reduction. This model *did* regress to show significance between private prison violence and expansion. This result was not expected and an interesting finding.

There is some research indicating that when violence is present in nonprofit, private halfway houses, there is more scrutiny towards their capability of operating effectively (Kim, 2022). While for-profit prisons are certainly not nonprofit halfway houses, the same arguments that are used to discredit halfway houses that struggle to maintain a violence-free environment may also be applied to for-profit prisons. It was for this reason that I expected to find that violence in private prisons accompanying a focus on reduction. The actual findings may indicate that when violence is present in private prisons, the natural inclination of news stories is to focus on prison expansion to help reduce future violent occurrences.

Hypothesis 4 moved the analysis' focus away from private prisons and towards the prisoners housed in private prisons. The first hypothesis focusing on prisoners was hypothesis 4. This analysis tested if private prisons are more likely to be the focus of

news stories when compared to the prisoners housed within private prisons. The results confirm that private prisons are more likely to be the primary focus of news stories. One possible explanation for the focus on prisons over prisoners is social construction and perceptions of inmates being deviant and undeserving (Krietzer et al. 2020). Since deviant or undeserving groups are less desirable by the public, it makes sense that mainstream media sources would avoid publishing stories about them. The exception to this may be when the private prison is so undesirable that it elevates the status of the prisoner to a more desirable position.

Deservingness, a foundational concept in social construction of target populations framework, was the focus for hypotheses five, six, and seven. Hypothesis 5 was focused on testing the relationship between an economics framing towards prison privatization and prison undeservingness. This analysis failed to reject the null hypothesis, meaning that economics and prisoner undeservingness are not correlated with each other. Since the primary argument *for* prison privatization is the economic benefits and under the framework of SCTP prisoners are inherently undeserving, we might expect to see that economics and undeserving are paired together in news reports. However, this was not indicated in the regression results.

Hypothesis 6 tested to see if a news report focusing on the ethics of prison privatization would frame prisoners as more deserving. The analysis indicates that when ethics is the focus of prison privatization, prisoners are framed by as more deserving. This is not surprising, especially when considering that a debate centering around ethics is more likely to include the people affected by prison privatization. Framing the debate around ethical considerations may also help elevate the status of prisoners from a deviant

target population to a dependent population. Prisoners are dependent up on the facility they are housed in to meet their everyday needs, so framing the issue of prison privatization in terms of ethical considerations may place prisoners in a more favorable light.

Hypothesis 7 evaluated private prison wrongdoing and if prisoners were portrayed as deserving if wrongdoing was present. The regression results indicate that yes, when private prisons violate expected norms in some way, the prisoners they house are framed as more deserving. There are two possible explanations for this finding. The first builds on the previous discussion about hypothesis 6. It is possible that prison wrongdoing elevates prisoners' social construction and creates a more favorable target population for the news media to cover. If this is the case, then it is the prisoners who are changing their social construction, however temporary that may be. The second explanation is that the prison itself changed its social construction. While businesses are not people, they can still be socially constructed in the eyes of the public (Schneider & Ingram, 1999).

According to Schneider and Ingram (1999), the privatization of prisons "offered attractive political opportunity to continue the negative social construction of prisoners and, at the same time, to develop a new positively constructed constituency of businesses...." (p.201). In other words, private prison companies are a new socially constructed group that the public could view as a positive asset to the criminal justice system, while simultaneously reducing the burden that deviant populations like prisoners placed on society. While private prison companies may not be constructed as advantaged members of society, their status of contender is nonetheless a positive construction, especially when compared to the lowly status that prisoners are socially constructed into.

However, it is possible that even though prisoners housed in private prisons are socially constructed as deviants and less deserving of social benefits, they are viewed in better terms if they have been wronged by an entity placed in charge of their wellbeing. This may be especially true if the entity placed in charge of their wellbeing is a private company making a profit from the incarceration of people. There is no existing research testing this idea, so it is entirely speculation.

Overall, this analysis has provided a group of interesting findings that help illuminate how mainstream media sources frame private prisons and their prisoners. The traditional economics versus ethics debate is still a common framing for prison privatization. Even more interesting, the framing of private prisons as an economic or ethical issue determines if prisoners are in turn framed as deserving or undeserving in news stories.

Limitations

There are several limitations related to this paper, specifically the content analysis. A primary limitation to the content analysis is the sample size. A sample size of 105 must contend with low statistical power from the regression results and sparseness in the data. Unfortunately, the best way to combat both issues is a larger sample size, which was not feasible for the scope of project.

Second, the variables that were analyzed failed to include a full array of possible factors that contribute to framing private prisoners as deserving or undeserving. Specifically, race was not included in the analysis. During the data collection process, if an inmate's race was mentioned in the news story, it was marked as being present and then the specific race of the individual was also noted. However, due to the small sample

size, there were too few observations that involved the race of an inmate to warrant inclusion in the regression analyses.

A third limitation to this paper is the nature of the data that was collected. While binary data can capture the basic gist of how private prisons are portrayed in the media, it does not offer much beyond that. A more complex design and data collection can provide insights into more nuanced aspects of media framing and prison privatization.

Furthermore, this study only evaluates the way in which private prisons and prisoners housed in private prisons are portrayed by mainstream media sources. There is no evaluation of how the media's framing influences public opinion or policy. Little research has focused on these issues, particularly the public opinion aspect of prison privatization (Enns & Ramirez, 2018; Frost et al., 2019).

Analysis Expansion

If time were permitting, I would have expanded this study in the following ways. First, I would have included for-profit immigration detention facilities in my analysis. Private prisons and private immigration detention are separate policy issues, but many companies who operate for-profit prisons also operate for-profit immigration detention facilities. Including private immigration detention facilities in the analysis could also contribute value findings to who is and is not considered deserving, especially if the immigration status of the detainee is considered.

Second, a more comprehensive examination of private prisons and prisoner framings would have included federally- and state-owned/operated prisons in the analysis. How state and federally operated prisons are framed by the media compared to the framing of privately owned and operated prisons can provide valuable insights to the mechanisms that contribute to framing. Furthermore, there are likely differences in the

way that prisoners are framed, depending on where they are housed. State and federal prisoners are the norm in the United States, whereas privately owned and operated prisons are the exception to the norm. Using publicly owned and operated prisons as the point of reference can help situate private prison and prisoner framing in the news media.

Third, an expansion of the analysis would include some form of public opinion on prison privatization. As discussed previously, there is a large gap in the literature exploring public opinion towards prison privatization. Prison privatization is not a salient issue for most Americans, adding to the difficulty of accurately capturing public sentiment towards the issue.

Finally, an expanded analysis would expand the content analysis to include episodic and thematic framings of private prisons and their prisoners. It may be the case that private prisons are systematically framed through a thematic lens, whereas prisoners are framed through an episodic lens.

Implications

The implications of the media's role in shaping public opinion, and in turn public policy, towards prison policy are important. Media has moved beyond the print and television sphere and now encompasses nearly every aspect of peoples' lives. Lay citizens are not the only ones impacted by the prevalence of media in their everyday lives. Elite politicians are active on social media and no doubt exposed to specific framings of prisons and prisoners, especially issues like prison privatization that may not be as divided along partisan lines. While this exposure is likely mediated by preexisting partisan and ideological belief systems, there is no doubt that media exposure to these issues does exert some influence on elite partisans, specifically policymakers.

More conclusive studies are needed to fully understand the scope that prison privatization framing plays in policymaking and public opinion.

Conclusion

This paper attempts to evaluate how mainstream media sources portray private prisons and the inmates that are housed within private prisons. Mainstream media sources like *The New York Times* were chosen because they were written under the assumption that they will reach a broad audience of readers. It is unlikely that the average citizen will go hunting for stories about private prisons, so their primary form of exposure to the issue is in the form of media, both news media and social media. Social media may play a heavier role in forming public opinion towards prison privatization. However, it is important to note that social media is self-selected and users curate their exposure based on political and ideological preferences (Iyengar & Hahn, 2009; Pan & Kosicki, 1996).

How prisoners housed in private prisons are socially constructed by mainstream media sources may influence how the lay public views these individuals. Prisoners are probably the best example of a deviant social group according to social construction theory. These individuals have violated the law in some form and now live their lives separated from the rest of society. Understanding that notions of deservingness influence social welfare policy, it is reasonable to assume that the concept of deservingness will also influence how prison policy is created by policymakers and how that policy is received by constituents. If media sources choose to frame inmates housed in private prisons as deserving, public opinion may shift in their favor. This is not to say that media portrayal can cause a dramatic shift in public opinion, but it may be a measurable factor that influences public opinion.

As scholars have noted, the research surrounding public opinion and prison privatization is extremely limited (Enns & Ramirez, 2018; Frost et al., 2019). To date, no major public opinion survey has asked respondents their views towards prison privatization. This is unfortunate, because a more thorough understanding of public opinion and prison privatization can help illuminate how and why prison privatization varies so broadly across the United States. If, as some research has noted, public opinion is a powerful motivator for policymakers to backpaddle on prison privatization, then the factors that help shape public opinion are worth exploring. It may be that ideology and partisanship play less of a role in support or opposition for prison privatization among political elites than for lay citizens. It may also be the case that lay citizens look to political elites for cues on prison privatization.

Public opinion data about prison privatization is sparse and even less exists evaluating the media's role in shaping public opinion. Future research is well-situated to evaluate these questions and expand our knowledge of prison privatization and the factors that contribute to its expansion or reduction at the state and federal level.

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