Public Opinion Quarterly (2026) **Vol 00 No 00,** 1–37

Holding Justice Accountable: Intensive vs. Extensive Margins in Prosecutor Elections

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Abstract American public opinion has shifted away from tough-on-crime policies, yet the conditions for supporting progressive reform on the ballot remain unclear. This study develops a theory of voting behavior in prosecutor elections. I utilized the recall of a progressive prosecutor to examine voters' revealed preferences in a pivotal crime and justice politics setting. I show that the correct response to voters requires attention to legal reform's intensive and extensive margins. Despite the media narratives, I argue that voters favor reforming the intensity of the criminal legal system; voters support reducing outcomes' harshness but not limiting the scope of prosecuted behavior. This research also indicates that moral concerns drive support for decreasing the intensive margin, while opposition to changing the extensive margin is rooted in the desire to maintain deterrence. Politicians who intend to end mass incarceration should focus on reducing the criminal legal system's intensive margin to gain political approval.

The political landscape of the US criminal legal system is shaped by a complex array of local institutions, highlighting the potential for electoral accountability. Elected officials, including mayors, sheriffs, and prosecutors, govern key aspects of law enforcement and state prosecution along county lines. Citizens' ability to hold these officials accountable can enhance policy congruence. Generally, policy responsiveness to public attitudes was shown to track changes in punitive sentiment, not nuanced policy preferences (Enns 2016); sentiment impacts policy through lawmakers anticipating the types of policies, rather than specific policies the public prefers (Bartels and Stimson 1992; Stimson, Mackuen, and Erikson 1995; Stimson 2004). Politicians adopted a punitive stance through rational anticipation of electorate sentiments (Beckett 1999) and as the outcome of pressure at the national and state level from

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https://doi.org/10.1093/poq/nfaf053

law-and-order interest groups and victims' movements (Gottschalk 2006; Miller 2008). Arguably, policymakers were over-responsive to the least affected and under-responsive to the most affected groups (Soss and Weaver 2017; Duxbury 2020, 2021; Lerman and Weaver 2020).

The US criminal justice system is in a period of upheaval, with competitive elections for prosecutors now commonplace despite historically being largely uncontested (Hessick et al. 2023). This surge in local political engagement coincides with a wave of state-level propositions and policy changes addressing issues ranging from marijuana legalization to voting rights for people with felony convictions (Porter 2022; Katzenberger, Holden, and Schultheis 2024). Binary punitive-vs.-progressive models are not entirely sufficient to explain voters who might simultaneously support prosecuting more crimes while opposing harsh sentences. This article builds on this insight by proposing that voters' sentiments can be understood through two distinct dimensions: the extensive margin (scope of criminalization) and the intensive margin (severity of punishment). The extensive margin refers to the scope and reach of government intervention, encompassing the range of behaviors criminalized and the number of individuals subject to legal prosecution and penal control. The intensive margin relates to the depth or severity of government intervention, measuring the harshness of penalties, the length of sentences, and the overall rigor of punishment imposed. Using this framework, we understand punitive sentiment as heightened margins and progressive alternatives as efforts to lower the extensive and intensive margins of the criminal legal system. This article argues that voters affect policy by sending a complex message on their position on the extensive and intensive margins, and responsiveness depends on perceiving voters' message correctly (Berinsky and Lenz 2014). Seemingly contradictory voter preferences—for instance, simultaneously supporting marijuana legalization (reducing the extensive margin) while maintaining or increasing penalties for violent crimes (preserving intensive margins for certain offenses)—are explained by this framework rather than representing inconsistent voter attitudes.

This article applies the theoretical framework to prosecutor elections, using the recall of the San Francisco district attorney (DA) as a case study. Prosecutor elections offer an ideal setting for examining how voters communicate their preferences about criminal justice policy. Unlike state-level reforms that often bundle multiple policy changes, prosecutor elections allow voters to express distinct preferences about what should be prosecuted (extensive margin) and how severely it should be punished (intensive margin). This recall highlights how voters' preferences on the scope and severity of criminal justice interventions influence their voting behavior. I argue that this novel theoretical framework explains how voters signaled their support for extensive prosecution of wrongdoing while preferring a reduction in the

intensity of punitive responses. I demonstrate that the prevailing interpretation of the recall election result as a "reversion to tough-on-crime" is erroneous. Instead, it exposes an accountability failure, revealing the recall's inability to address citizens' concerns due to a misperception of "public support for a public policy or person" (Berinsky and Lenz 2014).

This article utilizes multiple data sources to support the theory and explain the highly publicized prosecutor recall election. Beyond standard survey methods, it presents novel "digital exit poll" data on verified recall voters' motivations during San Francisco's DA recall election (June 2022). I show that about one in three "progressive" voters voted to recall the progressive DA.[1] A survey experiment demonstrated that these "conflicted progressives" prefer reducing the intensity but not the extent of prosecuted behavior. Additional surveys with national and California samples show that voters distinguish between the two theoretical constructs regardless of the recall setting, suggesting the results can be generalized. The article concludes that a progressive candidate losing an election does not indicate voters turning their backs on criminal justice reform. This theoretical contribution advances the field's understanding of crime and justice politics by unpacking the broad "progressive" and "punitive" political labels into two precisely defined political attitudes: intensity and extent in the politics of crime. While previous work has shown that politicians respond to broad punitive sentiment (Beckett 1999), this framework helps explain why that response may not always align with voter preferences, particularly when voters hold different positions on extensive versus intensive margins.

Electoral Accountability in the Criminal Legal System

American criminal justice is fragmented and extremely decentralized. Stuntz describes it as a "vertical allocation of power" in which "local governments do most criminal law enforcement" (Stuntz 2006, p. 786). There are 3,000 counties in the United States; hence around 3,000 jails, 3,000 juvenile facilities, about 3,000 county court systems, 3,000 adult probation agencies, and 3,000 juvenile probation agencies. Moreover, there are 17,985 police agencies in the United States, including city police departments, county sheriff's offices, state police/highway patrol, and federal law enforcement agencies. Many of these institutions are governed by elected officials. DAs (the chief law enforcement officer of the community) are elected per county in most jurisdictions, as are sheriffs and judges (Brace and Boyea 2008; Wright 2008; Sklansky 2018). Mayors control the budgets of police and social-response units. This is a unique phenomenon, as most law enforcement

1. Voters opposing the progressive agenda were almost uniform in their voting decisions, with about 90 percent supporting the recall.

outside the United States is linked to the electorate through delegation, not election.

Electoral accountability should flourish when many officials are directly elected. Yet, until recently, responsiveness to marginalized communities has been arguably distorted (Forman 2017). Police responsiveness to the needs of community members was distorted, particularly in communities that are highly policed (Weaver 2007; Soss and Weaver 2017; Prowse, Weaver, and Meares 2020). County sheriffs have been found to manipulate policy during election years (Su and Buerger 2025). Trial courts' response to judicial elections is associated with more punitive judicial behavior (Gordon and Huber 2007; Taylor 2021). Further, elections for state supreme courts are associated with an increased effect of public opinion death penalty preferences on judges' decision-making (Brace and Boyea 2008; Canes-Wrone, Clark, and Kelly 2014). On the other hand, Nelson (2014) argued that prosecutors and judges respond correctly to votes on a marijuana legalization initiative. In the wake of a new wave of competitive prosecutor elections, the politics of crime and justice has an opportunity to repair its responsiveness to citizens (Davis 2019). This requires a new understanding of how the public forms criminal justice attitudes.

This article contends that citizens' preferences are complex; to understand them, broadening the theoretical approach to the punitive-progressive divide is beneficial. Importantly, people distinguish between enforcement and prosecution (the extensive margin) and the severity of punishment (the intensive margin). This observation adds theoretical content to the useful yet barely understood constructs of "punitive" and "progressive": the attitudes along the margins map onto different forms of punitive-progressive sentiment. Next, I explain the theory of intensive and extensive margins in the criminal legal system and argue that it is necessary for achieving electoral accountability.

Extensive and Intensive Margins

Policymaking entails deciding whether the government should intervene, known as the extensive margin, which covers the scope and reach of policies, and determining the degree of intervention, referred to as the intensive margin, which focuses on the depth or severity of these policies. The public has mixed attitudes toward the preferred extent of government intervention (Pew Research Center 2019). For example, the history of Medicare and Medicaid demonstrates the tension in balancing the extent of government intervention (Ruggie 1992). Differentiation along the extensive and intensive margins is essential in understanding the nuanced impacts of policymaking, as changes in either margin can lead to markedly different outcomes (Hetherington 2005; Peyton 2020). Yet, theories of crime control politics focus mostly on the punitive dimension, primarily from measurement and

historical perspectives (Weaver 2007; King and Maruna 2009; Adriaenssen and Aertsen 2015; Enns 2016); understanding attitudes along the extensive and intensive margins can provide a better understanding of both punitive attitudes and progressive reform preferences.

The American criminal justice system is both extensive in scope and intense in severity. In recent decades, the United States has been defined by a growing percentage of the population interacting with the government through penal policies and by a government that uses disciplinary policies to achieve political goals (Simon 2007; Lerman and Weaver 2020). In terms of extent, the United States responded to crime by extending penal policies without corresponding social policies (Miller 2016). The carceral state emerges when, for a nonnegligible segment of the population, repressive policies become extensive such that they shape political identity, action, and thought. Increased contact with the criminal system has decreased political participation and civic engagement, undermining citizenship (Burch 2011, 2013; Lee, Porter, and Comfort 2014; Owens and Walker 2018; White 2019; Prowse, Weaver, and Meares 2020).

The American criminal justice system's extensive scope is accompanied by excessive intensity, leading the United States to become an outlier in global terms of incarceration rates. Increasing the intensity of criminal justice outcomes shifted policies to impose harsher sentences more frequently and for lesser offenses, which has dramatically increased the prison population. Such extensive and intensive approaches have significant implications for public perception of justice and the state's role in individual lives (Lerman and Weaver 2020; Walker 2020). Research has consistently found that "changes in policy and practice (rather than rising crime rates) are the proximate drivers of the prison boom" (Beckett and Francis 2020; see also Western, Lopoo, and Pettit 2006; Murakawa 2014). Raphael and Stoll (2009, 2013) similarly estimate that 80 percent to 85 percent of the growth in US prisons can be attributed to sentencing law.

In response, politicians and policy activists work to shift policy in the other direction (Goodman, Page, and Phelps 2017). In recent years, most states have successfully enacted reforms to reduce the *intensive* margin. Some examples include expanding release from prison during the COVID-19 pandemic, restricting the length of probation and parole supervision, and repealing the death sentence (Porter 2021). In the context of police reform, Vaughn, Peyton, and Huber (2022) find that the public generally supports reforming police action but resists reducing the extensive margin—*minimizing* police action. Support declines substantially when the slogans "defund" or "abolish" are presented; public support for police reform depends on perceptions of reform's effect on the level of police intervention.

To support this article's main contribution—that we can better understand the concepts of "punitive" and "progressive" sentiments using the extensive and

Table 1. Options for government policy.

Which of the following four statements about how the government should approach public safety comes closer to your views?			
1 "Get Tough"	2 "More extensive, less intensive"	3 "Less extensive, more intensive"	4 "Less extensive and less intensive"
The government should prosecute MORE people it thinks committed crimes and give those convicted LONGER prison sentences than it does today.	The government should prosecute MORE people it thinks committed crimes and give those convicted SHORTER prison sentences than it does today.	The government should prosecute FEWER people it thinks committed crimes, but give those convicted LONGER prison sentences than it does today.	The government should prosecute FEWER people it thinks committed crimes, but give those convicted SHORTER prison sentences than it does today.

intensive margins framework—I collected data from a representative sample of California voters to provide initial evidence for the theoretical framework. This survey explored whether voters' perceptions align with the distinction between criminal justice policy's intensive and extensive margins, as outlined above. Specifically, the survey assessed voters' attitudes toward different approaches to public safety, which reflect varying levels of government intervention along these two margins.[2] I asked voters to choose "Which of the following four statements about how the government should approach public safety comes closest to your views?" and provided the options shown in table 1.

Option 1 (Get Tough) reflects a preference for increasing both the extensive and intensive margins, while Option 4 (Less Extensive and Less Intensive) suggests a preference for reducing both. According to the theory, the distribution of attitudes should include significant differences between voters who choose options 2, 3, and 4, which represent different attitudes toward the combination of reforming the intensive and extensive margins. The data collected from California voters illustrates the practical application of the extensive and intensive margins framework and offers a deeper understanding of public attitudes toward criminal justice reform. Indeed, the distribution of responses across these categories is not random ($\chi^2(2) = 122.29, p < .001$). Further, when

2. The poll was administered by the Institute of Governmental Studies (UC Berkeley) online in English and Spanish, between October 25 and 31, 2023, among 6,342 California registered voters. Email invitations were distributed to stratified random samples of the state's registered voters. Samples of registered voters with email addresses were derived from information on the official voter registration rolls. Before the distribution of emails, the overall sample was stratified by age and gender. To protect the anonymity of respondents, voters' email addresses and all other personally identifiable information were purged from the data file. The question analyzed here was part of a broader survey.

testing for whether the distribution between the two marginal options 2 and 3 (different reform for different types of margin) was random, we discovered it was not ($\chi^2(2) = 101.58, p < .001$). Voters showed a significant preference for option 2 (18 percent) over option 3 (11 percent) ($t = -10.995, p < .001$), indicating a subtle perception of the criminal justice system, where increasing the extensive margin (more prosecutions) does not necessarily equate to increasing the intensive margin (length of sentences).[3] This finding aligns with the theoretical distinction between these two margins.

Background—District Attorney Politics

This article applies the theoretical framework of extensive and intensive margins in the criminal legal system to the politics of DA elections as a first step in defining this expansion of the traditional punitive-progressive divide. American prosecutors represent local jurisdictions and enjoy independence and discretionary power unmatched worldwide (Tonry 2012; Pfaff 2017; Sklansky 2018). Yet, DAs can be held accountable through election; voters are expected to support a DA in an election based on their attitudes toward crime and punishment and success at trials (Gordon and Huber 2002; Sung 2022). Pfaff (2017) argued that prosecutors' effectiveness is perceived as a product of their ability to secure charges; they benefit politically from a high conviction rate (a high extensive margin).

During the rise of mass incarceration, the prosecutor's power has expanded at the expense of judges and defense attorneys (Simon 2007). The institutional structure and incentives faced by prosecutors contributed significantly to their harsh approach and, accordingly, to mass incarceration (Pfaff 2012, 2017). Prosecutors' immense discretionary power made it possible to pursue harsh sentences partly for political benefit. Sances (2021) found that in California, between 2012 and 2016, DAs adopted a traditionally "get tough" approach regardless of their constituents' revealed preferences. A conjoint experiment found an effect of voters' policy positions on their prosecutor preferences (Sung 2022). Other studies found that DAs are more punitive in an election year (Dyke 2007; Bandyopadhyay and Mccannon 2014; Nadel, Scaggs, and Bales 2017; Okafor 2021).

It used to be common wisdom that prosecutor elections are apolitical: rarely contested (Wright 2014; Bibas 2016; Pfaff 2017), and incumbents "win until they quit" (Bazelon 2020, p. 80). However, in a recent study of prosecutor elections in 200 high-population districts in the United States between 2012 and 2020, Wright, Yates, and Hessick (2021) find that the likelihood that an incumbent would run unopposed "fell by roughly eight percent for each passing year" (Wright, Yates, and Hessick 2021, p. 127). They show that the disappearance of uncontested elections is prevalent but

3. See full proportions in Supplementary Material section F.

"applied most strongly to non-white incumbents, who were most likely to attract opponents in primary elections" and win fewer elections (Wright, Yates, and Hessick 2021, p. 127). Similarly, Hessick and Morse (2019) collected election results for 2,315 districts across 45 states and found that in urban jurisdictions, elections were more likely to be contested and competitive. Given the concentrated consequences of criminal justice in urban areas, these prosecutor elections becoming competitive have a significant impact.

A prominent political reform movement is the emergence of competitive elections for DAs by reform-minded challengers ("progressive DAs"). Indeed, the biggest cities in America by population all have elected progressive DAs (including Los Angeles, Philadelphia, Boston, New York, Chicago, and Houston) (Hessick and Morse 2019). The election of DAs vocally dedicated to internal reforms of the criminal legal system, a movement gaining traction (Bazelon and Krinsky 2018), is a critical trend in contemporary politics. These "anti-prosecutorial" DAs symbolize a shift in public attitudes and policy debates. Central to understanding these reform-oriented DAs' political success (and failures) is voters' perception of their stance on criminal justice policymaking's intensive and extensive margins. The recall of San Francisco's progressive DA may reflect deeper voter sentiments about balancing criminal justice policy's extensive and intensive margins.

In 2022, San Francisco voters exercised their democratic power by initiating a recall election targeting the local DA, a self-proclaimed progressive reformist. Voters removed the DA from office,[4] and numerous news outlets rushed to offer their interpretations.[5] The impulsive reactions and hasty judgments surrounding the high-profile recall distort the political system's ability to respond to voters. A functioning democratic responsiveness requires an accurate interpretation of elections' outcomes, often defined by politicians and the media (Hershey 1992; Shamir and Shamir 2008). Applying the extensive and intensive margins theory shows that voters did not revert to a "get tough" agenda, contrary to popular belief.

Study 1: The Curious Case of the San Francisco Recall Election

Sample

The present study is based on a novel survey mode—digital exit polls. Exit polls have the advantage of providing behavioral measures. Verified voters'

4. In June 2022, the San Francisco DA was recalled by a 55 percent popular vote. At that time, 62.8 percent of San Francisco's registered voters were Democrats, while only 6.7 percent were registered as Republicans.

5. For example, the *New York Times* declared that "California Sends Democrats and the Nation a Message on Crime" (Goldmacher 2022). See also NPR, *NYT*, *San Francisco Chronicle*, the *Washington Post*, Slate.

opinions reflect more on political behavior, especially when studying the factors influencing vote choice. However, traditional exit polls rely on physical voting, which currently is a small percentage of ballots cast in San Francisco. In the June 7, 2022, primary election, when the recall was on the ballot, only 9.6 percent of cast votes were on election day (4.48 percent of registered voters), while 90.3 percent of cast votes were early votes by mail (41.79 percent of registered voters). To solve this issue and receive the benefits of surveying voters, I partnered with PDI,[6] a company selling political campaign management software, to email voters immediately after they cast their early ballot and the city received it.

Using PDI's platform for political campaigns, I contacted, directly by email, voters who returned their ballots before the election date. This resulted in a sample of 545 verified voters who completed the study. I also directly contacted all registered voters in San Francisco after the polls closed who did not vote by mail, resulting in another sample of 343 voters. I used the San Francisco voter file to construct weights based on age, party ID, and zip code. After constructing the weights, combining the samples resulted in 791 respondents who were either verified voters or indicated they voted, 33 who indicated they intended to vote, and 15 who indicated they did not intend to vote (full information in Supplementary Material section A.1).

Methods and Procedures

The dependent variable is vote choice.[7] After providing information about their voting status, each respondent reported whether they voted in favor or against the recall. I then collected information regarding why the respondents voted for or against the recall, how they would rate the performance of Boudin (as a validity check to the voting preference question), whether they voted in previous DA elections, and whether they knew who was the previous DA. Respondents also reported information on gender, race, political party support, homeownership, income, education, and political ideology (on a liberal-conservative scale). The following parts of the questionnaire were devoted to testing the predictors of voting behavior.[8]

The first set of independent variables encompasses punitive and progressive sentiments. Limited research investigates the link between crime control attitudes and vote choice (Mears and Pickett 2019; Wozniak, Calfano, and Drakulich 2019; Schutten et al. 2022). Researchers identified different components of crime control attitudes: punitive sentiment (Ramirez 2013; Enns 2016), racial attitudes (Pager 2008; Tonry 2011; Cullen, Butler, and Graham

6. Political Data Intelligence (https://politicaldata.com/).

7. I do not expect to explain the election result, as this would require information on the decision to turn out to vote.

8. See Supplementary Material section B for additional information on wording, and section E.2 for the reasoning behind choosing these predictors.

2021), and the salience of crime (Adriaenssen and Aertsen 2015). I used the three items capturing most of the variance in punitive sentiment studies: spending on halting crime, death penalty preference, and harshness of the current punishments (edited to discuss San Francisco) (Enns 2016; Duxbury 2021). The three items were combined into a scale with equal weights (Cronbach's alpha is 0.627). Progressive sentiment was measured using two items: attitudes toward reducing prison and jail population and reducing police budget (Cronbach's alpha is 0.751).[9] Belief in the redeemability of offenders was also examined (Maruna and King 2009; Burton et al. 2020) (Cronbach's alpha is relatively low, 0.548).

The second set of independent variables were crime salience and victimization. In addition, I used the log of reported crime rates in each respondent's zip code. Data on reported crimes was gathered from the San Francisco Police Department Incident Reports: 2018 to Present.[10] The reported incidents are aggregated by zip code, and the rate is calculated based on the data from the 2020 census per zip code.[11] I use a measure of crime rate increase per respondent zip code by comparing the log of crime rate from 2020–2022 to 2018–2020. Finally, the third independent variables set measured racial attitudes: Racial Resentment (Kinder and Sanders 1996) (Cronbach's alpha 0.884) and an abbreviated version of the Racial Sympathy battery (Chudy 2021) (Cronbach's alpha 0.751).

Analytical Strategy and Results

Table 2 illustrates the relationship between theoretical predictors and vote choice using weighted linear regression; a vote for recall was coded as 1. The table progresses from parsimonious to comprehensive specifications, identifying stable coefficients. Column 1 displays the predictive power of each theory in isolation using 10 bivariate models. Column 2 presents the same models, controlling for demographic factors: age, gender, household income, political ideology, partisanship, race, education level, and homeowner status. Finally, column 3 combines all predictors into a single model, reporting each coefficient.

Columns 1 and 2 indicate that all variables except crime rate predict vote choice in line with existing theories. In column 3, examining the combined predictive power of all variables, punitive sentiment and crime salience emerge as strong predictors of recall support, while actual crime rates in voters' zip codes do not. Additionally, the subjective crime salience is uncorrelated with actual

9. The scale's validity is discussed in Supplementary Material section C.

10. Available here.

11. Using crime reports since January 2020, the year Boudin assumed office. The results are the same when using crime reports for the 2018–2022 period.

Table 2. Predicting recall support using theories of crime control attitudes.

	A vote in favor of the recall		
	Coefficients from separate bivariate models	Coefficients from separate models with controls	Coefficients from multivariate model with controls
Redeemability belief	–0.733	–0.187	0.006
	[0.089]	[0.091]	[0.072]
	(<0.001)	(0.042)	(0.929)
Racial sympathy	–0.881	–0.426	–0.051
	[0.053]	[0.080]	[0.083]
	(<0.001)	(<0.001)	(0.535)
Racial resentment	0.994	0.616	0.087
	[0.045]	[0.084]	[0.100]
	(<0.001)	(<0.001)	(0.390)
Punitive sentiment	0.938	0.633	0.350
	[0.036]	[0.063]	[0.073]
	(<0.001)	(<0.001)	(<0.001)
Salience of crime	1.160	0.768	0.388
	[0.054]	[0.073]	[0.087]
	(<0.001)	(<0.001)	(<0.001)
Crime victim?	0.121	0.051	0.026
	[0.049]	[0.040]	[0.035]
	(0.014)	(0.210)	(0.451)
Crime rate (log)	0.031	0.044	0.031
	[0.036]	[0.031]	[0.028]
	(0.393)	(0.157)	(0.274)
Increase in crime rate	–0.029	–0.006	0.107
	[0.189]	[0.150]	[0.136]
	(0.877)	(0.964)	(0.437)
Criminal justice progressive sentiment	–0.845	–0.573	–0.246
	[0.035]	[0.060]	[0.077]
	(<0.001)	(<0.001)	(0.001)
Crime politics knowledge	–0.394	–0.166	–0.068
	[0.131]	[0.117]	[0.112]
	(0.003)	(0.162)	(0.546)
Demographic controls	No	Yes	Yes
Num. obs.			749
R2			0.673
R2 Adj.			0.654

(continued)

Table 2. Continued.

	A vote in favor of the recall		
	Coefficients from separate bivariate models	Coefficients from separate models with controls	Coefficients from multivariate model with controls
RMSE			0.34
Std. errors	response_id	response_id	response_id

Note: Weighted ordinary least squares (OLS) regression models with heteroskedasticity-robust standard errors in brackets and two-tailed p-values in parentheses. All models incorporate raking weights. Standard errors are clustered at the respondent's level as a conservative approach to strengthen the within-respondent independence assumption. Weights were calculated using the San Francisco voter file with age, zip code, and party ID as targets. The dependent variable is recall voting (binary, 1 = yes) with an 839-weighted observations sample size (using only observations with complete data). The first column shows bivariate results for the 10 variables (from 10 separate models). The second column adds the demographic covariates age, reported gender, household income, political ideology, partisanship, reported race, level of education, and homeowner status; the third column is the results for all 10 variables and the demographic covariates (all in one model).

crime report rates, $r(858) = 0.029$, $p = 0.38$.[12] Progressive sentiment predicts recall opposition, holding other factors constant.

Compared to voters identifying as White, Asian voters were statistically significantly more likely to support the recall.[13] I find no statistically significant effect for reported gender, age, partisanship, or homeownership (see Supplementary Material figure E.1).

The traditional punitive-progressive constructs have strong predictive power, and their focus on measurement remains valuable with no clear alternative; yet, they fall short of providing a theoretical explanation for why voters opposed or supported the recall.[14] Notably, measuring punitive sentiment is challenging (Adriaenssen and Aertsen 2015). The punitive scale, used by Enns (2016) as an ad-hoc measure, was not designed to elucidate the underlying meaning of a punitive attitude. It comprises separate and distinct survey questions not intended for this purpose. There is "no adequate measure

12. Log-transformed crime rates in respondents' zip codes and crime salience are not correlated, $r(858) = -0.004$, $p = 0.89$.

13. In line with expectations, see Two-thirds of registered Asian American voters favored the recall.

14. Importantly, the distinction between a measurement and the underlying theory has been debated in other contexts, most notably around the Racial Resentment scale (Kinder and Sanders 1996; Davis and Wilson 2021). The scale has been shown to hold consistent and strong predictive power, yet debates on the underlying theory and extensions of it are far from settled. See Wilson and Davis (2011); Agadjanian et al. (2023).

of the public's preferences for being tough on crime" (Enns 2016). This underscores the necessity of developing a theoretical framework to interpret what it means to be "high on the punitive scale." Furthermore, while the progressive sentiment scale might provide similar predictive power,[15] the behavior of "progressive" respondents is notably less homogeneous. About 90 percent of voters opposing progressive reform voted against the progressive DA, yet approximately two-thirds of "progressive" voters supported the progressive DA. Why did one out of three progressive voters oppose the progressive DA? Next, I present evidence that the recall supporters are a heterogeneous group. This raises important questions about voters' motives, highlighting an area ripe for further theoretical exploration of the punitive-progressive divide.

Conflicted Progressives

Voting behavior data revealed "conflicted progressives": voters endorsing reform yet recalling a progressive DA. Figure 1 highlights these voters in purple, sharing similar progressive scale scores with recall opponents (bottom row, in blue). Progressive sentiment encompasses support for police defunding, reduced incarceration, or both (see Supplementary Material section C). In the sample, conflicted progressives constitute 42 percent of recall supporters and 29 percent of progressive voters. Why didn't these progressive voters support the progressive DA? Tables 3 and 4 illustrate that the recall supporters are a heterogeneous group by juxtaposing conflicted progressives with recall-supporting and recall-opposing voters. Conflicted progressives exhibit significant differences from both groups.

To further understand and substantiate recall supporters' heterogeneous nature, I examine whether conflicted progressives opposed the progressive DA because of specific policy opposition. I presented Chesa Boudin's major policy reforms (Tables 5) and asked the voters to indicate their support for each. Respondents were randomized to either receive information that the policies were Boudin's or receive the policies without information about Boudin's affiliation.

Compared to other voters who supported the recall, conflicted progressives supported the progressive policies about twice as much on average, regardless of treatment condition (figure 2).[16] On average, conflicted progressives supported 65 percent of the policies without information about Boudin. What explains the adverse effect of information about Boudin? The next part argues that it is an aversion toward minimizing government intervention in the criminal legal system.

15. See more details in Supplementary Material section C.

16. Voters who opposed the recall supported the policies on average about 90 percent of the time, regardless of treatment condition (Supplementary Material figure G.1).

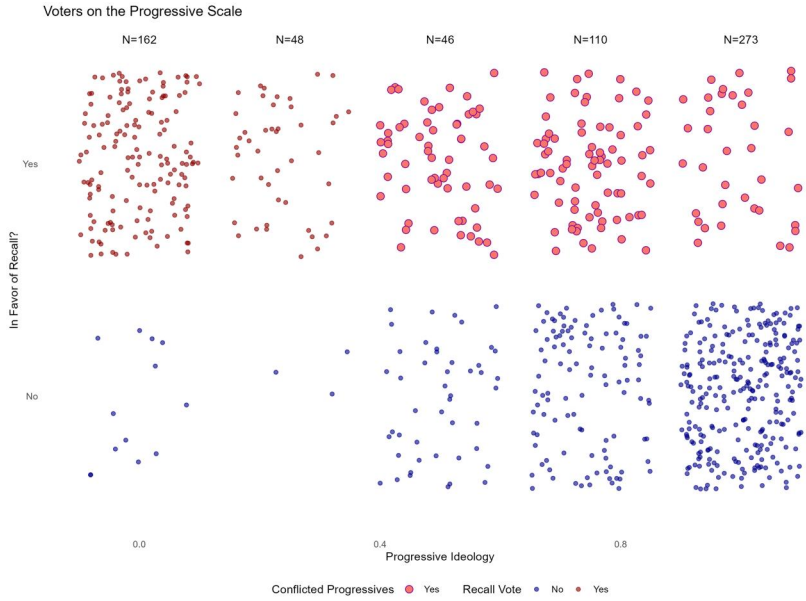

Figure 1. Distribution of voters across the progressive sentiment scale and their vote for Boudin recall. This figure shows the heterogeneity in the distribution of voters who opposed and supported the recall across the progressive sentiment scale. Points are jittered.

Table 3. Voters supporting the recall.

	Not progressive (N = 245)	Conflicted progressives (N = 177)	*p*-value
Salience of crime	0.724 (0.201)	0.586 (0.219)	<0.001
Redeemability belief	0.672 (0.233)	0.784 (0.159)	<0.001
Punitive sentiment	0.831 (0.223)	0.645 (0.278)	<0.001
Crime victim	0.595 (0.492)	0.535 (0.500)	0.234
Racial sympathy	0.463 (0.293)	0.645 (0.241)	<0.001
Racial resentment	0.548 (0.275)	0.272 (0.233)	<0.001

Note: The values are means and standard deviations (in parentheses) for supporters of the recall, by their position on criminal justice reform.

To conclude Study 1, voters who supported the recall were a mixed bag of punitive and progressive voters who resisted Boudin despite supporting his policies. Thus, voters affected the criminal legal system not through specific policy preferences but through the message they sent and the general package

Table 4. All progressive voters.

	Oppose the recall (N = 428)	Conflicted progressives (N = 177)	*p*-value
Salience of crime	0.347 (0.182)	0.586 (0.219)	<0.001
Redeemability belief	0.822 (0.156)	0.784 (0.159)	0.00755
Punitive sentiment	0.291 (0.274)	0.645 (0.278)	<0.001
Crime victim	0.378 (0.485)	0.535 (0.500)	<0.001
Racial sympathy	0.782 (0.199)	0.645 (0.241)	<0.001
Racial resentment	0.110 (0.139)	0.272 (0.233)	<0.001

Note: The values are means and standard deviations (in parentheses) for supporters of criminal justice reform, by their position on the recall.

Table 5. Policies for "Chesa" context experiment.

Police accountability	Do not prosecute a defendant if the officer pressing charges has a record of misconduct.
Reverse "Three Strikes"	Roll back sentencing enhancements from the "Three-Strikes and You're Out" era.
Parents alternative sanctions	Providing alternatives to jail and prison for parents in the justice system.
Eliminate cash bail	Eliminating the use of cash (money) bail for release before trial.

Note: All respondents were asked to indicate their support for each of these policies. Respondents were randomly assigned to one of two conditions: (1) policies were presented with explicit attribution to Chesa Boudin, or (2) policies were presented without any attribution.

of policies policymakers might pursue next. Why do progressive voters vote against a progressive candidate? Study 2 offers and tests a theory.

Study 2: Disentangling the "Progressive" Agenda

Because the American criminal legal system is harsh in outcomes and utilized to respond to a wide range of social issues, progressive reform can mean reducing the intensity (harshness of punishment), reducing the extent (scope of prosecuted behavior), or both. This study documents the effect of deconstructing the progressive agenda on support for reform in the context of prosecutor elections.

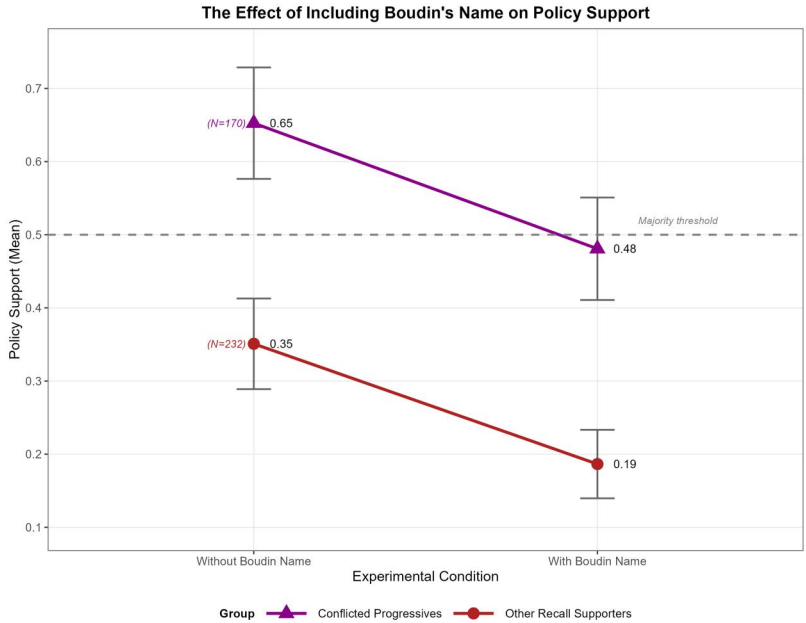

Figure 2. Mean support for Boudin's policies by treatment condition among supporters of the recall. This figure shows the effect of the experimental condition on the voters who supported the recall separately by their level of support for progressive ideology. A complete analysis is in Supplementary Material section G.

Materials

Within Study 1's survey of 888 registered voters in San Francisco, respondents were placed into one of three conditions, as detailed in table 6.[17] Respondents were told to indicate whether they would support a hypothetical district attorney candidate based on the statement shown to them. The "lower extensive margin" was adapted from the platforms of progressive DA candidates nationwide (Supplementary Material section D includes examples) to emphasize shrinking the jurisdiction of the criminal justice system. In contrast, the "lower intensive margin" condition is focused on reducing the intensity of severe punishments. To address ecological validity concerns, Supplementary

17. The study also included a control condition to illicit baseline attitudes toward DAs. It is identical to the other conditions in structure, but the hypothetical candidate "wants to make sure public safety is the top priority" and declares that "some offenders require attention." For interpretability, the coefficients on the control are not reported. Supplementary Material section H, table 3, includes results with the control condition.

Table 6. Government intervention—constructs and experimental conditions.

Construct	Treatment condition
Get Tough: Reforming the criminal legal system in a punitive direction.	"A new possible candidate promised to keep criminals accountable. The candidate wants to **replace short sentences with longer prison sentences** for first-time, nonviolent low-level criminal defendants. According to the candidate: '**These offenders do not belong in our city,** my office will deter them by lengthening sentences and removing them from our streets!'"
Lower Extensive Margin: Reforming the criminal legal system to minimize its scope—to make it **less extensive** by reducing how many behaviors are acted on by the criminal legal system.	"A new possible candidate promised to keep criminals accountable. The candidate wants to **reduce prosecution** of first-time, nonviolent low-level criminal defendants. According to the candidate: '**Some offenders do not belong in the criminal system,** my office will not concern itself with taking such low-level offenses to court!'"
Lower Intensive Margin: Reforming the criminal legal system to reduce the severity of outcome—to make it **less intensive** by replacing traditional imprisonment solutions with different initiatives.	"A new possible candidate promised to keep criminals accountable. The candidate wants to **replace short sentences with intense rehabilitation** 'boot camps' for first-time, nonviolent low-level criminal defendants. According to the candidate: '**Some offenders do not belong in prison,** my office will supervise them under new rehabilitative paths!'"

Note: Each respondent was randomly assigned to read one of these three treatment conditions and then asked to indicate whether they would support a hypothetical district attorney candidate running on this platform.

Material section D includes a table showing how DA candidates express their agenda and how it fits with the three theoretical constructs.

Analytical strategy

I employ two complementary analytical approaches to examine the experimental effects. This dual analytical approach allows me to examine both between-condition effects within voter subgroups and within-condition effects between recall opponents and supporters.

First, I analyze how these treatment effects vary by voters' prior voting behavior, comparing responses between those who supported the recall and those who did not within each experimental condition (table 7). This analysis employs two-sample t-tests to assess whether the mean candidate support differs significantly between supporters and opponents across the three treatment conditions. For each condition (Get Tough, Lower Extensive Margin, and Lower Intensive Margin), I test:

$$H_0 : \mu_{recall=1} = \mu_{recall=0} \text{ vs. } H^a : \mu_{recall=1} \neq \mu_{recall=0}$$

Second, I estimate the effect of the treatment conditions on three distinct subgroups: voters who supported the recall, those who opposed it, and conflicted progressives (table 8). These models use the Get Tough condition as the reference category:

$$(1-3)\ \text{Candidate Support}_i = \beta_0 + \beta_1 \text{Lower intensive margin} + \beta_2 \text{Lower extensive margin} + \varepsilon_i$$

Models are estimated using robust linear regression with standard errors clustered at the respondent level to account for potential within-respondent correlation.

Results

Progressive voters who supported the recall resist Get Tough and Reduce Extent candidates similarly (figure 3). Yet, they support the Reduce Intensity candidate.

Table 7. Difference in support for hypothetical DA candidate: recall voters vs. nonrecall voters by experimental condition.

Experimental condition	Mean difference	t-statistic	*p*-value	95% CI lower	95% CI upper	*N* (recall = yes)	*N* (recall = no)
Get Tough	0.49	13.29	<0.001	0.42	0.56	100	112
Reduce Extent	−0.37	−9.89	<0.001	−0.45	−0.30	111	115
Reduce Intensity	−0.02	−0.54	0.59	−0.10	0.06	107	109

Note: This table presents differences in mean support for a hypothetical district attorney candidate between recall voters and nonrecall voters within each experimental condition. The dependent variable is support for the candidate (0–1 scale). Mean difference = $\mu_{recall=yes} - \mu_{recall=no}$. Positive values indicate that recall voters showed higher support than nonrecall voters; negative values indicate the opposite. Two-sample t-tests were used to test whether mean support differs significantly between the two groups within each condition. There is no control group; each row represents a separate experimental condition to which respondents were randomly assigned.

Table 8. Effect of criminal justice reform messages on support for hypothetical DA candidate, by voter group (reference: Get Tough message).

	Support for DA candidate (0–1 scale)		
Treatment condition (vs. Get Tough)	(1) Recall supporters	(2) Recall opponents	(3) Conflicted progressives
Lower extensive margin (Reduce prosecutions)	−0.240 [−0.325, −0.154] $p < .001$	0.626 [0.568, 0.683] $p < .001$	0.104 [−0.017, 0.225] $p = 0.091$
Lower intensive margin (Rehabilitation focus)	0.053 [−0.032, 0.139] $p = 0.221$	0.553 [0.493, 0.614] $p < .001$	0.379 [0.262, 0.495] $p < .001$
Get Tough (reference)	—Baseline Category—		
N	421	464	177
R2	0.195	0.483	0.276

Note: Unstandardized coefficients represent the difference in mean support for a hypothetical DA candidate relative to the Get Tough condition. Support is measured on a 0–1 scale. 95 percent confidence intervals in brackets. Robust standard errors clustered at the respondent level. Positive coefficients indicate higher support compared to the punitive Get Tough message; negative coefficients indicate lower support.

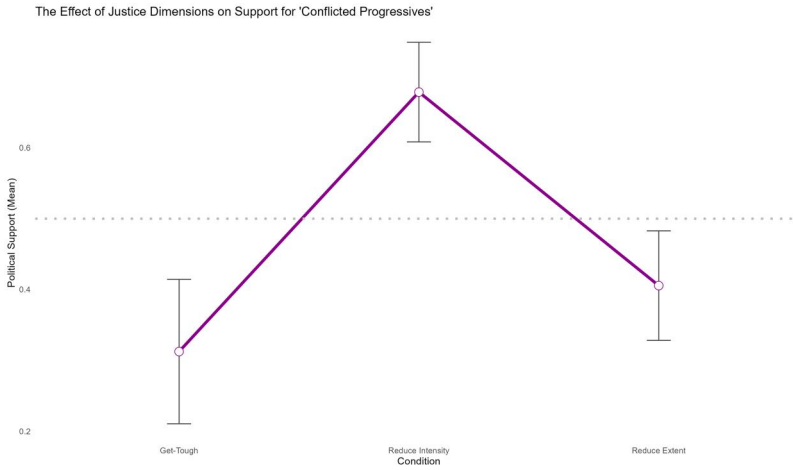

Figure 3. Conflicted progressives' mean support for hypothetical DAs. This figure shows the effect of the experimental condition on the voters who supported the recall separately by their level of support for progressive ideology. Table 8 presents the statistical analysis.

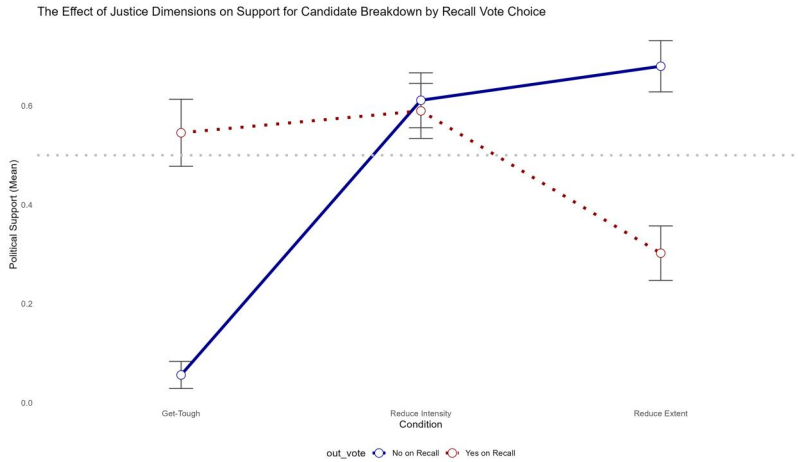

Figure 4. Mean support for hypothetical DAs by recall vote choice. This figure shows the mean support for a hypothetical DA by experimental conditions, separately for the voters who supported the recall and opposed the recall. A complete analysis is in Supplementary Material section H. The black dashed line represents the 50 percent mark.

Figure 4 visually presents the results by vote choice for the entire sample. These findings reveal a comparative indifference between the Get Tough and Reduce Intensity conditions for recall supporters and between the Reduce Extent and Reduce Intensity conditions for recall opponents.

Table 7 presents the result of the main analysis, comparing treatment conditions' effects between groups (differences between dotted and straight lines in figure 4). Respondents in the same experimental category but who voted differently in the recall election had significantly different outcomes when evaluating the Get Tough and Reduce Extent conditions but not when evaluating the Reduce Intensity one.

Table 8 presents the difference in experimental conditions *within* the voter groups, compared to the Get Tough condition.

Study 2 identifies three distinct voter groups. It reveals no common ground concerning "getting tough" or reducing the extensive margin, but all three groups supported lowering the intensive margin.

Study 3: Construct Validation with a National Sample

In a national survey experiment, I assessed the generalizability of Reduce Intensity, Reduce Extent, and Get Tough constructs beyond the San Francisco recall election context. This experiment aimed to (1) validate the

constructs via a placebo test and (2) obtain qualitative insights through an open-text question.

Sample and Materials

The survey recruited a sample of 1,030 adult Americans through the online marketplace Lucid Theorem on September 28, 2022. After removing inattentive respondents, I am left with a sample of 983 (Supplementary Material table 1).[18] Lucid Theorem employs quota sampling to produce samples matched to the US population on age, gender, ethnicity, and geographic region; recent research demonstrates the suitability of the Lucid platform for evaluating social scientific theories; it was also validated to return similar answers to experiments conducted on nationally representative samples (Coppock and McClellan 2019; Coppock 2023). In this study, no weights were used in the survey experiment analysis; using weights in survey experiments analysis depends on the type of generalization (external validity) the researcher seeks to achieve (Egami and Hartman 2022) and on whether we can identify covariates that predict both treatment heterogeneity and selection into the sample (Miratrix et al. 2018). The difference in the composition of units in the experimental sample and the target population (voting-age Americans) does not raise specific treatment-generalization issues because selection into the experiment and treatment effect heterogeneity are unrelated to each other (Egami and Hartman 2022).

To validate the three constructs, I employed a placebo test with varied language across three treatment conditions while maintaining the substantive construct. This assessed whether outcome differences were tied to specific treatment versions or the underlying construct. The placebo realizations involved different subjects, alternatives to traditional punishment, and wording variations (see Supplementary Material section I.1). By randomizing respondents within conditions to different versions, outcomes could be attributed to the construct if no differences were found between the versions. Finally, an open-text question was included to gather insights into participants' perceptions of the constructs by asking them to explain their support for the hypothetical candidate.

Analytical Strategy—Treatment Effect Heterogeneity

Previously, I assessed support for different DA approaches and found that both voters who opposed the recall and supported it disliked each other's "classic" candidate but coalesced around the Reduce Intensity candidate.

18. I removed respondents who failed an attention check and whose survey completion time was less than three minutes. See Supplementary Material section A.2 for additional information.

The national sample, however, lacks voting behavior data; no questions about the recall elections were used. So, to replicate the original finding with a national sample, I identified respondents with similar attitudinal profiles to recall supporters/opponents, relying on attitudinal measurements collected in both studies. The sample was divided by estimated "vote choice," using recall opponents and supporters as reference groups and employing propensity score matching and random forest methods. Random forest, the algorithmic approach, is considered to be significantly more accurate (Muchlinski et al. 2016); thus, the propensity score matching method is reported in Supplementary Material figure I.1.

I predicted vote choice using the random forest algorithm, a classification method without distributional assumptions that assesses variable importance based on prediction accuracy (Breiman 2001; Jones and Linder 2015). This algorithm partitions data repeatedly to estimate the conditional distribution of a response given a set of explanatory variables, ultimately finding homogeneous partitions of the outcome (vote choice) given the predictors.[19]

Utilizing a parsimonious model, I employed significant predictors of vote choice: punitive sentiment, crime salience, progressive sentiment, racial attitudes, and average support for Boudin's policies (table 2, figure G.1). The randomForest package in *R* (version 4.7-1.1) was used, with 2,000 trees and one variable randomly sampled as candidates at each split. National sample respondents were then assigned a predicted value for "vote choice."

To account for potential stochasticity in random forest model selection, I repeated the process 100 times. Treatment effects from these predictions demonstrate result independence from any single prediction model. A t-test was employed to estimate differences in treatment effects.

Results

The placebo tests were passed successfully. There are no differences between the effects of the different treatment realizations, $\chi^2(2) = 2.066, p = 0.3559$.

The following figures verify whether the differences in voters' attitudes presented in Study 2 generalize to the national sample. All figures plot differences in predicted treatment effects as a function of individuals' covariate profiles, along with 95 percent confidence intervals. Every observation is an estimated difference between respondents similar to recall proponents and respondents similar to recall opponents according to a single random forest model.

As anticipated, proxy recall proponents and opponents exhibit divergent preferences toward reducing the extensive margin and attitudes toward "get tough" approaches. Figure 5 validates these expectations across all 100

19. More information in Supplementary Material section J.1.

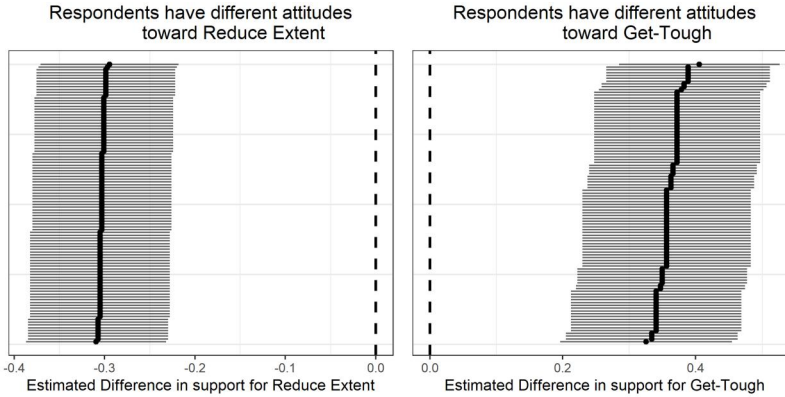

Figure 5. Estimated differences in treatment effects between proxy recall opponents and proponents. Subgroup differences in treatment effects, along with 95 percent CIs. The left figure is for the Reduce Extent condition, and the right is for the Get Tough condition. Every observation is an estimated difference regarding the favorability of a candidate between proxy recall proponents and proxy recall opponents according to a single random forest model.

random forest iterations, revealing a 30 percentage point gap in support for the Reduce Extent candidate and a nearly 40 percentage point gap for the Get Tough candidate.

Study 2 predicts proxy recall proponents to favor lowering the intensive margin over the extensive margin, while proxy recall opponents should prefer reducing the intensive margin to "getting tough." Figure 6 corroborates these expectations: proponents support reducing the intensive margin by approximately 10 percentage points more than the extensive margin, while opponents favor reducing the intensive margin over the Get Tough candidate by nearly 70 percentage points.

Finally, despite the previously observed differences, we anticipate both respondent groups to exhibit comparable attitudes toward reducing the intensity of the criminal legal system. Figure 7 demonstrates that the difference in average support for the Reduce Intensity candidate between the two groups is rarely statistically significant.

Study 3 reveals that potential voters with divergent attitudes toward crime control disagree on the ideal candidate yet display strikingly similar support for a Reduce Intensity candidate. This indicates that while attitudes toward reforming the extent of the criminal legal system vary, those regarding reforming intensity are consistent across the spectrum.

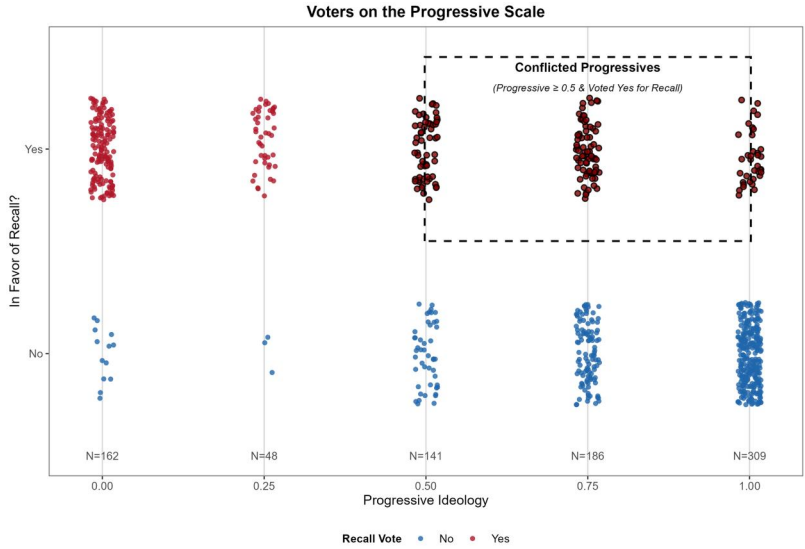

Figure 6. Estimated treatment effects differences within proxy recall opponents and proponents. Differences in predicted treatment effects within subgroups, along with 95 percent CIs. The left figure is for proxy recall proponents, and the right is for proxy recall opponents. Every observation is an estimated difference between treatment conditions, according to a single random forest model.

Analyzing open-text responses

I have posited that support for reducing the intensive margin is widespread, unlike attitudes toward reducing the extensive margin. Why do voters support reducing the intensive margin but not the extensive margin of the criminal legal system? Are instrumental concerns, such as deterrence, or expressive concerns, like retribution, driving these preferences (Tyler and Boeckmann 1997; Ramirez 2013)? I included an open-text question following their decision-making process to explore respondents' motivations.

I employed a Natural Language Processing (NLP) technique for text summarization to analyze open-text responses. I utilized the widely used BART[20] model (Lewis et al. 2019), from the Hugging Face repository.[21] The analysis was conducted using R's "text" package (Kjell, Giorgi, and Schwartz, forthcoming).

20. BART's seq2seq/machine translation architecture combines a bidirectional encoder (like BERT) and a left-to-right decoder (like GPT), excelling in comprehension tasks and text generation, including summary, translation, classification, and question answering. More information in Supplementary Material section J.2.

21. Available here.

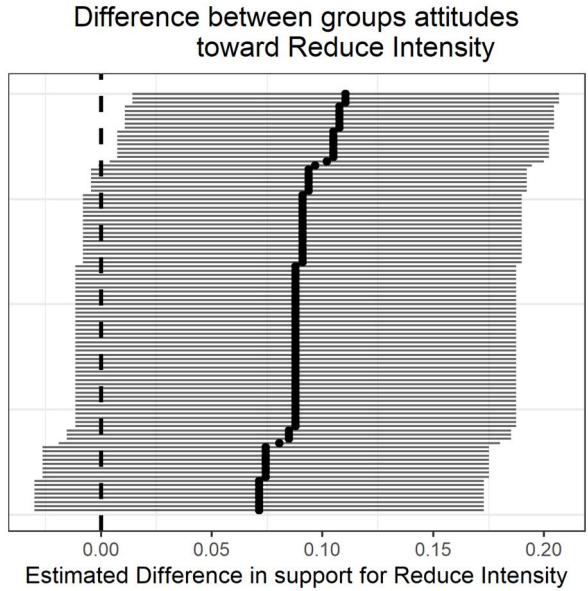

Figure 7. Estimated differences in treatment effect between proxy recall opponents and proponents. This figure shows subgroup differences in predicted treatment effects, along with 95 percent CIs. Every observation is an estimated difference in the Reduce Intensity treatment effect between proxy recall opponents and proponents, according to a single random forest model.

Table 9. NLP summarization—why respondents opposed a Reduce Extent platform.

NLP-generated summary of all the responses to "Why did you oppose the DA?"
A crime is a crime, no prosecution encourages more crime, regardless of how small. All crimes should be prosecuted, low-level noninjury convictions should be adjudicated with restitution and effort. Most criminals caught for the first time have been getting away with crime for a long time. Some low-level crimes should still be punishable if they are repeat offenders, we should worry about all criminal offenses, not ignore the small ones.

Note: Only summarizes the answers for respondents assigned the "Reduce Extent" condition and decided to oppose it.

Why did respondents oppose a Reduce Extent candidate? Table 9 shows that respondents, by and large, opposed the Reduce Extent candidate based on instrumental concerns. Respondents worried that the result of "outsourcing" crime control would incentivize crime.

Table 10. NLP summarization—opposing Reduce Intensity.

NLP-generated summary of all the responses to "Why did you oppose the DA?"
Candidates should be more strict about punishment for crimes. Criminals should do their time, not community service. Offenders belong behind bars. They should think about how it's gonna affect the criminal community. It's not possible to monitor someone at all times.

Note: Only summarizes the answers for respondents assigned the Reduce Intensity condition and decided to oppose it.

Table 11. NLP summarization—opposing Get Tough.

NLP-generated summary of all the responses to "Why did you oppose the DA?"
The DA's policy on nonviolent crime is excessive. It is unfair to penalize low-level criminals. It would be better for them to be rehabilitated and show them that crime is not the answer.

Note: Only summarizes the answers for respondents assigned the Get Tough condition and decided to oppose it. The length of the aggregated text responses for Get Tough required using the T5 model instead of BART. T5 can be trained for various tasks, while BART is specifically designed for text summarization.

Why did respondents oppose a Reduce Intensity candidate? Table 10 shows that respondents who opposed the Reduce Intensity candidate were explicitly punitive. Unlike the opposition to Reduce Extent, here, the opposition is not driven by a concern for lack of deterrence but a retributive concern based on moral reasons.

Why did respondents oppose a Get Tough candidate? Table 11 shows that respondents opposed the Get Tough candidate based on traditional progressive values: the distinction between violent and nonviolent crime, fairness.

Next, I employed keyness statistics[22] to compare word frequency differences between respondents who opposed and supported the same candidate (Zollinger 2022); the diverse justifications for their decisions provide face validity to the survey instrument. Comparing justifications for supporting a lower extensive margin versus opposing it, figure 8 reveals that supporters mention terms like "help," "chance," and "second," while opposers predominantly focus on "crime." These findings align with the results of the text summarization technique. Figure 9 indicates that support for reducing intensity is associated

22. More information in Supplementary Material section J.3.

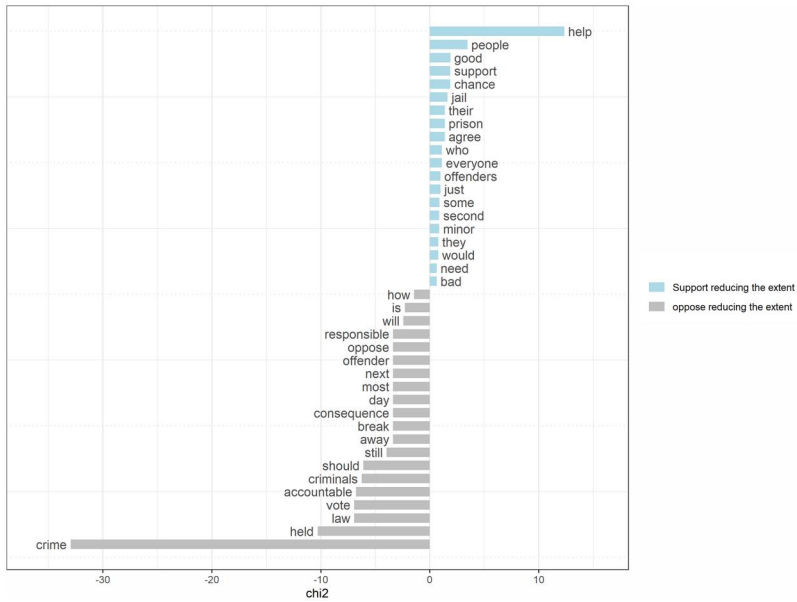

Figure 8. Keyness statistics by the decision to support or oppose a candidate. Shows terms mentioned with greatest relative frequency by respondents who supported a candidate, relative to respondents who opposed it.

with a combination of the terms "rehabilitation" and "prison." Conversely, opposition centers on the prominence of "punishment."

In summary, the difference in attitudes is based on the assumption that the extensive margin serves instrumental purposes while the intensive margin addresses expressive purposes. This implies that most individuals seek to reduce excessive retribution without compromising deterrence in reform considerations. Moral concerns underpin the common support for decreasing the intensive margin, while any opposition to altering the extensive margin is grounded in preserving deterrence.

Discussion and Implications

I provide evidence of polarized attitudes toward crime and justice. I identify a significant negative correlation between punitive and progressive sentiment, revealing a sharp divergence between progressive and punitive voters (Pickett and Baker 2014; Unnever et al. 2010). However, I highlight a crucial variation within the progressive group. Some voters display seemingly conflicting attitudes: supporting crime-control policy reforms but opposing progressive politicians. Three survey experiments (local and national

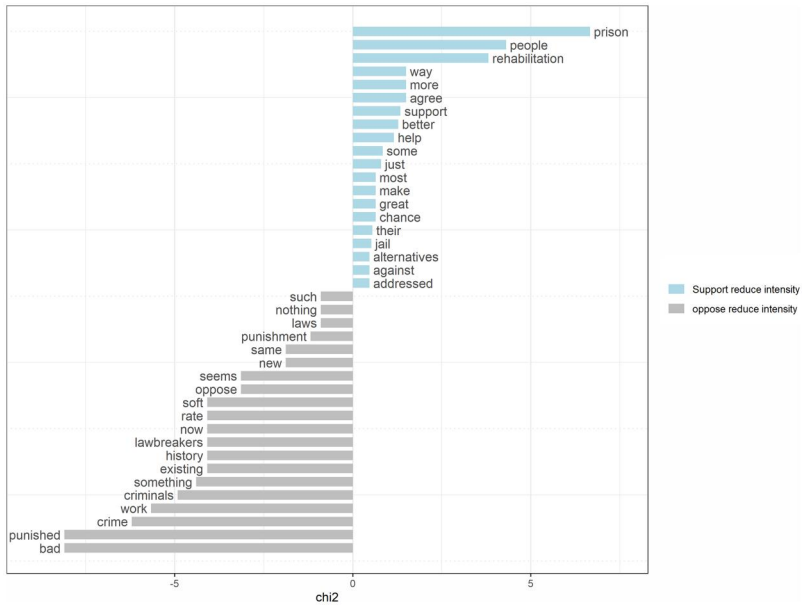

Figure 9. Keyness statistics by the decision to support or oppose a candidate. Shows terms mentioned with greatest relative frequency by respondents who supported a candidate, relative to respondents who opposed it.

samples) elucidate this phenomenon, pointing to the politics of crime and justice hinging on two parameters: intensity and extent. Intensity concerns penal outcome harshness, while extent pertains to the desired scope of behaviors subjected to criminal justice intervention.

Reducing the intensive margin is popular as a prosecutorial agenda. "Get tough" and "radical progressives" alike favored reducing the intensive margin, suggesting that punitive Americans can be "pragmatic" (Cullen, Fisher, and Applegate 2000). Open-text analysis revealed that only the most zealous tough-on-crime people oppose reducing the intensive margin, driven by expressive concerns, while the majority prioritize instrumental concerns.

In contrast, reducing the extensive margin for prosecutors running for election is unpopular. Respondents express concern about a government vacuum, potentially incentivizing crime. This finding may be specifically relevant to the politics of prosecutor elections: the institutional structure that linked prosecutor effectiveness with their ability to achieve a high conviction rate (Pfaff 2017) might explain why punitive and progressive voters alike want their DA to uphold a high extensive margin. These findings also provide an explanation for the argument that the public supports reforming the

behavior of police (the intensive margin) but not defunding or abolishing it (the extensive margin) (Vaughn, Peyton, and Huber 2022). Future research should further explore how attitudes along the intensive and extensive margin differ in other contexts of the criminal legal system.

Does pushback against criminal justice reform foreshadow a return to tough-on-crime attitudes? The recalled DA, Chesa Boudin, often made remarks such as: "We will not prosecute cases involving quality-of-life crimes" and "Crimes such as public camping, offering or soliciting sex, public urination, blocking a sidewalk, etc., should not and will not be prosecuted."[23] After the recall, pundits postulated that voters expressed their preference to return to "get tough" crime control policies. Building and expanding the traditional punitive-progressive divide allows us to reach a more complex answer. This article demonstrates public support for reforming the intensity of punishment while maintaining a commitment to the current extensive margin. While voters may adjust their preferences based on electoral choices and campaign messaging, these underlying attitudes about intensive versus extensive margins provide a framework through which they evaluate candidates and policies. If we rely only on a punitive-progressive distinction, we risk learning the wrong lesson from the election, hurting democratic responsiveness.

Conclusion

This article offers a theory of crime control attitudes in the context of political transformations. It expands on the traditional punitive-progressive divide to explain why voters tossed out a leading reform advocate. After decades of ramping up the population under the control of the criminal legal system, multiple political attempts to reform crime control policy are taking effect. One prominent political reform movement is the emergence of competitive elections for DAs. Despite numerous political wins, we are still determining what explains voters' attitudes toward progressive DAs on the ballot. Utilizing the case study of a recall election for San Francisco's progressive DA and an online experiment on a national sample, this article argues that voters support DAs committed to reducing the severity but not the scope of crime control.

The findings suggest that voters may oppose progressive DAs while endorsing progressive reform. In explaining voters' revealed preferences in the recall election, this article posits that voters can concurrently advocate for less severe outcomes in the criminal legal system (the intensive margin) and maintain broad support for penalizing behavior (the extensive margin).

23. Boudin Will Not Prosecute Prostitution, Public Camping, and Other "Quality-Of-Life Crimes."

These insights hold critical implications for electoral accountability within the politics of crime and justice. Misinterpreting electoral outcomes can obscure voters' true preferences and undermine efforts to dismantle mass incarceration. Understanding these nuanced attitudes is essential for driving meaningful reform in the criminal legal system.

Appendix A. AAPOR-Required Disclosure Elements

First Data Source: San Francisco Digital Exit Poll

Data Collection Strategy: Survey of verified San Francisco voters, recruited via email from the official voter file in partnership with Political Data Intelligence (PDI). Respondents were contacted right after the mailed or dropped-off ballots were received by the city of San Francisco (and later for day-of voters) to measure attitudes and actual vote choice.

Research Sponsor and Conductor: Sponsored by the author's research project. IRB approved (UC Berkeley, Protocol 2022-04-15243). Conducted by the author in partnership with PDI.

Measurement Tools/Instrument: Online survey questions on attitudes, crime beliefs, and recall voting. Respondents were informed some details were fictional for research. Full question wording is permanently archived (https://osf.io/ge4zc/? view_only=12ef6559429e44a1a09c069ea907498f).

Population Under Study: Voters in San Francisco during the June 2022 election (including those voting by mail and day-of).

Methods Used to Generate and Recruit the Sample: Frame: Voter file for San Francisco; probability sample is not claimed (volunteer participants from email invitations). No quotas were used. All data collection was conducted online. No incentives or compensation; anonymity was emphasized.

Method(s) and Mode(s) of Data Collection: Web-based survey in English.

Dates of Data Collection: May 31–June 7, 2022 (immediately after ballots were returned and after polls closed).

Sample Sizes: Final unweighted sample: 888 respondents.

Whether and How the Data Were Weighted: Poststratification weights applied on age, party, and zip code from the voter file.

How the Data Were Processed and Procedures to Ensure Data Quality: Screening included a time check. No imputation was performed.

Dispositions or Response or Participation Rates: The average verified reads of the originally sent emails were 25.71 percent, and during the remainder phase, it was 13.4 percent. Out of the verified email reads, the average click in the survey link rate was 9.25 percent and 11.43 percent in the reminder phase.

A General Statement Acknowledging Limitations of the Design and Data Collection: Results may not be generalizable beyond respondents who chose to participate.

Second Data Source: National Sample (Lucid Theorem)

Data Collection Strategy: Online survey through Lucid Theorem (a nonprobability online panel). Self-administered web survey measuring candidate support for different DA policy positions.

Research Sponsor and Conductor: Sponsored and conducted by the author. Data collection on Qualtrics.

Measurement Tools/Instrument: Online questionnaire with fixed-choice and open-ended responses about criminal justice attitudes. Available here: https://osf.io/ge4zc/files/osfstorage/6882b2ec6489875107242259.

Population Under Study: Adults (18+) in the United States, recruited via Lucid's national nonprobability panel.

Methods Used to Generate and Recruit the Sample: Frame: Lucid's opt-in panel; no probability-based sampling. No quotas beyond Lucid's standard demographic balancing. Web-based invitation; no in-person data collection. Lucid Theorem charges $1 per complete and pays the respondents according to contracts with suppliers not visible to the researcher.

Method(s) and Mode(s) of Data Collection: Web in English. Approx. 5–7 minutes in length.

Dates of Data Collection: September 28, 2022.

Sample Sizes: Final unweighted sample: 983.

Whether and How the Data Were Weighted: No weighting used. Results reported as raw, unweighted data.

How the Data Were Processed and Procedures to Ensure Data Quality: Basic checks: one attention check, completion-time check. No repeated IP addresses. No imputation.

Dispositions or Response or Participation Rates: Standard nonprobability participation rate. Detailed dispositions not provided by Lucid.

A General Statement Acknowledging Limitations of the Design and Data Collection: Nonprobability design; not strictly generalizable to US adults. Possible self-selection biases.

Third Data Source: California Registered Voters Poll (UC Berkeley IGS)

Data Collection Strategy: Online survey administered by UC Berkeley's Institute of Governmental Studies (IGS), using the California voter file. Email invitations to registered California voters with known email addresses. Web-based questionnaire in English/Spanish.

Research Sponsor and Conductor: Conducted by IGS; no external sponsor for this specific question set. The author contributed a question block.

Measurement Tools/Instrument: Standard IGS poll structure plus specific items on crime policy preferences, available here: https://osf.io/ge4zc/files/osfstorage/628e8cd5ddbe490175a214d5.

Population Under Study: Registered voters in California with email addresses on file.

Methods Used to Generate and Recruit the Sample: Frame: CA voter file with email addresses. Probability-based sample not claimed (only those with email). No quotas, but stratification by age and gender. Incentives: None.

Method(s) and Mode(s) of Data Collection: Self-administered via the IGS online platform, in English or Spanish.

Dates of Data Collection: October 25–31, 2023.

Sample Sizes: 6,342 unweighted completes overall. No reported margin of error beyond standard disclaimers.

Whether and How the Data Were Weighted: Weighted on age, gender, region, party to approximate CA registration profile.

How the Data Were Processed and Procedures to Ensure Data Quality: Standard IGS checks for duplication and fraudulent submissions; no imputation.

Dispositions or Response or Participation Rates: IGS does not typically release detailed AAPOR dispositions. Response rate for email invites is usually low.

A General Statement Acknowledging Limitations of the Design and Data Collection: Limited to those on the voter file with valid emails. Potential nonresponse bias.

Supplementary Material

Supplementary Material may be found in the online version of this article: https://doi.org/10.1093/poq/nfaf053.

Funding

This work was supported by the UC Berkeley Citrin Center and a Graduate Student Grant for Research on American Democracy [to D.Y.].

Acknowledgements

I thank Gabriel Lenz, David Broockman, Rebekah Jones, and participants of the Lenz-Broockman lab; the Justice and Injustice conference (Yale, ISPS

2022); Sivaram Cheruvu, and participants at the Junior Law and Politics Research Community (2023); and participants at the NYU-CESS Experimental Political Science Conference (2023).

Data Availability

Replication data and documentation are available at https://doi.org/10.7910/DVN/JDSSYR.

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