The Public’s Perception of Crime Control Theater Laws: It’s Complicated

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Crime control theater (CCT) refers to laws that are widely supported by the public even though they are well-documented empirical failures in their effectiveness. Through a survey of a representative participant sample (N = 540), the present work examines 5 CCT laws (Amber Alerts, sex offender housing restriction laws, sex offender registry laws, safe haven laws, and three-strikes sentencing laws), comparing the public’s support and perceived effectiveness of these laws to five non crime control theater (NCCT) laws. Although CCT laws garnered more support and had greater perceived effectiveness than NCCT laws with a larger relative difference favoring support over effectiveness, there was considerable variation in ratings across these CCT laws. Three-strikes laws earned the least support and perceived effectiveness ratings of all examined CCT laws, while among self-identified women, sex offender-based CCT laws received particularly high ratings relative to other CCT laws. Different demographic and political characteristics may be at the root of these variations in public support for CCT laws, and the policy implications of these findings for altering the public attitudes toward various CCT laws are discussed.

Keywords: public views, crime control theater, policy, law

Many laws do not achieve all of their intended purposes. However, scholars specializing in psychology and law have identified a particular group of emotionally enacted crime related laws that are intended to address important criminal justice problems but actually have inconsequential or deleterious effects on what they were specifically designed to target (Griffin & Miller, 2008; Tewksbury et al., 2012). These so-called crime control theater (CCT) laws are characterized by a number of central qualities, including that (a) these laws are empirical failures; (b) their implementation leads to a number of negative unintended consequences; and (c) they are almost universally supported by the public and legislators despite their well-documented ineffectiveness (e.g., Griffin & Miller, 2008). CCT policies and laws are especially pernicious because they offer the appearance that something is being done about an important issue when, in reality, the laws are ineffectual. In fact, CCT laws can create a false sense of security for the public (i.e., effectively assuage public concerns for additional action), often divert resources and interest away from possible alternative and more successful policies, and can worsen rather than improve their key outcome ( DeVault et al., 2016).

Sex offender registration and community notification (SORN) laws are prototypical examples of CCT laws (Socia & Harris, 2016). All 50 U.S. states have adopted laws requiring that sex offenders register their presence in their state, and these registries are available to the public (e.g., Budd & Mancini, 2016). The intent of these laws is to protect children from being preyed upon by violent sexual offenders through public awareness of identified sex offenders that reside in their area. Unfortunately, despite being overwhelmingly supported, SORN laws do not appear to decrease sexual recidivism of offenders in the community (Prescott & Rockoff, 2011; Socia & Harris, 2016; Wakefield, 2006). Indeed, they may lead to the further stigmatization of registered offenders and additional isolation, which can decrease their monitoring, and even lead to greater likelihood of reoffense (Yelderman et al., 2018; Zgoba et al., 2008).

Understanding public perceptions of CCT laws like SORN laws is essential to then developing more useful legal responses that are capable of achieving their avowed goals. As a first step toward crafting more effective legal policies, the present research specifically examines five well-documented CCT policies (i.e., Amber alerts, sex offender registration laws, sex offender housing restriction laws, safe haven laws, and three-strikes sentencing policies) and compares participants’ support and perceived effectiveness ratings of these laws to a sampling of five other non CCT (NCCT) laws (i.e., age restrictions on drinking alcohol, speed limit, seatbelt, voter registration, and income tax laws). Interestingly, the originators of the concept of CCT laws highlight that the public often supports CCT laws in the face of some awareness of their ineffectiveness (Griffin & Miller, 2008). However, it is untested whether this discrepancy in public belief between support and effectiveness is specific to CCT laws or common to many other laws as well. This research further explores variations in a representative sample of participants’ perceptions of support and effec-
tiveness across these different CCT laws, in hopes of identifying the ones with the greatest support versus perceived effectiveness differentials for future intervention. The most successful interventions are likely to be specifically designed to address the public views of the effectiveness and/or support for CCT laws. Different strategies for intervention will likely be appropriate based upon these ratings, and the different beliefs that underlie them. In this vein, this research investigates participants’ demographic and political attributes that may underlie differential perceptions of each CCT policy.

The concept of CCT has its origins in Schneier’s (2003) work on security theater (DeVault et al., 2016). Following 9/11, a series of actions were adopted by Transportation Security Administration to make people feel safe to fly again (Felten, 2004). These efforts, however, were largely symbolic and did not actually improve security. Based on this “theater”, Griffin and Miller (2008) coined the term CCT to describe the adoption of America’s Missing Broadcast Emergency Response (AMBER) alerts beginning in 1996 and continuing on in all 50 states (Alvarez & Miller, 2106; Yelderman et al., 2018). Amber alerts were designed to inhibit the abduction of children by strangers and lead to these strangers’ apprehension by allowing community members to notify police of a child kidnapping currently taking place. Unfortunately, these alerts actually have had little or no effect on the occurrence or arrest of stranger-perpetrated child abductions (Alvarez & Miller, 2016; Griffin, 2010; Griffin, Miller, et al., 2007; Griffin, Williams, et al., 2018). Yet, Amber alerts are widely popular with the public (Alvarez & Miller, 2016; Sicafuse & Miller, 2012). Since that original formulation in 1996, Miller and a variety of other colleagues have expanded and clarified their definition of CCT laws as well as examined a number of similarly adopted laws that meet their CCT definition.

Accordingly, four major criteria are necessary for a legal action to be characterized as CCT (Hammond et al., 2010). First, the public must experience “moral panic” (Goode & Ben-Yehuda, 1994). Such a panic typically arises following widespread media coverage of a violent criminal attack or threats (often to children), inevitably evoking rage and calls for immediate attention by legislators. Such crimes instill an exaggerated public fear that is usually disproportionate to the reality of the situation. For example, the widely publicized 1994 abduction and death of 7 year-old Megan Kanka at the hands of their next-door neighbor, Jesse Timmendequas—a repeat sexual offender—was instrumental in the creation of SORN laws (Campbell & Newheiser, 2019; Socia & Harris, 2016). Megan’s parents advocated for the passage of the first SORN law, called “Megan’s” law, even though rates of violent sex offenses against children had been declining for years (Prescott & Rockoff, 2011; Wakefield, 2006). Over 20 years of research suggest these laws have failed to reduce sex crimes after implementation (Socia & Harris, 2016; Zgoba et al., 2018). Second, CCT categorization requires that the policy receive essentially unquestioned promotion and acceptance from the public and government officials (e.g., Koon-Magnin, 2015; Levenson et al., 2007). This blind support is a result of the public’s and legislators’ focus on the perceived likelihood that the laws will succeed. Third, a policy must appeal to mythic narratives associated with the specific crime. These narratives may include stereotypical aspects of a crime, such as identifiable characteristics of the perpetrator and victim (e.g., the inaccurate stereotypes that violent sexual offenders primarily attack children with whom they have had no previous relationship). Mythic narratives may also include the promotion of popular assumptions and clichés, such as “stranger danger,” a popular phrase intended to characterize the dangers associated with adults whom children do not know. Finally, CCT laws must be a demonstrated empirical failure, indicated by their ineffectiveness in achieving their purported goals and resulting in harmful, typically unanticipated, consequences. For example, three-strikes laws, which impose automatic life imprisonment without parole or extremely long sentences (i.e., over 25 years) for violent repeat offenders who have committed three or more offenses, have been found to have limited effects on decreasing rates of violent crimes in jurisdictions where they were adopted (Kovandzic et al., 2004; Parker, 2012; Ramirez & Crano, 2003). Further, they have also been demonstrated to simultaneously and unintentionally increase the percentage of minorities incarcerated and increase prison overcrowding (Chen, 2008; Jones, 2012). The enactment of such laws can cause both social and economic costs to society that ultimately distract or deter lawmakers from addressing real issues and solutions. Prior work demonstrates that a small number of laws meet all these criteria. These previously “identified” CCT laws include sex offender registration laws (e.g., Armstrong et al., 2015); Amber alerts (e.g., Alvarez & Miller, 2016; Sicafuse & Miller, 2012); sex offender housing restriction law (i.e., laws that prohibit registered sex offenders from living and/or working certain distances from a school, childcare center, or bus stop; e.g., Duwe et al., 2008; Budd & Mancini, 2016); safe haven laws (i.e., laws that allow parents to leave their children at certain designated places with no fear of legal repercussions for abandonment or child neglect; e.g., Hammond et al., 2010); and three-strikes sentencing laws (e.g., Yelderman et al., 2018).

While theatrical responses to crime can be intuitively appealing, they are inherently problematic in that public support remains high regardless of evidence that points to the law’s instrumental ineffectiveness (DeVault et al., 2016). Due to favorable public opinions, policymakers have made few attempts to reevaluate and improve such laws. This hinders the advancement of public discourse regarding successful crime control policy. Additionally, it is critical to prevent the unintended negative consequences that result from these unproductive laws.

First, it is necessary to understand why CCT laws engender such widespread public support and subsequently understand the circumstances under which these public attitudes could change. A more limited body of research has specifically examined the public’s perceptions of CCT laws, the reasons underlying public’s widespread support, and the demographic characteristics that are most closely associated with these beliefs. At their heart, CCT laws’ support appears to be emotionally driven (Campbell & Newheiser, 2019; DeVault, Miller, & Griffin, 2016; Sicafuse & Miller, 2012), and attempts to counteract or educate the public through rational interventions (i.e., presenting research-based information to participants that CCT laws do not advance their objectives) have demonstrated only modest success. For instance, an intervention strategy that explained to participants that SORN and housing restriction laws failed to decrease sex offender recidivism rates only moderately lowered participants’ support for these laws. In fact, support for these laws remained high and relatively consistent even when the counter-evidence presented was specifically designed to target the participant’s previously stated justifi-
cation and support for such laws. And this remained the case even when this information was judged by participants to be both strong and credible (Campbell & Newheiser, 2019). Consequently, some scholars have suggested that emotion-based appeals (System 1 processing) rather than rational ones (System 2 processing) might be more effective for altering the public’s opinion (DeVault et al., 2016; Kahneman, 2011). Further, research has indicated that individuals would often support these laws even if they knew the laws were not effective at all, with over 55% of participants in the same study acknowledging that they favor SORN and housing restriction laws even without any evidence that they reduce sex crimes. This finding again suggests that the public may have an emotional rather than a rational attachment to these laws.

**Current Study**

This research investigates three main aspects of the public’s view of CCT laws: (a) whether they are similar to or different from a sampling of NCCT laws; (b) whether there is variation in support and perceived effectiveness ratings within the examined CCT laws; and (c) if these variations exist, the extent to which demographic and attitudinal factors may be influencing these different perceptions. Interestingly, to date, although differences between the public’s ratings of support versus perceived effectiveness are commonly noted as central to the definition of CCT laws, limited research has specifically examined this issue. Nor has research compared the public’s view of support and effectiveness for CCT laws to other types of laws. Changing public’s attitudes toward CCT laws is clearly essential for developing and implementing more productive policies as well as for mitigating the new problems and unintended consequences CCT laws have created. Yet, in order to for this change to occur, it is first necessary to understand how the public’s attitudes toward CCT laws are similar or different from their attitudes toward other common laws. Then, it may be possible to construct appropriate interventions to transform these attitudes. For example, depending on the relationships between participants’ ratings for CCT versus other common laws, educational policies could explicitly target the illogical relationship for their support when individuals are already aware of the law’s ineffectiveness, or alternatively interventions could focus on correcting the public’s misperception of CCT effectiveness if it is illogically high and tied to their support beliefs.

Due to their emotional appeal and unquestioned acceptance and promotion by the general public, it is expected that participants’ ratings of support and perceived effectiveness will be higher for CCT laws than for NCCT laws (DeVault et al., 2016; Sicafuse & Miller, 2012; Yelderman et al., 2018). Further, given the public’s demonstrated emotional attachment to these laws and their preference for these laws despite their empirical failings, the difference between participants’ support and their perceived effectiveness ratings should also be greater for CCT laws than for NCCT laws. Additionally, certain CCT laws are likely to receive less overall support, perceived effectiveness, and differential ratings between these two evaluations than others. Most notably, the three-strikes laws have been singled out as garnering dwindling support, and the public may have already “educated” themselves about these laws’ ineffectiveness through the media and other sources (Chen, 2008; DeVault et al., 2016; Parker, 2012; Ramirez & Crano, 2003). Indeed, it is yet not clear if this public support (or lack thereof) is similar across different demographic and political groups, but this is difficult to investigate without a baseline understanding of the public’s views. For example, minority groups who are overly represented in the prison population following the implementation of three-strikes laws may have different views toward these laws than other groups. Different groups’ demographic and attitudinal differences are likely to play an important role in transforming the public’s beliefs toward these failed policies and could potentially lead to more productive policies being developed and implemented.

A number of these attributes have also been directly linked to the public’s favorable impression of various CCT laws. Specifically, some research suggests that women are more likely to support CCT policies than men (see generally, Applegate et al., 2002 for criminal justice policies and specifically, Yelderman et al., 2018 for its application to CCT laws). It may be the case that approval for CCT policies is a result of many of them involving sex offenders, where a substantial research base suggests that women are more punitive toward these individuals (Krauss et al., 2012; Lieberman et al., 2007; Schutte & Hosch, 1997; Yelderman et al., 2018). This gender preference for preventive and crime control theater laws may be the result of women experiencing higher rates of sexual victimization and/or women having greater caretaking responsibilities and empathy for the victims of these crimes (i.e., children; Yelderman et al., 2018). By examining self-identified gender and other demographic variables across CCT policies, the present research can begin to clarify if any of these variables are directly linked to favorable views for CCT laws overall, or whether these variables are specific to particular CCT policies. For example, this research can determine if self-identified women favor only sex offender CCT laws, including SORN and housing restriction laws, or whether they support all CCT laws equally. By understanding the factors that affect our participants’ view toward these laws, more appropriate educational policies can be developed and implemented to transform and change the public’s beliefs.

**Method**

**Participants**

Participants were recruited via Qualtrics Panels, an online survey platform (2020, see generally http://www.qualtrics.com/panel-management and https://www.qualtrics.com/research-services/online-sample/for more information about this sampling). This third-party firm provides participant samples based upon prespecified demographic considerations in a similar manner to market research firms. Qualtrics received $5.50 as compensation for each completed survey. Among United States survey companies, Qualtrics Panels has been found to provide the most representative participative sample in terms of political beliefs and demographic attributes (Boas et al., 2020). The targeted Qualtrics participant sample was matched for age and race based upon U.S. census data. Data were collected in June 2019.

Six hundred nineteen respondents completed the survey. The survey included an attention check question to ensure participants were providing meaningful responses as well as a Captcha test to restrict machine-based responses (i.e., BOTs; Oppenheimer et al., 2009). Twenty participants were eliminated for young age
Procedure and Materials

Respondents were asked to provide ratings of their support for and perceived effectiveness of five NCCT laws (e.g., voter registration laws, tax laws, seatbelt laws, alcohol age restriction laws, and speeding laws) and five CCT policies (e.g., Amber alert laws, sex offender registration laws, sex offender housing laws, safe-haven laws, and three-strikes sentencing laws), for a total of 10 policies. The five CCT laws were selected from DeVault, Miller, and Griffin’s (2016) special issue on crime control theater. Specifically, respondents were presented with a policy along with a brief description. The five NCCT laws were selected because they did not meet the 4 criteria associated with CCT laws (i.e., moral panic, unquestioned promotion and acceptance, mythical narrative, and empirical failure). In particular, each of the five NCCT laws has demonstrated some empirical support for their intended outcome. Since their mandatory implementation in 1980s and 1990s, seat belt laws have accumulated substantial support for decreasing traffic fatalities (see generally, Dept of Transportation, 2010 and Dept of Transportation, 2009b). Similarly, across a similar time period age restriction laws on drinking have also demonstrably decreased traffic fatalities (Dept of Transportation, 2009a). Likewise, since 1987 when states were allowed to increase their speed limits above 55, several studies have found that these changes have led to increases in traffic fatalities, and indicated that speeding law decreased traffic deaths (Friedman et al., 2009; National Cooperative Highway Research Program, 2006). While the evidence that voter registration laws has decreased voter fraud is somewhat more mixed, the passage of the National Voter Registration Act (NVRA) of 1993 has clearly increased the ease with which voter can become registered and halted a number of state practices that were discouraging certain groups voting rights (Department of Justice, 2019). Finally, income tax laws are central to the functioning of the local, state, and federal government, and empirical evidence supports this relationship (Department of Treasury, 2010). The five NCCT laws included the following descriptions:

- Seatbelt laws—Laws that require individuals to wear seatbelts while operating a motor vehicle.
- Income tax laws—Laws that require that an individual provide a certain proportion of their earning to support the functioning of the state, local, and federal government.
- Speeding laws—Laws that limit the speed with which individuals can drive on roads.
- Voter registration laws—Laws that require individuals to produce identification that they live in a certain area and are U.S. citizens.
- Age restrictions on drinking alcohol laws—Laws that require an individual be 21 before consuming alcohol legally.

Additionally, the five CCT laws included the following descriptions:

- Amber alert laws—Laws that require alerts that a child has been kidnapped, with the make and model of the car suspected of the abduction.
- Sex offender housing restriction laws—Laws that affect sex offenders’ ability to live within certain distances of playgrounds, schools, public parks, and school bus stops.
- Sex offender registry laws—Laws that require convicted sex offenders to register where they live and to restrict their ability to perform certain activities.
- Safe haven laws—Laws that allow parents to surrender their newly born infants for adoption at designated sites without penalty.
- Three-strikes laws—Laws that require lifetime imprisonment for offenders who commit three offenses of a certain type.

For each policy, respondents were asked the following: How effective do you think this law is? How much do you support this law?

Ratings were made on a 10-point Likert scaling with options ranging from 0 (Not at all) to 5 (Neutral) to 10 (Extremely). Higher scores indicated greater support and greater perceived effectiveness for each law. All 10 policies were presented on separate pages in the survey in a random order across participants, and each participant rating for support and perceived effectiveness followed each policy presentation. Effectiveness ratings were always solicited before support ratings for each of the 10 laws.

Respondents then provided demographic information. This demographic information included: their self-identified gender; age; their race or ethnicity (categories included: African American, Asian, Hispanic, Pacific Islander, Native American, Caucasian, and other); and political ideology on 7-point Likert scale, from 1 (strongly liberal) to 4 (neutral) to 7 (strongly conservative).

Table 1

<table>
<thead>
<tr>
<th>Variables</th>
<th>Participants (N = 540)</th>
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<tbody>
<tr>
<td>Gender</td>
<td></td>
</tr>
<tr>
<td>Male</td>
<td>31.8% (172)</td>
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<tr>
<td>Female</td>
<td>68.2% (368)</td>
</tr>
<tr>
<td>Race/Ethnicity</td>
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<tr>
<td>White</td>
<td>64.6% (349)</td>
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<tr>
<td>African-American</td>
<td>11.1% (60)</td>
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<tr>
<td>Hispanic (White)</td>
<td>14.4% (78)</td>
</tr>
<tr>
<td>Asian</td>
<td>6.4% (35)</td>
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<tr>
<td>Native American</td>
<td>0.4% (2)</td>
</tr>
<tr>
<td>Other</td>
<td>2.9% (16)</td>
</tr>
<tr>
<td>Political affiliation</td>
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<tr>
<td>Conservative</td>
<td>33.5% (181)</td>
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<tr>
<td>Centrist/Middle of the road</td>
<td>32.0% (173)</td>
</tr>
<tr>
<td>Liberal</td>
<td>34.5% (186)</td>
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<tr>
<td>Age</td>
<td>( M = 49.5, SD = 15.20 )</td>
</tr>
</tbody>
</table>

Results

Support and Perceived Effectiveness for CCT Versus NCCT Laws

Five laws formed both the CCT and NCCT Law types in order to investigate differences between these two groups using a 2 (Law...
type: CCT vs. NCCT) \( \times 2 \) (Rating type: Support vs. Effectiveness) repeated-measures ANOVA (see Table 2). We first examined main effects and follow with analysis of interaction effects. In general, comparing support with effectiveness ratings, support for the examined laws exceeded ratings for perceived effectiveness, \( F(1, 539) = 457.42, p < .01, \eta^2_p = .46 \), a finding which was observed for both types of laws (CCT laws: \( F(1, 539) = 415.72, p < .01, \eta^2_p = .44 \); NCCT laws: \( F(1, 539) = 337.44, p < .01, \eta^2_p = .39 \)). These findings highlight a support bias, that individuals support laws to a greater degree than they perceive them to be effective, a bias addressed more in the context of the interaction. Comparing types of laws, importantly, participants rated CCT laws higher than NCCT laws, \( F(1, 539) = 85.66, p < .01, \eta^2_p = .14 \). Rating type and type of law also interacted, \( F(1, 539) = 20.59, p < .01, \eta^2_p = .04 \) due to the fact the support bias was greater for CCT laws, \( F(1, 539) = 96.45, p < .01, \eta^2_p = .15 \) than for NCCT laws, \( F(1, 539) = 39.78, p < .01, \eta^2_p = .07 \). This difference represents a consistent real world difference in evaluation of the laws. The CCT laws were rated as more supported and effective than the NCCT laws, and the difference between support and perceived effectiveness was also greater for the CCT laws.

Moreover, the size of the difference in support for CCT laws as compared to NCCT laws was almost twice the size of the difference of perceived effectiveness for the same comparison (e.g., Mean support CCT - Mean support NCCT = .60 vs. Mean perceived effectiveness CCT - Mean effectiveness NCCT = .35). In other words, the difference between the public’s view of CCT laws and NCCT laws appears to be more directly tied to their outsized support for these laws than to their beliefs about the perceived effectiveness of the laws.

### Support for Individual CCT Laws

Pooling together the five CCT laws in the above analyses may conceal variation in either support or perceived effectiveness for each law (See Table 3 for the breakdown for CCT support and perceived effectiveness ratings). A multivariate analysis examining support across the five CCT laws revealed differences between them, \( F(4, 536) = 89.49, p < .01, \eta^2_p = .40 \). Support for Amber alerts was highest whereas support for three-strikes was lowest. Bonferroni-corrected pairwise comparisons further revealed significant differences between all pairs except sex offender registration laws compared with either sex offender housing laws and sex offender registration (smallest \( p = .098 \)).

### Perceived Effectiveness for Individual CCT Laws

Similar to support ratings, perceived effectiveness ratings for CCT laws were again highest for Amber alert laws and lowest for three-strikes laws. A multivariate analysis revealed differences in effectiveness across the five CCT laws, \( F(4, 536) = 74.20, p < .01, \eta^2_p = .36 \). Bonferroni-corrected pairwise comparisons revealed differences between all pairs except for safe haven laws compared with either sex offender housing laws and sex offender registration (smallest \( p = .098 \)).

### Targeted Analyses of Differences in Support and Perceived Effectiveness Due to Demographic Variables

Although support and perceived effectiveness ratings for specific laws varied, a main finding for CCT laws was that support exceeds perceived effectiveness. Examining the differences between support and effectiveness ratings within each CCT law may be useful for understanding how demographic characteristics influence beliefs.

### Self-Identified Gender and Beliefs About CCT Laws

A 2 (Law type: CCT vs. NCCT) \( \times 2 \) (Self-identified gender: man vs. woman) repeated-measures ANOVA on the differences between support and perceived effectiveness help identify gender differences in beliefs about these types of laws. A main effect for Law type revealed that support exceeded perceived effectiveness by a larger degree for CCT laws than for NCCT laws, \( F(1, 538) = 19.21, p < .01, \eta^2_p = .098 \). Across types of laws, for self-identified women, support exceeded their perceived effectiveness to a degree larger than was observed for self-identified men, \( F(1, 538) = 4.84, p < .05, \eta^2_p = .009 \). Self-identified gender and type of law, however, did not interact, \( F(1, 538) = .19 \).

### Comparing CCT Laws Related to or Unrelated to Sexual Violence

We further examined whether support was more prominent for two sexual offender CCT laws (e.g., sex offender registration laws, sex offender housing restriction laws) compared with those CCT laws that were not related to sexual violence (e.g., Amber alerts, safe haven laws, and three-strikes sentencing policies). See Table 4.

We used a 2 (Self-identified gender: man vs. woman) \( \times 2 \) (Rating type: support vs. effectiveness) \( \times 2 \) (Law type: sex-off-
fender vs. non offender) mixed-model ANOVA to examine differences in ratings for these two types of CCT laws. We interpret main effects first and then follow with an examination of interactions. Support ratings exceeded perceived effectiveness ratings, $F(1, 538) = 348.28, p < .01, \eta^2_g = .39$. Across all CCT laws and ratings, differences in self-identified gender revealed that, self-identified women rated CCT laws higher than self-identified men, $F(1, 538) = 21.73, p < .01, \eta^2_g = .04$. Finally, in terms of greater support for CCT laws than perceived effectiveness, $F(1, 538) = 348.28, p < .01, \eta^2_g = .39$, and more favorable ratings across genders, sex offender CCT laws were rated higher than the other CCT laws, $F(1, 538) = 25.37, p < .01, \eta^2_g = .05$.

We next examine variable interactions, starting with type of CCT law. Type of CCT law interacted with both participants’ self-identified gender, $F(1, 538) = 6.40, p < .05, \eta^2_g = .01$ and Rating type, $F(1, 538) = 89.06, p > .01, \eta^2_g = .14$. The interaction between type of CCT law and self-identified gender is due to self-identified woman rating sex offender CCT laws statistically higher than other CCT laws (e.g., $M = 7.99$ vs. $M = 7.45$) and self-identified men rating all CCT laws equally high (e.g., $M = 7.16$ vs. $M = 6.98$). The interaction between type of CCT law and rating stems from greater support for the sex offender CCT laws compared with non sex offender CCT laws (e.g., $M = 8.49$ vs. $M = 7.74$), whereas perceived effectiveness was equally high (e.g., $M = 6.66$ vs. $M = 6.69$) for the other CCT laws. No other interaction was statistically significant. See Table 5

### An Examination of Three-Strikes Laws

We ran a 2 (Rating type: support vs. effectiveness) $\times$ 2 (Law type: three-strikes vs. other CCT laws) repeated-measures ANOVA to better understand beliefs about three-strikes laws. See Table 3. For this analysis, we excluded sex offender CCT laws, leaving Amber alerts and safe haven laws.1 Support was rated higher than perceived effectiveness, $F(1, 539) = 195.41, p < .01, \eta^2_g = .28$. Ratings were also lower for the three-strikes law compared with safe haven laws and Amber alerts, $F(1, 539) = 208.62, p < .01, \eta^2_g = .28$. The interaction revealed differences in ratings across the two different types of CCT laws, $F(1, 539) = 27.87, p < .01, \eta^2_g = .05$. The difference in support for Amber alerts and safe haven laws was greater than the difference in their perceived effectiveness.

### Three-Strikes Law by Race

We also examined whether ratings of support for CCT laws changed across participant demographics. Due to the differences in sample sizes, we included only participants who identified as Asian, African American, Hispanic, or White (total $N = 522$). Also, because there were significant differences in sex offender CCT laws, we removed those laws from these analyses and compare only the three-strikes law to the other CCT laws (i.e., safe haven and Amber alerts). Because we include four levels of race in these analyses, we investigated support and perceived effectiveness ratings separately, and then relative to each other for the types of CCT laws. We report these data in Table 6.

### Support and Effectiveness for Three-Strikes Laws by Race

We examined the ratings using confidence intervals because of the large variations in sample sizes across the racial groups. We first compared support and perceived effectiveness ratings for three-strikes laws and then for safe haven and Amber alerts. Taking into account mean ratings and confidence intervals, three-strikes laws were supported least by African American participants and most by Hispanic participants whereas Asian and Caucasian participants fell between those other groups. Despite the variability across races, confidence intervals show that all groups supported three-strikes law relatively equally. Similarly, for perceived effectiveness of the three-strikes law, African American participants again rated it lowest and Hispanic participants again rated it highest. Confidence intervals, however, suggest that all races perceive the three-strikes law effective to the same degree.

### Comparing Support and Effectiveness for Other CCT Laws by Race

For the other CCT laws (e.g., safe haven and Amber alerts), however, the pattern across the four races reflected different beliefs. Asian participants supported the laws least and African American participants supported them most whereas Hispanic and Caucasian participants’ ratings fell more in line with African American participants. As a result, confidence intervals show that Asian participants support was lower than the support expressed from the three other races. Perceptions of effectiveness for safe

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1 The sex offender CCT laws were excluded because it was likely that self identified gender would influence their ratings and affect other analyses. However, the same repeated-measures ANOVA produced similar results when the three-strikes law versus all other CCT laws including, the sex offender CCT laws was completed.
haven and Amber alert laws were similar to support ratings across races with Asian participants again rating them least effective and African American participants again rating them most effective; Hispanic and Caucasian participants’ ratings fell between the two extremes. Confidence intervals reveal, however, that only Asian and African American participants differed in effectiveness ratings.

Importantly, there is variation both in beliefs across CCT laws and within specific laws. These differences suggest that beliefs are not universal but rather law specific and may correlate with participant race.

### Three-Strikes Laws Compared With Other CCT Laws by Race

We next examined whether participants of particular races differentially support the three-strikes law compared with safe haven and Amber alert laws. Looking at support for the three-strikes law compared with the other CCT laws, confidence intervals in Table 6 show that African American, Hispanic, and Caucasian participants supported the three-strikes law less than they supported the other CCT laws whereas Asian participants supported them equally. Ratings of perceived effectiveness for the three-strikes law compared with the other CCT laws similarly show that African American, Hispanic, and Caucasian participants perceived the three-strikes law as less effective than safe haven and Amber alert laws whereas Asian participants did not differentiate in their effectiveness.

### Differences in Support and Effectiveness for Three-Strikes Law Compared With Other CCT Laws by Race

Another important aspect of understanding CCT laws involves the difference in support they garner from the public relative to their perceived effectiveness. A positive difference highlights greater support, which may be influenced by belief systems which may covary with various demographics like participant race. In Table 7, we present those rating differences for the three-strikes law compared with safe haven and Amber alert laws for each race. We also used a one-sample t test against no difference in metrics to understand how meaningful the support bias is. Importantly, for three-strikes laws, Asian and African American participants show no support bias whereas Hispanic and Caucasian participants show a relatively small effect (smallest Cohen’s d = .34). For safe haven and Amber alert laws, however, all groups had a meaningful support bias (smallest d = .50) with Hispanic and Caucasian participants having larger effects. Although there is a support bias for CCT laws, this bias is affected by type of CCT law and by participant race.

### Three-Strikes Law Versus Other CCT Laws by Political Affiliation

In order to examine differences in beliefs about laws, which could be explained by political affiliation, we discretized participants’ political affiliation ratings into three categories (e.g., liberal, moderate, and conservative). See Table 8.

## Table 6

<table>
<thead>
<tr>
<th>Race</th>
<th>Support</th>
<th>Effectiveness</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Three-strikes law</td>
<td>SH / A law</td>
</tr>
<tr>
<td>African American</td>
<td>5.53 (.41) [4.72 – 7.34]</td>
<td>8.93 (.18) [8.57 – 9.29]</td>
</tr>
</tbody>
</table>

Note. SH = safe haven; A = Amber alerts. Values reported are means and standard errors in parentheses and 95% confidence intervals are in brackets.
Table 7
Difference in Support and Perceived Effectiveness for Three-Strikes Versus Safe Haven and Amber Alert Laws by Race

<table>
<thead>
<tr>
<th>Race</th>
<th>3 Strikes law</th>
<th>SH / A laws</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asian</td>
<td>0.00 (.34)</td>
<td>0.60 (.20)</td>
</tr>
<tr>
<td>African American</td>
<td>0.02 (.29)</td>
<td>0.91 (.21)</td>
</tr>
<tr>
<td>Hispanic</td>
<td>0.76 (.23)</td>
<td>1.21 (.17)</td>
</tr>
<tr>
<td>Caucasian</td>
<td>0.84 (.13)</td>
<td>1.38 (.09)</td>
</tr>
</tbody>
</table>

Note. SH = safe haven. Values reported are mean differences in ratings (e.g., support – effectiveness); positive values reflect greater support than perceived effectiveness. Standard errors are in parentheses and Cohen’s d values in brackets.

differ from each other, \( p = .12 \). Similarly, a one-way between-subjects ANOVA on safe haven and Amber alert laws also revealed differences by political affiliation, \( F(2, 536) = 7.11, p < .01, \eta^2_p = .03 \). Although support for these CCT laws was generally high, the pattern differed from that for the three-strikes laws. Support for safe haven and Amber alert laws was highest for liberal and lowest for moderate participants. Bonferroni-corrected post hoc comparisons revealed a difference only between these extremes; liberal participants supported these CCT laws more than did moderate participants (\( p < .01 \)). No other comparisons differed.

Perceived Effectiveness

The 2 (Law type: three-strikes vs. Other CCT laws) \( \times 3 \) (Political affiliation: Liberal, Moderate, and Conservative) mixed-model ANOVA on the perceived effectiveness ratings revealed similar findings to the support ratings. Effectiveness ratings were lower for the three-strikes law, \( F(1, 536) = 170.44, p < .01, \eta^2_p = .24 \), a finding that was present across all three political groups. Although the patterns of effectiveness ratings mirrored those for support ratings, effectiveness ratings did not differ by political party, \( F(2, 537) = 2.83, p > .05 \). The interaction was significant, \( F(2, 536) = 15.80, p < .01, \eta^2_p = .06 \). In order to understand the interaction, we ran a between-subjects ANOVA on perceived effectiveness ratings for the three-strikes law and then the other CCT laws. For three-strikes laws, perceived effectiveness differed by political affiliation, \( F(2, 536) = 37.69, p < .01, \eta^2_p = .12 \). The Bonferroni-corrected post hoc analyses indicate that liberal participants perceived the three-strikes laws to be less effective than both moderate and conservative participants (both \( p < .01 \)) but that moderate and conservative participants did not differ (\( p > .05 \)). By contrast, political beliefs did not influence effectiveness ratings for safe haven and Amber alert laws in the same way. Although perceived effectiveness of these CCT laws differed by political affiliation, \( F(2, 536) = 7.11, p < .01, \eta^2_p = .03 \), the nature of those differences varied from that of the three-strikes laws. Bonferroni-corrected post hoc comparisons showed that liberal participants perceived safe haven and Amber alerts as more (not less) effective than did moderate participants (\( p < .01 \)) and equally as effective as conservative participants (\( p > .05 \)). As with the three-strikes laws, moderate and conservative participants did not differ in their perceived effectiveness (\( p > .05 \)) of these CCT laws.

Taken together, these analyses suggest that political party affiliation may influence ratings of both support and perceived effectiveness for various CCT laws, especially three-strikes laws, and their effects may be different depending on the CCT law examined.

Discussion

Across both CCT and NCCT policies, we found that participants rated their support for laws significantly greater than their evaluations of their perceived effectiveness. Given that laws are adopted for a number of different reasons, it is unsurprising that public support is often higher than their perceptions of the effectiveness of various laws. Numerous scholars have noted that laws may have symbolic values or expressive functions that are separate from but related to whether they achieve specific outcomes and/or laws may have multiple rather than singular goals (e.g., Sunstein, 1996). For example, laws may be intended to change social norms over time (e.g., desegregation laws) or punish offenders (e.g., loss of voting rights for convicted felons), and these laws’ success in achieving certain targeted goals may be less if they are ineffective, but the laws may still serve an important purpose. However, CCT laws, in particular, have been characterized as having been originally adopted to achieve specific empirical goals (e.g., SORN laws—lowering sexual recidivism or Amber Alerts leading to apprehension of stranger perpetrated child abductions), and when this expressed purpose is a failure, their usefulness is more questionable (Griffin & Miller, 2008).

Consistent with our hypothesis and the existing literature, we found that our participants indicated both greater support and perceived effectiveness for CCT laws compared to their evaluations of several NCCT laws. This finding demonstrates that the public does possess a largely unquestioned acceptance and promotion of these laws, consistent with previous conjectures (Hammond et al., 2010). Given CCT laws’ failure to achieve their key outcomes, our participants’ high (\( M = 6.77 \)) and higher-than-other-laws evaluation of their perceived effectiveness is especially

Table 8
Support and Perceived Effectiveness for Three-Strikes Laws by Political Affiliation

<table>
<thead>
<tr>
<th>Affiliation</th>
<th>Support</th>
<th>Effective</th>
<th>Support</th>
<th>Effective</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Three-strikes</td>
<td>SH / A</td>
<td>Three-strikes</td>
<td>SH / A</td>
</tr>
<tr>
<td>Overall</td>
<td>6.37 (.14)</td>
<td>8.56 (.08)</td>
<td>5.68 (.12)</td>
<td>7.21 (.08)</td>
</tr>
<tr>
<td>Liberal</td>
<td>4.85 (.25)</td>
<td>8.95 (.12)</td>
<td>5.01 (.22)</td>
<td>7.59 (.14)</td>
</tr>
<tr>
<td>Moderate</td>
<td>6.84 (.22)</td>
<td>8.21 (.15)</td>
<td>5.79 (.20)</td>
<td>7.05 (.15)</td>
</tr>
<tr>
<td>Conservative</td>
<td>7.50 (.21)</td>
<td>8.51 (.14)</td>
<td>6.25 (.20)</td>
<td>7.26 (.15)</td>
</tr>
</tbody>
</table>

Note. SH = safe haven; A = Amber alerts. Values reported are means and standard errors.
troubling. It points to at least some lack of awareness by the public of CCT laws’ inability to accomplish their main goal, which further suggests that the public is in need of additional education about CCT laws failures. Yet, attempts to simply educate the public about these laws’ failures, at least for SORN CCT laws, may also be ineffective (Campbell & Newheiser, 2019).

Our participants’ significantly larger discrepancy between support and perceived effectiveness ratings (i.e., higher ratings of support over effectiveness) for CCT laws as compared to NCCT laws raises an additional concern. It highlights a failure to understand that CCT laws are unproductive as mentioned above and/or that participants possess an emotional attachment to CCT laws that goes beyond the laws’ success or failure (DeVault et al., 2016). This may also mean that the public supports the “intention” of the law rather than its actual success in achieving this purpose. Unfortunately, our data cannot definitively determine which of these possibilities or their combination is at the heart of the public’s ill-considered positive evaluation of CCT laws. Some evidence from our research, however, favors these latter interpretations. That is, public support is high for CCT laws despite the populace possessing some knowledge of their failure. It may be the case that the public may simply not care as much that CCT laws are ineffective as they do for NCCT laws (i.e., our participants demonstrated 2 times the support difference over perceived effectiveness difference for CCT laws when compared directly to NCCT laws). In other words, the public’s favoritism for CCT laws may be more tied to their support of these laws than any evaluations of their effectiveness. This is also consistent with Campbell and Newheiser (2019) previous finding that 55% of their sample would support SORN CCT laws even when they learned that the laws were not successful in lowering sexual recidivism. If the public’s lack of interest in whether CCT laws are empirical failures continues to be borne out by future research, it clearly suggests that intervention strategies to change the public’s view toward CCT policies should be less based in rational education-based strategies concerning their failures. Instead, such interventions might focus more on the populace’s emotional attachment to these laws or their unintended consequences.

This discrepancy between support and perceived effectiveness of CCT laws could also stem for the public’s desire to punish the groups affected by many of the CCT laws. In other words, the public may simply not care that sex offender CCT laws are ineffective in reducing recidivism and base their support for them exclusively on their desire to punish sex offenders. This view is somewhat consistent with previous research on civil commitment of sex offenders or sexual violent predator (SVP) laws, where punishment seems to be an important factor in public support (e.g., Krauss & Scurich, 2014; Scurich et al., 2016). Regardless, future research should target understanding this empirically established disjunction in the public’s view toward support and perceived effectiveness of CCT laws, and construct interventions that address those reasons underlying these beliefs.

While our research demonstrated that participants evaluated CCT laws more favorably than NCCT laws across ratings of support and perceived effectiveness, there seems to be considerable variation on these ratings within the examined CCT laws—they are not universally high in both support and perceived effectiveness. Amber alerts, for example, received greater support than all other CCT laws whereas support for three-strikes laws fell below all other CCT laws. Interestingly, with the exception of the two sex offender-based laws (SORN and housing restriction laws), there were significant differences in the public’s support ratings across all the CCT laws. A somewhat similar pattern emerged for perceived effectiveness ratings—safe haven laws were not significantly different from the two sex offender CCT laws, but Amber alerts received the highest ratings and three-strikes law received the lowest evaluations.

This suggests that CCT laws are viewed by the public as a somewhat heterogeneous group. Beliefs about one CCT law do not necessarily influence their views about others, and the patterns observed may be due to different underlying causes. For example, three-strikes laws do not appear to share other CCT laws’ significantly higher support and perceived effectiveness ratings, and three-strikes laws also demonstrated a smaller discrepancy than other examined CCT laws in their difference between support and perceived effectiveness ratings. This raises the question of whether three-strikes laws still meet the criteria of truly being a “CCT” law because they do not evidence as much unquestioned support and acceptance from the public. Perhaps, a combination of the public’s broad awareness of these laws’ lack of success coupled with the populace’s greater understanding of their unintended and deleterious consequences (e.g., both increased prison overcrowding and increased minority representation in prison), led to this attitudinal change. As a result, whether certain laws continue to be classified as “CCT” laws may need to be reexamined over time. These differential views toward individual CCT laws also have important implications for transforming the public’s view toward them and fashioning appropriate intervention strategies to change those attitudes.

A number of demographic and political factors may also help explain differences in the public’s view of the five CCT laws examined. Although self-identified women as a group rated both CCT and NCCT laws higher on support and perceived effectiveness than men, this effect was somewhat specific to the individual CCT laws examined and the rating employed. Compared to self-identified men, self-identified women supported sex offender CCT laws significantly more than other CCT laws (i.e., Amber alerts, safe haven laws, and three-strikes laws), but this gender difference did not exist for perceived effectiveness ratings. Both genders perceived the sex offender CCT laws as similarly effective. In other words, gender differences in participants’ beliefs are strongest for support evaluations of sex offender-based CCT laws rather than for perceived effectiveness ratings. Our research partially answers the question left open by Yelderman et al. (2018), where they found women favored a novel CCT law more than men. They raised the question of whether women favored all CCT laws more than men or simply the ones involving sexual crimes. Their research investigated a “new” CCT law, but it was a new sexual crime CCT law. As a result, they were unable to parse gender’s role in support for CCT laws. The present research indicates that self-identified women favor all laws (CCT or NCCT) more than men, but that with regard to CCT laws, the greatest relative differences between self-identified genders occurs in women’s ratings of support for sexual offender-based CCT laws. This finding has clear implication for attempts to change the public’s view toward SORN and housing restriction laws. Interventions could be created with particular attention to specific groups of individuals and beliefs. For example, an attitude change strategy could be
designed for self-identified women and to specifically focus on their outsized support for sex offender CCT policies rather than highlighting the failure of these laws to decrease sexual recidivism (i.e., their ineffectiveness). Such a novel intervention may highlight the unintended consequences of sexual offender-based CCT policies through anecdotal reports of harm to former perpetrators.

The ratings of the three-strikes laws further bolstered our suspicion that individual difference factors may underlie our varying results across the CCT laws examined. With regard to our participants’ significantly lower support and perceived effectiveness ratings of three-strikes laws as compared to other CCT laws, other individual characteristics seemed to play a pivotal role. Both self-identified race and political affiliation affected our participants’ views. Although these characteristics influenced both ratings, they exhibited a larger influence on support ratings than they did on the perceived effectiveness ones. African Americans and political liberals gave the lowest support ratings for three-strikes laws. In contrast, Hispanics and political conservatives indicated the highest support. On the other hand, Asians and political liberals showed the greatest support ratings for safe haven laws and Amber alerts. Some of these individual difference findings are not surprising. Research has demonstrated that African Americans may be disproportionately impacted by three-strikes laws, and longer prison sentences are often favored by political conservatives (Chen, 2008; Jones, 2012). Further, it is not difficult to imagine that more liberal leaning individuals might favor safe haven and Amber alert laws because they focus on providing services to protect children from abuse and abduction. Again, these demographic and individual differences may be especially important to developing and targeting policies and programs toward identifiable groups for attitude change with regard to specific CCT laws. In other words, interventions may need to be differentially designed for each CCT law because what works for attitudinal change for one CCT law may not work for another.

To briefly summarize our findings, support for the examined CCT laws is greater relative to support for the investigated NCCT laws, and CCT laws are clearly not perceived as pernicious by the public because their ratings of support and effectiveness are extremely high. However, support is not consistent across the set of CCT laws examined. Not all CCT laws are equally accepted by the public. For example, because of lower support and effectiveness ratings, it is questionable whether three-strikes laws may be truly considered “CCT” laws now. Additionally, our findings indicate that variations in support for specific CCT laws may be related to participant demographic characteristics (gender and race) as well as their political beliefs. Similarly, whether CCT laws are viewed as particularly successful may not align perfectly with beliefs about their effectiveness, especially because those beliefs may be influenced to a lesser degree than support ratings by demographic variables and combinations of those variables. All these results have important implications for both crafting effective intervention to change the public’s attitudes toward CCT laws and exploring less damaging and more successful alternatives.

Limitations and Future Directions

The generalizability and the importance of this research are necessarily limited by the quality of the sample obtained, the laws compared, and the specific nature of the questions asked of participants. Although Qualtrics Panels provided a representative sample based upon census data of race and age, the participants were not representative in other respects (e.g., self-identified gender where over 60% of the sample were women). These differences could clearly affect the generalizability of results beyond this sample. However, the relatively large and otherwise diverse sample mitigates these possibilities. Regardless, it would be beneficial if this research and its conclusions were reexamined on an even more representative participant sample. Similarly, in order to specifically compare participants of different races on their support for or perceived effectiveness of various laws, additional research may wish to compare larger and equal sized samples. Nevertheless, the sample used here obtained to reflect the sentiments of representative sample of the general population.

Additionally, participants were asked to comment on their attitudes toward various policies and laws without a great deal of detail beyond a simple description provided about the laws. As a result, it is possible that their responses came from a lack of knowledge about the various policies. In other words, results might not generalize to other contexts, such as vote preferences on specific laws, where greater detail and description would likely be provided. Yet, in some sense that was the very purpose of the study—to gauge the public’s general views about CCT and NCCT laws.

The participants’ ratings of support and perceived effectiveness for many of the laws, but especially the CCT laws, exhibited a ceiling effect where support was at the highest possible metric for the law (i.e., 10). In particular, the percentage of our sample indicating the highest level of support for Amber alerts, sex offender housing, sex offender registration, safe haven, and three-strikes laws were 64%, 57%, 59%, 49%, and 25%, respectively. This ceiling effect may have resulted in a truncated distribution of responses that does not reflect the public’s view completely accurately. However, if anything, this restricted range may have decreased the size of our reported effects as it limited the difference in our participants’ ratings of support and perceived effectiveness for CCT laws.

Additionally, the generalizability of the reported results is necessarily constrained by the specific CCT and NCCT laws chosen for comparison. In particular, a different selection of NCCT could have potentially produced different outcomes, and future research should endeavor to consider a wider variety of NCCT laws. Even though the NCCT laws were chosen because they did not meet the 4 main criteria of CCT laws (i.e., moral panic, unquestioned acceptance and promotion, mythical narrative, and empirical failure), and each NCCT law had at least a modicum of empirical support for their target outcome, this varied by the laws selected as well. Clearly, future research is necessary to more fully generalize the findings of this study beyond the laws examined.

Perhaps, the greatest weakness of the study was not administering additional measure of participants’ views, such as an emotional measure of participants’ reaction to various CCT and NCCT laws. Such a measure would allow for better understanding the role emotion might play in individuals’ support and perceived effectiveness of various laws. Hopefully, future research will more explicitly examine participant’s emotional reactions to CCT laws and determine its relevance to their beliefs and potential attitude change concerning these policies. Further, the measures of support and perceived effectiveness were only assessed by one question.

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Additional measures of support and perceived effectiveness could elucidate what specific elements of each underlie participants' support for the laws. For example, they could gauge whether their support for sex offender CCT laws is based on their interest in punishing sex offender regardless of whether these restrictions decrease recidivism.

Future research should also target the newly identified disjunction between public support and perceived effectiveness of various CCT laws. By better understanding the magnitude of the difference between one’s support for a law or policy and one’s perception of its effectiveness, research could further identify which CCT laws seem to elicit a false sense of security from the public. Importantly, simply making the public aware of the disconnect between their support for CCT laws and their perceived effectiveness might be useful in influencing their support. In other words, making the public aware that they illogically support CCT laws even though they view them as not particularly effective might help people recognize their cognitive dissonance and encourage them to bring their two attitudes into alignment.

Lastly, and perhaps most importantly, understanding which demographic and political variables may be related to differences in support, perceived effectiveness, or both is important to understanding how best to construct appropriate interventions to transform attitudes and whom to target for those interventions. Well-targeted information and evidence may be the best means to change the public’s views toward ineffective CCT laws. Only when the public’s beliefs are changed will it be possible for more effective policies to be implemented.

References


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