

UC research examines advocacy by unions in the criminal justice sector

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Research out of the University of Cincinnati seeks to measure economic and political policy impacts that unions associated with criminal justice systems – such as police, correctional officers and dispatchers unions – have in their respective states.

That research, titled "Measuring the Effect of Public-Sector Unionization on Criminal Justice [Public Policy](#)" by UC criminal justice doctoral students Derek Cohen and Jay Kennedy, will be presented at the American Society of Criminology conference on Nov. 17.

It's a research effort that stems from and seeks to shed light on the impacts that [unions](#) associated with criminal justice have in the wake of recent battles, most notably in Wisconsin and Ohio in 2011, where laws were passed to limit collective bargaining for public-sector employees.

TESTING THREE POSSIBLE IMPACTS OF UNION ADVOCACY

UC's Kennedy and Cohen used a range of data going back as far as 15 years to test three broad impacts that popular wisdom sometimes ascribes to unions. They examined

- whether what's called "public choice theory," another way of saying that individual voters vote to benefit themselves, can be

applied to [collective bargaining](#) units. "Public choice theory" stands in opposition to "communal will theory," where it's posited that individual voters opt for the good of the many or group vs. their own individual goods.

- whether unions associated with the criminal justice system engage in "competitive rent seeking," seeking to maximize specific expenditures into the criminal justice system above and beyond a cost-recovery level in order to benefit specific unions, say a police vs. a corrections union.
- whether states with more liberal ideologies are likely to have smaller per-capita prison populations, and, alternately, whether states that are less liberal have higher incarceration rates. (The researchers are interested whether more-liberal states with stronger unions associated with the criminal justice system might not have harsher laws/sentencing requirements as a means of "guaranteeing concentrated benefits" or prosperity for unions associated with the criminal justice system.)

In order to examine the above, UC's Cohen and Kennedy tracked spending related to state ballot initiatives by unions associated with the criminal justice system and other data. They used Bureau of Justice Statistics data on employment and political expenditures within the states' criminal justice systems from 1997-2007; Bureau of Labor Statistics data on union membership in states' criminal justice systems from 2000-2011; National Institute of Money in State Politics data from 1997-2012 on political spending amounts and sources per ballot initiative; as well as previously published research on states' harshness vs. liberalism in terms of criminal justice policy, e.g., "three strikes, you're out" or mandatory-sentencing laws.

RESULTS: UNION SPENDING ON BEHALF OF ISSUES HAS A BROAD, CUMULATIVE EFFECT

In their research, Kennedy and Cohen found that, yes, when unions associated with the criminal justice system make expenditures related to state issues, there is a broad, diffuse impact. In other words, if one union spends to support an issue benefiting functions in the criminal justice system, the state's broad public safety sector is likely to generally benefit in the form of more funding, but not necessarily the specific union or sector that made the expenditure.

Cohen explained, "So, in that sense, a specific union that makes expenditures on behalf of an issue might not specifically see the benefit for its own group but will see benefit for the broad criminal justice system in that state. So, it's analogous to a voter who spends his or her vote on behalf of the greater good vs. his or her own individual good."

He added, "However, we also observed that union expenditures did lead to a general increase in raw (criminal justice sector) employment a year or so later. We interpreted this as unions (collectively) getting some 'bang for their buck,' money spent on ballot initiatives does provide a measurable boost in criminal justice system employment for that state. We interpret this as proof of public choice theory, although with current data, we are unable to identify an effect-per-dollar value."

Correspondingly, they found no evidence that competitive rent seeking was taking place. In other words, there is no lion's share of the spoils (in the form of jobs) going to any specific union making expenditures on behalf of a state issue. So, in general, a specific union making ballot initiative expenditures will not see a relative increase in employment numbers one year on.

"So," said Kennedy, "If a corrections officers union supports a ballot initiative with three times the amount of funding expenditure than is provided by, say, a police officers union, that first union group is not likely to specifically recoup that investment in the form of additional

jobs."

Finally, their research did find a strong correlation between a state's liberal stance (as measured by the presence and duration of liberal policies, policies like Temporary Assistance for Needy Families) and smaller per-capita prison populations. The correlation between a state's conservative stance and a higher per-capita [prison population](#) did exist, but the correlation was not as strong.

That means that stronger unions associated with the criminal justice system in more liberal states are not, in general, "gaming the system," said Kennedy. They are not generally seeking harsher laws/sentencing in order to increase jobs or employment within criminal justice systems.

Though, added Cohen, it's possible to find incidents where a union associated with a [criminal justice system](#) in a liberal state has advocated for harsher laws or sentencing policies in order to, perhaps, benefit in the form of greater numbers of jobs, the practice cannot be said to be widespread.

Also assisting with this project was undergraduate research assistant Christian Diederich.

Provided by University of Cincinnati

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