LEGISLATING CRIMINAL JUSTICE REFORM IN LOUISIANA

by

Jason Callegari

Liberty University

Helms School of Government

A Dissertation Presented in Partial Fulfillment

Of the Requirements for the Degree

Doctor of Philosophy

Liberty University

2023

LEGISLATING CRIMINAL JUSTICE REFORM IN LOUISIANA

by Jason Callegari

A Dissertation Presented in Partial Fulfillment

Of the Requirements for the Degree

Doctor of Philosophy

Liberty University, Lynchburg, VA

2022

APPROVED BY:

Larry D. Anthony, Ph.D.
Committee Chair

Stacey White, Ph.D.
Committee Member

ABSTRACT

While best practices in criminal justice reform have been studied and identified, the point at which reform legislation is decided upon and factors related to its passage is a traditionally understudied. This research will explore the factors that influence the political will of legislators who pass criminal justice reforms. Using a constructivist view of grounded theory, this research uses qualitative data to determine patterns of words and generalities implicit in decision-making for legislators in the state of Louisiana by way of semi-structured interviews with current and former state legislators. Coded results will show patterns associated with participants' willingness to support criminal justice reform. Advanced qualitative coding software will contribute to the results of thematic interviews with participants. Data gathered through purposeful open-ended interviews and will further the field of criminal justice by ascertaining ways to garner legislative support for criminal justice reforms.

Keywords: criminal justice reform, legislation, constructivist view, grounded theory, Louisiana, qualitative coding

Table of Contents

ABSTRACT 3

List of Tables 8

List of Figures 9

List of Abbreviations 10

CHAPTER ONE: INTRODUCTION 11

Overview 11

Problem Statement 12

Background Study-Foundation: History, Concepts, Developments 14

Theories 17

Today's Contextual Information 18

Research Problem 20

Gap in Existing Research 21

Research Aims, Questions, and Objectives 23

Significance of Research 24

Limitations and Delimitations 24

Researcher Insight 25

Structural Outline 26

Central Research Questions 27

CHAPTER TWO: LITERATURE REVIEW 29

Overview 29

Literature Search 31

Qualitative Methodology and Constructivist Grounded Theory 31

Qualitative Methodology 32

Constructivist Grounded Theory 32

Historical Background 36

Theoretical Underpinnings on Reform and Crime 37

What Predicates the Need for Reform? 40

Psychological and Political Decision-Making Factors 41

Loss Aversion, Choice Overconfidence, Escalating Commitment 42

Cognitive Dissonance 43

Louisiana Political System 44

Louisiana's Legal Process 47

Summary 50

CHAPTER THREE: METHODS 52

Overview 52

Design 52

Research Questions 53

Setting 54

Participants 55

Procedures 56

Researcher's Role 57

Data Collection 58

Interviews 58

CHAPTER FOUR: FINDINGS 66

Overview 66

Participant 1 67

Participant 2 71

Participant 3 75
Participant 4 78
Participant 5 83
Participant 6 89
Participant 7 91
Participant 8 94
Participant 9 95
Results 97
Initial/Open Coding 98
Intermediate Coding 101
Focused Coding Based on Research 103
Theoretical Coding 106
CHAPTER FIVE: CONCLUSION 109
Overview 109
Summary of the Findings 109
Discussion 109
Implications 112
Theoretical 112
Empirical 112
Practical 113
Delimitations and Limitations 117
Recommendations for Future Research 118
Summary 118
REFERENCES 120

APPENDICES 140

Appendix A: Recruitment Notice 140

Appendix B: Interview Questions 141

Appendix C: Informed Consent Form 142

List of Tables

Table 1: Committees Responsible for Reform Bills ……47

Table 2: Outcomes of Research Questions ……..98

Table 3: Number of Influential Facts Mentioned by Participants ……..101

List of Figures

Figure 1: Bill to Law in Louisiana ……...49

Figure 2: Interplay and Movement Between Methods and Processes ……...100

List of Abbreviations

MAXQDA	Maximum Qualitative Data Analysis
RQ	Research Question
Q	Question

CHAPTER ONE: INTRODUCTION

Overview

Chapter one presents the framework for this dissertation and introduces the necessity for the study. Criminal justice reform is predicated by agreement about how reforms should be designed, funded, and implemented (Weimer, 2018). A pivotal point in this process is legislative vote on implementing and funding programs and laws designed to reform the criminal justice system. The state of Louisiana differs from other states in that it includes the legislative process (Staff Reports 2017). For this reason, research will be conducted on Louisiana legislators, and their decision-making process. My research will be qualitative and follow a constructivist view of grounded theory, which will attempt, through interviews with lawmakers, to ascertain factors that influence their decisions to pass reform legislation. The focus of this study will be to identify the factors used to write and introduce future legislation. The answer to the central research question "What factors influence the political will of legislators to pass criminal justice reforms?" is unknown and according to Charmaz's (2002) publication on constructing grounded theory, this study should yield a possible theory.

Through qualitative semi-structured interviews with legislators, my research will ascertain what factors convince them to vote for criminal justice reforms. Through qualitative semi-structured interviews with legislators, my research will ascertain what factors convince legislators to vote for criminal justice reforms in the state of Louisiana ,in addition, I will research the legislative process involved in making criminal justice reforms.

This chapter will introduce legislative changes that concern the criminal justice system in Louisiana and the factors affecting their passage. I will discuss the background and contextual

assessment of foundational elements of criminal justice reform. The research problem will include the aims of the research, objectives, and research questions.

Problem Statement

My research will fill a gap in the existing literature by describing factors that influence lawmakers in Louisiana to pass criminal justice reform legislation. I will utilize a qualitative methodology, retrieving data using semi-structured interviews with Louisiana legislators. This iterative process will continue until data saturation is achieved. Coding becomes redundant when further samples reveal no new information, then data saturation has occurred. MAXQDA qualitative software will be used to create coded transcripts of the data from interviews. This method was chosen because the research question has no answers hypothesized, and the fluidity of the grounded theory model allows the research to change directions based on the data obtained (Strauss & Corbin, 1990). The data will guide future legislation presentation, wording, and ancillary factors. The results of this research will be helpful to policy makers, lawmakers, and practitioners in the criminal justice system, in that it will affect the way future bills on reform are presented. This research can be replicated, and the results can be placed as additional factors in future literature on the subject. The replication process will consist of the same questions asked of legislators in other states in semi-structured interviews, and data analyzation will match the techniques used in this study. The research question is, What factors influence the political will of legislators to pass criminal justice reforms? In addition, it can be surmised that factors associated with what dissuades lawmakers to vote on legislation will be uncovered through interview coding.

This problem of passing reform legislation exists at the nexus of programs, policies, and politics (Weimer, 2018). It is at this nexus that the decisions about reform can have a profound

influence on the effectiveness of policy created by legislation (Gerber, 2018; Hutchinson, 2015). There are numerous policy analysts who can provide general knowledge advice about how to influence lawmakers' decisions. Louisiana has different historical, political, and demographic nuances that necessitate research on factors specific to the nature of political decisions made by state lawmakers (Staff, 2017). My study will require access to lawmakers and will utilize qualitative, semi-structured interviews to codify, review, and report factors that influence lawmakers in Louisiana to pass viable reform bills.

Purpose Statement

The purpose of this grounded theory study is to discover factors that are integral in the decision-making process of Louisiana lawmakers when they vote for or against criminal justice reform bills. The process the lawmakers use for patterns when they consider criminal justice reform legislation in order to learn how future legislation can be better explained, presented, and passed. Charmaz's (2002) research on constructivist view of grounded theory will yield results from semi-structured interviews that will answer the question, "What factors influence the political will of legislators to pass criminal justice reforms?"

Legislating Criminal Justice Reform in Louisiana

Criminal justice reform must be preceded by legislation to increase equality and fair treatment of all people. During the political process, ways to improve criminal justice reform can be found at the juncture of best practices, policy and program funding, and implementation. At the point of inception, which is the legislative process, bills must be passed that will use best practices to further criminal justice reform efforts. Research about how to portray best practices legislation to lawmakers in a way that will enable them to embrace viable reforms is understudied (Percival, 2020). The gap in research is in defining ways to encourage legislators

to support criminal justice reforms. This dissertation will explore factors that influence legislation for lawmakers in Louisiana through a qualitative process. By using a constructivist view of grounded theory, I will explore what influences lawmakers to vote for reform legislation. Grounded theory can help explain the process and actions involved in decisions made by lawmakers. Open-ended, semi-structured interviews with lawmakers will yield data to ascertain what factors influence the will of legislators to pass criminal justice reforms.

The criminal justice system relies on many moving parts. One of the engines that moves these parts is the legislative process. Legislation to move the criminal justice reform movement forward must be empirically based and fiscally viable. The problem exists at the point where politics conflicts with scientific research; the decisions made can have a profound influence on the effectiveness of policy created by legislation (Gerber, 2018; Hutchinson, 2015). Scientific studies go through a rigorous process to produce results. Political processes are affected by influences such as party lines, financial inadequacies, and personal feelings about a subject. Battaglini and Coate (2008) argue that political theory and policy choices made by legislators are vague and understudied. Additionally, any geographic or demographic separation, or change in legislative districts, influences the way lawmakers vote. Research into what factors influence these changes and anomalies is lacking.

Background Study-Foundation: History, Concepts, Developments

Cole et al. (2021) agree that the criminal justice system operates within the confines of the political system in America. The system derives its power, money, and operational laws from legislation, which informs policy, which results in procedural actions. The chain of events that occurs between legislation that has been passed and crime and criminal justice within the system that has incurred the scrutiny of the public at large (Kleinfeld, 2017). The mere premise

of justice requires equal and fair treatment of every person. Equality is what separates the United States from authoritarian-led countries (Thieman, 2020). And equal treatment under the law can create a bureaucracy that inhibits the effectiveness of programs and policies.

The public outcry for a reformation in the criminal justice system has been heard by legislators, practitioners, and anyone who has access to media (Levin, 2018; Thieman, 2020). Kleinfeld (2017) poses that there are two views of the problem. One is that the public is detached from the big picture and uninformed about efforts to fight crime in America. The other is that the democratic process is being practiced through public outcry, and legislators are either dragging their feet or are incapable of a timely solution to the problem of police reform. This research will aid criminal justice reform by identifying how to better pass more equitable legislation and bridging the gap between public perception and reformation of the criminal justice system.

Kleinfeld (2017) argues that a rise in crime in the 1970s resulted in a crackdown on crime in the following thirty years. In the mid-1900s, one in one thousand adults were imprisoned. Today, one in one-hundred-thirty-two are imprisoned (Heather et al., 2009) resulting in the mass incarceration of America's minority population predicated by legislation that unduly determined sentencing that overburdened the prison system. The tough-on-crime era widened the net within the criminal justice system and made crimes harder to defend while making guilty verdicts easier. The tough-on-crime era fostered the plea-bargaining era. Nineteen out of twenty crimes were pled out instead of tried. The problems with the criminal justice system were conceived in legislation, and it is lawmakers who must find a way to implement meaningful reforms to alleviate the problems (Percival, 2021; Levin, 2019).

The criminal justice system in America requires reform (Lee & Joo, 2020). The system

within the state of Louisiana is no exception. Louisiana is rich in heritage and has a history of political dissent and corruption (Staff, 2017). There has been little research on this unique situation and the need for an independent exploration into how and what reforms Louisiana lawmakers are passing. Parent (2006) describes a political culture in Louisiana fraught with unpredictability, insecurity, and harsh competition, yet fails to provide any solutions to the problem. The questions posed here are to be asked of politicians who have first-hand knowledge of resources available, and an understanding of the feasibility factors involved in reform programs.

Louisiana's Napoleonic Code, which derives much of its content from Spanish and French law, differs from every other state in varying degrees of complexity (Fine, 2020). Gross (2009) posits that French and Spanish law is derived from ancient Roman law, which is among the world's harshest. When Louisiana adopted a new slave code in 1806, they kept the harshest parts of the past law in place discarding many avenues for freedom. The original slave code, and how it differs from other states, highlights the differences in Louisiana's political origins, which some say still has remnants lingering in today's political sphere (Martin et al., 2014). Wigmore (2015) explains that much of Louisiana's laws have been amended to represent the language in common law statutes. What remains of the Napoleonic Code in Louisiana today is mainly civil and inheritance laws (Costonis, 2002). Louisiana is the only state with parishes instead of counties, which is a derivative of inceptual laws grounded in first in the Spanish and eventually the French legal system. Louisiana ranks last in many desirable categories and first in areas considered undesirable (Staff, 2017). For this reason alone, focused research on criminal justice reform in Louisiana should be undertaken.

Research in criminal justice reform is saturated, and many programs have been shown to work through empirical evidence (Corda & Hester, 2021; Beckett et al., 2016). While more limited, implementation research has also demonstrated effective ways to apply the reform programs once initiated (Engel, 2017). What is lacking in the research is ways to increase lawmakers' propensity to vote to fund workable programs. Trump (2018) and Obama (2017) both remark on the difficulty in achieving bipartisan results in criminal justice reform. If information were presented to lawmakers in a way that would increase the spirit and function of bipartisanship, it could aid in reform measures. My research will use emerging data from qualitative constructivist grounded theory to find ways to present legislation that will have a better chance of becoming law.

Theories

My approach will use inductive reasoning to make broad inferences from coded data. My goal is to construct a functional theory from the data I collect. The interviews will be iterative and deduced to theoretical viewpoints based on the constructivist grounded theory of theory building (Chun et al., 2019). There is little scholarship on what factors convince Louisiana legislators to vote for or against criminal justice reform legislation. My research will attempt to uncover theoretical anomalies that will help social science assist in the passage of legislation on reform by ascertaining what specific factors are at play when lawmakers decide to vote on legislation. The data will focus on the way meaning is attributed to the factors associated with the decision to vote on a bill, particularly criminal justice reform bills. This research can be replicated by other states and on a national level.

While Glaser and Strauss are credited with formulating grounded theory in 1967, Strauss and Corbin's methodology was furthered in 1990 and 1998 and finalized by Charmaz in 2002

(Glesne, 2016). O'Leary (2005) says that grounded theory lends itself to flexibility in research. The data taken in by a researcher can be used to explore other areas through qualitative interviewing. This inductive approach constantly reevaluates the data collected to construct the theory. The grounded theory uses a thematic analysis based on the data collected (Glesne, 2016). Charmaz and Belgrave (2006) explain that the researcher learns from the participants' experiences and uses their views in a conceptual analysis. The researcher takes the constructs of the participants' reality and, in this researcher's case, compares them to the reality of other participants to produce a theory.

Interviews in this research will be recorded and transcribed. Qualitative research software will then analyze the transcriptions and generate codes based on themes. Coding will use three steps. Initial coding will generate data and fracture the data based on action codes or words. Intermediate coding will focus on trends in the initial data. Advanced coding will complete the process and create a theory based on the results of the first two steps.

By using a constructivist grounded theory, I will codify the qualitative results from interviews with Louisiana legislators regarding their experiences with the passage of bills and the factors they consider when making decisions about those bills. Initial coding will feature a large body of action codes, and the data will be broken down by category. I will use MAXQDA software to codify the results. Intermediate coding will focus on profound principles and support theoretical formations (Chun et al., 2019). Advanced coding of the data guides building a theory and coding of the data continues until saturation is reached.

Today's Contextual Information

Criminal law theory can help gain insight into the reciprocal agreement between society, its lawmakers, and the laws enacted by legislators (Mayson, 2020). Society at large supports and

benefits from criminal laws, which differs from other types of legal statutes in that it asserts the will of the collective conscience of the people onto other people through collective punishment. Mayson (2020) describes criminal law as a collective condemnation of those that do not think or behave in the way the majority of society does. This collective condemnation has a spillover effect on sub-cultures, and minority cultures, and is dispersed in the form of unequal laws for society. When this occurs, a minority of people are being collectively controlled, or in some cases, jailed, by the majority. The same majority elects lawmakers from whom laws derive. One can assume that the will of the people is brought to fruition through its lawmakers. One can also assume that America is in a transition in that people want reform, but want it to go through the legislative process, which can take years due to the change in political winds predicated on issues such as term limits and the shifting of political parties in legislative chambers as well as societal vicissitudes.

Lawmakers are everyday people who through the election process have been given the power to make policy for all. When the majority controls policy, it does so at the expense of the minority (Levin, 2019). The voters collectively give politicians the privilege of making decisions for the people. Politicians will ultimately bow to the will of the majority. My research lends itself to understanding the complexities of criminal justice reform.

It is commonly known that past legislation has either marginalized minorities or made laws that were explicitly biased against them (Winters, 2020). How do we reverse the past will of the majority of people? How do we reform past statutory designs that marginalize a part of society? First, laws must be changed or rewritten in conjunction with designing and implementing programs to reverse the past damage to minority groups. Criminal justice reform must reverse past discrepancies to initiate reform. However, people do not like to admit they

were wrong, even if they were mistaken for simply following laws and punishments already in place.

Wenzel et al. (2020) explores human nature and psychological defenses when there is an admission to wrongdoing or in the case of legislative reforms, manipulation, or misconceptions of past legislators. The process of value affirmation allows a reaffirmation of the moral high ground when facing past wrongdoings (Wenzel et al., 2012). A unique understanding of the wrongdoing that occurred and an affirmation of sharing those values can allow someone to accept responsibility and take action. This research is designed to make that transition easier by exploring what makes legislators want to vote to reform laws and implement reform programs.

Federal criminal justice reform legislation was passed in 2016 (Obama, 2017) that urges states that house 90% of the nation's prisoners to use data-driven reforms to overhaul the country's justice system. As one of the states that houses more citizens per capita in prisons, this legislation influenced the State of Louisiana in the form of federal funding, timelines for reform, and guidelines for police reform (Seligman, 2018). In June of 2017, Louisiana responded by passing a bipartisan criminal justice reform package of ten bills aimed at reducing prison populations as well as other reforms based on the groundwork of federal legislation (Edwards, 2017). By 2020 Louisiana had reduced its prison population by nearly 15% (Carson, 2021). While this appears to be a success, according to Brancalle et al. (2021) it is not enough and factors that impact practitioners' and policymakers understanding of each other is lacking research and clarity.

Research Problem

Crowley et al. (2019) assert that the factors that affect the passage of evidence-based legislation and policy are an understudied area. Petty et al. (2018) further suggests that even

when confronted with scientific evidence, many lawmakers will not be further convinced about a bill. This key point brings us to the theoretical approach of my study and to the place where we find the nexus of science and politics. The evidence presented to lawmakers can be rebranded or presented in a way that will enable them to further their thinking about the issue.

Legislators often consult colleagues who may specialize in certain areas to help with a decision about how to vote on bills (Mooney, 1991). Attorneys who are also legislators who have a preference on legal issues will sway other lawmakers to vote in specific ways. A legislator with a technical background may impose their opinion on matters involving broadband expansion or internet restrictions. A grounded theoretical study of Louisiana lawmakers will yield rich data, insights, and observations about what influences legislators to vote one way or another on criminal justice reform bills. Criminal justice reform should be explored separately from other types of programs because of the implications a reversal of policy can have on lawmakers' perspectives.

Gap in Existing Research

Criminal justice reform is a critically important part of current legislative effort and is essential for both political and social environments. There have been numerous strategic implementations of criminal justice reforms (Richardson & Kutateladze, 2021; Rudes et al., 2021; Zielinski et al., 2020). Most of the research to date focuses on the effectiveness of the criminal justice reform programs and the implementation of policies that get funded. The link between effectiveness and implementation depends on legislators who decide whether to fund reform programs. As a result, many effective programs are lost in the process because legislators make decisions on funding and implementation (O'Rourke, 2021). The disconnection can result in the failure of programs that should work according to research. A gap in research exists at the

nexus of science and legislation. At this point, decisions are made about policy and law that can further reform efforts. We know how to explain the science of a program or policy, but how to logistically present bills in a more understandable or accommodating way to legislators lacks research.

The problem of figuring out which reforms work has been addressed and continues to be addressed in research (Richardson & Kutateladze, 2021; Rudes et al., 2021; Zielinski et al., 2020). Problems with funding and implementation have also been addressed in the literature. However, the gap in the literature exists at the intersection of proposed legislation and how that legislation is passed. Most times, the decision to pass or fail criminal justice legislation is in the hands of state representatives and senators elected geographically from all over their state. The decisions they make are affected by a number of factors. Through a constructivist view of grounded theory and using qualitative semi-structured interviewing with legislators, my research intends to uncover ways that legislators are influenced to vote for or against reform bills.

Louisiana's criminal justice reforms are constantly being put forward as bills and voted on (Louisiana State Legislature, 2022). The journey from a bill being written to becoming law is purposefully arduous. Initially, a bill is written by a legislator or staffer. The inception of the bill usually comes from a constituent concern or something the legislator feels needs to be addressed by law. A twenty-two-step process follows, which varies depending on amendments added to the bill before it is signed by the governor and made state law. Part of this process is that the bill is presented, or read, and debated on at multiple levels in differing chambers and committees within the legislature. Upon hearing the bill, legislators at these stages can make amendments, vote to pass or fail the bill, or table it. When a bill is tabled, it will usually not be heard further in the current session. During this process legislators decide whether to vote for or

against a bill or kill it (Louisiana State Legislature, 2022). My research intends to identify critical reasons some reform bills are passed, and others are killed.

My research is part of the solution to the problem of passing criminal justice legislation. We have established the need for reform and the process in which it materializes. At multiple decision-making points of legislation, bills are either killed or passed. There are numerous studies on which reforms are needed and how to implement those reforms (Richardson & Kutateladze, 2021; Rudes et al., 2021; Zielinski et al., 2020). If legislators are not convinced to pass reforms, a problem exists in the effort to change the system.

Research Aims, Questions, and Objectives

The research outlined in this study is necessary to aid in passing future legislation in criminal justice reform by identifying ways in which legislators are influenced when voting on criminal justice reform bills. Once completed, the research will serve as a guide for writing, presenting, and overall construction of criminal justice reform bills.

Objectives were discovered using qualitative semi-structured interviews with current and former lawmakers in Louisiana. The semi-structured interviews will be recorded and transcribed. My study will utilize a constructivist view of grounded theory for qualitative research. The transcriptions will be transferred to a qualitative research software program for analysis. The analysis will include an initial coding of information, which is expected to yield sizeable results. Intermediate coding will focus on selected text that was initially coded. Finally, advanced coding of the information will result in a theoretical conceptualization of the data. In addition, researcher notes will introduce supplementary qualitative data to be used as part of the theory-building process in grounded theory. I will analyze the data in semi-structured interviews in an ongoing process to build theory based on the consistencies. Data collection will continue until

saturation occurs, and a set of codes will have emerged to answer the research questions. Answers to the research questions (e.g., What factors influence the political will of legislators to pass criminal justice reforms?) will be used during bill formation, presentation, and construction to aid criminal justice reform legislation in becoming law or policy.

Significance of Research

My study will contribute to the body of knowledge on criminal justice by exploring ways that will increase the chances of passing a reform bill specific to the State of Louisiana. Legislators will be able to incorporate information from this study when they attempt to pass a reform bill. My study will address the gap in research that convinces lawmakers to vote for reform bills. I will address ways to save time and money, as well as ways to reform the criminal justice system for the citizens of Louisiana. Not only will lawmakers benefit from the results of the study, but the criminal justice community and the citizens they serve will be benefit by viable reform implementation. There is a shortage of research that explores what causes bills to succeed or fail based on the sentiments of the lawmakers who must decide the fate of each bill. My research will identify factors criminal justice reform bills should include to become acceptable to lawmakers. My study will provide practical value to reform measures because it will ensure the chances of criminal justice reform.

Limitations and Delimitations

Limitations to my study include its scope and its qualitative design. The premise of the scope is broad, but the research is limited to application variables by the legislative branch of Louisiana and the will to implement viable reform efforts. Numerous factors can affect outcomes, such as political party alignment with bills, individual legislator's perspectives about criminal justice reform, and gubernatorial veto of such legislation. The qualitative nature of this

study inserts limitations in the form of the subjectiveness and availability of participants. The societal climate at the time of the study may affect the outcome. For instance, a media story about police misconduct could influence legislators' responses. Other limitations include a lack of resources to fully explore all aspects of the research, my experience with this kind of research, and the ability to gather all opinions of those surveyed. However, the generalizability of my study cannot be underestimated. It will be based on the State of Louisiana's legislators who are willing to support various degrees of criminal justice reform. My study's usefulness will be helpful in scope and methodology, not as a source for actual implementation. In addition, applying reforms does not necessarily mean departments will successfully and properly implement them.

The scope of this study created a delineation based on the description of its participants. By interviewing former and current state legislators, I narrow the population of the study to a select group of people with specific demographics. The results may not be the same with a different set of legislators. The criteria of being a lawmaker sets the participants apart, and it should be noted that they may have political agendas that could influence the answers to my questions. Recruitment of participants will be by email to legislative offices, and participation will be voluntary. It is surmised that responses to interview requests will vary but will be generally well accepted, given the spirit of the research. The narrowness of my investigation should allow it to be recreated by other researchers in other states.

Researcher Insight

With concern for researcher situational bias, my dissertation will contain personal information to convey how and why I chose my topic and methods. I derive my perspective through the lens of an officer working through many changes within the system over the span of

my career. From a police officer's perspective, I can understand implementation issues, and from an academic perspective, I can see the social science inherit in police reform. I became interested in the middleman, or the legislative process, after engaging in criminal justice reform from a practitioner's point of view and then seeing how academia contributes to repairing societal woes. Partially due to past experiences, I chose a qualitative design for my research. Creswell and Poth (2016) say qualitative research locates the researcher at the point in the world they are living in and considers their past experiences. Birks and Mills (2015) go further and say that when using grounded theory in qualitative research, the researcher should immerse themselves in the data to construct their analysis. The ability to construct theory from data is a logistical, analytical skill that can be learned during a career's worth of investigations.

Louisiana legislators are part-time lawmakers and usually only serve a month or two during the year. During a session, the information they get in a short amount of time regarding bills they decide must be relevant, timely, and to the point. Important decisions are made daily, and sometimes with little information provided. The legislators rely on staff, private and public groups, and lobbyists to get credible information before voting on a bill. I realize the importance of the information heard by lawmakers when they decide on a bill. My research will determine how to better illustrate and convey effective social change to Louisiana lawmakers in the form of viable, implementable, criminal justice reform.

Structural Outline

Chapter one introduces a contextual study of fiscally viable legislation for criminal justice reform in Louisiana. Questions, aims, and objectives of the research are identified. The value of the study as it pertains to the criminal justice field are identified. The study's limitations and delineations are outlined and discussed as well.

Criminal justice reform is a topic of current interest, and programs and legislation that move it forward are changing with the science. Chapter two will consist of a review of pertinent literature about criminal justice reform. This review will cover key theoretical concepts and best practices in the field of criminal justice. The I will also explore development approaches and strategic implementation of reforms. The development of approaches and strategic implementation of reforms will also be explored. Chapter three will introduce the theoretical framework and methodology for Louisiana-based reforms. The qualitative nature and structure of the study will be presented. A clarified broader research design and list the limitations to the study. I will articulate the settings, participants, and data collection and analysis. Chapter four will discuss the findings of the research. Chapter five contains a summary of the findings, a conclusion, and a discussion of the results.

Central Research Questions

RQ1. What factors influence legislators to pass criminal justice reforms?

Sub questions:

1. What influential factors are at play when lawmakers make decisions about bill support?
2. What strategies can be effective enough to convince lawmakers to pass reform measures?
3. What factors differentiate criminal justice reform decisions from other legislation?
4. How is bipartisanship fostered in relation to criminal justice reform?

The research question and sub-questions are in relation to Louisiana lawmakers' abilities and willingness to pass viable criminal justice reform legislation. Louisiana is unique in its legal framework and the power given to its lawmakers (Trahan, 2011; Callais, 2021). The necessity for reform within America's criminal justice system is widespread and must be accomplished in a practicable manner (Hinton & Cook, 2021). The attitude and willingness of legislators to pass

viable reform legislation is an understudied area in criminal justice (O'Rourke, 2021). Through qualitative semi-structured interviews coupled with data analysis using a constructivist grounded theory approach, my research will identify factors influential to the decision-making process of Louisiana's lawmakers.

When using qualitative grounded theory assumptions where hypotheses are not predicted, theory is built out of the critical analysis of the data collected (Charmaz, 2018). The answer to the central and sub-research questions will be grounded in the data and constructed out of the coding process. Thematic elements will be presented in a way that describes the shared experience of the researcher and participants. This type of inquiry is investigative, inductive, and relies on the ability of the researcher to guide the methodology.

CHAPTER TWO: LITERATURE REVIEW

Overview

My dissertation will use a qualitative methodology with a constructivist view of grounded theory. A review of the pertinent literature will include a qualitative methodological analysis as well as details of a constructivist view of grounded theory. Qualitative research rests its theoretical constructs on three components (Strauss & Corbin, 1990; Charmaz. 2018), which are the data being analyzed, the interpretive procedures, and the reports made of the results. I will analyze memos and coded information from interviews. The interpretive procedures are grounded theory using a constructivist view to create a narrative analysis of the findings. My assumptions will be borne from the data collected. The iterative process will be supplemented by a fluidity of data collection based on the buildup of theory found in the process (Strauss & Corbin, 1990; Charmaz. 2018).

I will research reform theories on crime and how they affect the origins of a program or policy. The criminal justice reform movement and its successes and failures can have an impact on future efforts. The shift from a rehabilitative model to one with punitive and retributive results in the 1990s facilitated the predictors of an overbearing criminal justice system (Hinton & Cook, 2021). The charge for police reform is being led by social activists, yet the reality for its necessity is seen in overcrowded prisons and faltering state and local budgets (Ahrens, 2020).

Durkheim's social integration theory says that our collective communal need for punishing those that live outside societal norms will have its limits (Burkhardt & Conner, 2016). When there is a call for institutional reform, such as that in the criminal justice system, society has found those limits, and one could argue that, based on the history of the criminal justice system, those limits are cyclical (Grasso, 2017). When society vacillates in a generational cycle,

such as what we have seen in medical and punitive models, those limits of collective conscience push and falter every so often in a free society. In the case of America's criminal justice system, communities that face marginalization and discrimination bear the brunt of our extension of societal virtues in the form of police brutality and partial imprisonment (Burkhardt & Conner, 2016; Ahrens, 2020; Grasso, 2017; Choi & Kruis, 2021).

I will explore the psychological and political factors that affect lawmakers in relation to their decision-making processes. Factors that affect the decision-making processes of legislators vary from person to person, but some studies have found ancillary factors that support research of the process (Sheffer et al., 2018). The factors include loss aversion, choice overconfidence, and escalating commitment (Sheffer et al., 2018; Gal et al., 2018; Hafner-Burton et al., 2017). The study of the ways that lawmakers make decisions is lacking in the literature. The assumption that lawmakers are somehow gifted with an extraordinary ability to make good decisions is an allegory. Christenson et al. (2018) argue that lawmakers have implicit biases that usher in decision-making as part of a process of political cognitive dissonance.

Louisiana is the only state within the U.S. whose legal framework is grounded in the Napoleonic Code (Callais, 2021). When we combine the presence of an abundance of natural resources, such as oil, and the presence of the Napoleonic Code, we create a susceptibility for higher levels of corruption in the state, or geographic region. States with high levels of corruption have slow economies and low levels of legal reform satisfaction (Murphy, 2020). In response to federal action, Louisiana passed prison reform bills in 2017 (Louisiana Department of Public Safety and Corrections, 2021). To date, these reforms have reduced prison populations by early releases of non-violent offenders, yet crime rates have not dropped statewide (Louisiana Commission on Law Enforcement and Administration of Criminal Justice, 2121).

Literature Search

The literature for chapter two was retrieved from numerous databases and Websites. The Liberty University Library database was the primary source of journal article retrieval. I also used the Louisiana State University Library Database, Google Scholar, State of Louisiana Legislation Website, Louisiana Department of Public Safety and Corrections Website, several textbooks that discussed qualitative and grounded theory, documents written by politicians including former Presidents Trump and Obama, and Governor Edwards, as well as The Louisiana Commission on Law Enforcement and Administration of Criminal Justice. Some of the keywords used for this review include grounded theory, police and criminal reform, Napoleonic Code, political decision-making, criminal justice reform in Louisiana, psychological factors, politics in Louisiana.

Qualitative Methodology and Constructivist Grounded Theory

Qualitative inquiry uses many directional strategies in its methodology (Anderson, 2017). Some of the most widely used strategies are ethnography, grounded theory, phenomenology, narrative, biological historical and participation inquiry. In the process of qualitative research scope and direction may change due to the data accessed (Korstjens & Moser, 2017). Although this change may affect the contextual rhythm of the study, it can be expected due to the inquisitive nature of the methodology. Reality is constructed by the perception of those experiencing it. Qualitative research tries to understand and explain that reality. For any qualitative study, the contextual element is vital to understand the results. Quantitative methodology asks how many, or how often, whereas qualitative asks what, how, and why a phenomenon occurs.

Qualitative Methodology

Qualitative research observes and reports information in ways that quantitative data cannot fully describe (Glesne, 2016). House (2018) explains the dichotomy between qualitative and quantitative research as elicited and authentic. The need for one or the other is superseded by the research hypothesis and questions. If qualitative research fosters a better understanding of human behavior, rather than an explanation, it will better fit the paradigm of my research. Qualitative interviewing, observations, and interpretations, allow the reader to have a richer, deeper understanding of the research (Denny & Weckesser, 2022; Bouncken et al., 2021). Mixing forces or chemicals in math, physics, or chemistry at a certain rate, can replicate an experiment. This science is absolute and requires quantitative methods to find results. The thoughts or possibilities of the human mind have almost eight billion possibilities for each question and the probabilities of actions are endless. By using qualitative inquiry science can detect patterns in groups of people that would be difficult to quantify. When these patterns are detected through qualitative inquiry, assumptions can be made about them.

The most common method of qualitative research is to conduct an interview (Glesne, 2016). For my dissertation, I will conduct interviews in a semi-structured forum, which allows for follow up questions based on the interactions between the researcher and the participant. For qualitative sampling the participants are chosen based on a shared experience or position. In the case of my research, participants will be state legislators who vote on bills introduced to them during annual sessions.

Constructivist Grounded Theory

Burns et al. (2022) discuss the use of constructivist grounded theory and its effectiveness in research. Glaserian and Straussion grounded theories provide frameworks for the theory

articulated by Charmaz used today. Constructivist grounded theory recognizes the subjectiveness in research and uses it to explain phenomenon found in the results. This approach recognizes and accounts for views of the researcher and their interaction with the participants (Charmaz et al., 2018). In other words, the relationship or interactions between researcher and participant are valued as part of the study and as an evolution of information based on the exploratory nature of the communication. Symbolic interactionism is used to view an interpretation of the participants' perception of issues, as opposed to a replication of their perception (Da Graca et al., 2016).

Rather than attempting to fully eliminate bias in research, the constructivist argues that researcher bias, seen as supported by the perspective at which they approach life, can add to the sumptuousness of the data (Burns et al., 2022). New avenues of thought are constructed through the interactions between researcher and participant, which can be seen as an investigatory inquiry that constructs theory based on the results of a study. The constructivist goes into the investigation without any preconceived notions of what the answer to their research question may be, a method easily transferred to the field of criminal justice, where justice is blind, and investigations are conducted without preconceived notions of guilt or innocence. In addition, an investigator uses their sense of the directional flow of information to steer questioning and create avenues for deductions.

Constructivist grounded theory operates under the philosophy that individual realities differ. In this philosophy, everyone approaches an issue from a different view and while the data may be complete for the study at hand, it will never be fully complete without ascertaining all views (Charmaz et al., 2018). It is impossible to get everyone's views, and those views may change with time, which illustrates the underpinnings of constructivism because of the realities

exchanged by researcher and participant to construct theory out of their interactions. When we add grounded theory to constructivism, it allows theory to be built on multiple interactions with persons in a select group.

Charmaz et al. (2018) exemplify how constructivist grounded theory is useful in advancing social justice archetypes predicated by the comingling of researcher and participant construction of theory throughout the process (Keane, 2015). It should be noted that the researcher and participant views may change as the study progresses, and the changes drive theoretical formations. The give and take from researcher and participant are indicative of the epistemological fundamentals of constructivist grounded theory (Mills et al., 2006). In the case of politicians, it can be surmised that bias in their general way of thinking may not be evident but can be expected. In other words, the group being studied, in this case politicians, may have agendas when speaking. Based on Charmaz et al. (2018) and other views of constructivist grounded theory, a researcher may be able to read between the lines and construct their analysis of evolving dialogs to create meaning parallel to the interview results. It is common knowledge that politicians can sometimes deflect, defer, and answer questions in a generalized manner to remain seemingly neutral on an issue (Janssen & Teteryatnikova, 2017). Remaining neutral can garner support from constituents or lessen the blow to a voter who may disagree with a statement. The investigative presupposition of grounded theory can use the researcher/participant paradigm to draw inference on influential factors obtained through interviews. Both researcher and participant co-create theory during the process based on the constructs of their realities.

Charmaz's (2017) research on the power of constructivism grounded theory for critical inquiry accentuates pragmatism. She puts forth the posture of methodological self-conscience to

prove how both sides of inquiry, the participant and researcher, come at the issue from different angles, and both should be part of the inquiry. Through this method, researchers can use their part of investigations to add a sense of realism as opposed to only theoretical implications. Social justice elements can be explored more deeply using a constructivist grounded theory based on pragmatism. In other words, this method not only answers what is happening, but it can ascertain why a phenomenon is happening.

Politicians control the fates of their collective constituents in the results of their votes. Their use of bureaucratic reasoning can be used to wield power and control (Charmaz, et al., 2018). Their discourse of information can be a tool of their bureaucratic agenda. They would not come out and reveal an underpinning bias through conventional conversation. Yet, constructivist grounded theory can reveal a bias, pattern, or underlying thought through its use of investigatory constructs. The coding process can identify information from data fragmentation. Iteration of data can highlight concepts for further exploration. In addition, further research in the realm of police reform and the aptitude of lawmakers concerning reform efforts should be undertaken in similar spheres to validate the data (Belfrage & Hauf, 2017). Grounded theory inserts the researcher in a subculture and asks them to develop theory based on mainly sociologically grounded observations using qualitative methodology (Korstjens & Moser, 2017). The researcher accesses the social structural process in the social setting, or sub-culture that they are studying. They use their analysis to answer their research questions.

This research on the literature about constructivist grounded theory shows how it can be an effective method to answer my central research question. Charmaz et al. (2018) articulate why policy on social justice can be studied using constructivist grounded theory, one hallmark of which is the fluidity of the process as data builds a case for theory building. The comingling of

coded data acquired in interviews and memoing by the research can add a comparative facet to the interpretation. Charmaz (2017) says this process can predict the use of the question "why" in research. Presentation of results confirm what was learned by the researcher in the study, as well as an amalgamation of the directional thoughts of participants.

The process of connecting reasoning behind events and situations is found in constructivist grounded theory. For my study, I will use an iterative process to associate factors in the decisions made by Louisiana lawmakers in response to the situational event of voting for reform bills. By delving into the thinking process of individuals within a group, we can bring to light factors that influence them. This type of understanding cannot be found in quantitative studies, and for purposes of this research, other qualitative methods will not be as effective.

Historical Background

Alexander's 2010 essay on mass incarceration rates in America was released on the precipice of a nationwide call for police reform (Hinton & Cook, 2021). In response to a rise in crime, the criminal justice system shifted from a medical model to a retributive and punitive system that resulted in the arrest and imprisonment of minorities at alarming rates (Garland, 2002). The movement was termed, "The New Jim Crow", for its overt mistreatment of minorities. Policy makers realized there was a growing problem, and that reform would be needed.

While beyond the scope of this dissertation, the historical background dating to the inception of America can be studied to bring a realization of the deep-seated institutional discrimination that can be seen in US criminal justice system today (Gritter, 2021; Garb, 2017; Edwards, 2020). Obama-era reforms can be traced to literature about the rise of penal inequalities. While all areas of the criminal justice system have glimmers of bias within them,

the penal system is seen as an indicator or result of institutional bias (Hinton & Cook, 2021). Many of the reforms are needed to facilitate change to existing laws or policies in place. For the past several decades criminal law has traveled a linear course of strengthening or making and enhancing new laws (Ahrens, 2020). Due to budgetary woes and social backlash many of these laws need reform or abolishment. Just as incarceration rates measure effectiveness of policy, decarceration can be used to measure reform. Appuzo (2014) calls for backtracking the "tough on crime" era to usher in "smart on crime" and "right on crime" legislation, which require a change in the way lawmakers see and think about criminal justice reform.

Theoretical Underpinnings on Reform and Crime

In order to fully understand the link to reformation of the criminal justice system and crime, I will examine the literature that discusses the advancing theories of crime. Long standing theories on crime are used to explain the need for reform and even refute the effectiveness of making laws based on certain theoretical premises (Jefferson, 2016; Sarrett, 2022). Even long held theoretical premises like Durkheim's anomie theory are reined in by lawmakers from different angles (Bagaric & McCord, 2019). Cesare Beccaria, whom many consider the father of modern criminology, was against the death penalty as a punishment for crimes (Maifreda, 2021). Jeremy Bentham argues for deterrence as opposed to retribution as a factor in legislating criminal law (Engel, 2019). Sampson's and Laub's life course theory and Sutherland's differential association theory can be incorporated into legislation that is not directly associated with criminal law, yet social justice can be found in the innerworkings of these principles (Giordano, 2020). The underpinnings of many long-held criminal justice theories can guide reform efforts based on a review of their attributes and shortcomings.

Many of the theories guiding the criminal justice system can be used to explain or further the need for reform. For example, Bentham's theory of punishment argues that punishment should be used as a deterrent instead of a way to bring justice to an injustice or retributive reasoning (Engel, 2019). When we look at the penal system in America, we see what could be considered a harsh punitive system (Bagaric & McCord, 2019). The effects of prison go beyond punishing the offender. Giordano (2020) argues that Sutherland's differential association theory takes away forces in a person's life through long prison sentences that can have damaging effects on a child as well other associations among communities. Sampson and Laub's life course theory presents prison as a dissociation between important family and community ties that reduce deviance. Reducing prison populations in America can increase the chances of positive associations within communities and families (Bagaric & McCord, 2019). While there are exceptions, such as habitual offenders, violent offenders, and sex offenders, no scholar has found advantages overall to the incarceration levels found today in America. Mass incarceration has insignificant effect on crime levels (Temin, 2018; Kirk, 2022; Wasif, 2019). The full array of crime theories, and how they affect reform efforts is beyond the scope of this dissertation, yet one can easily tie them to today's reform efforts.

Durkheim posits that the criminal justice process is an extension of societal virtues and morals (Burkhardt & Conner, 2016). Incarceration is a symbol that expresses the sentiments of a society's punitive approach (Ahrens, 2020). The symbol creates an aura of emotionally charged feelings and debate. The collective need for all of society to create avenues for punishment of those who do not follow mutually agreed upon rules is a product of communal living. Based on Durkheim's theory of crime and social solidarity, our collective understanding of right and wrong is that those who break the law should be punished. There is no argument that criminal

punishment is part of a functioning society, the debate arises about the means and levels of punitive action by the state (Burkhardt & Conner, 2016).

Most agree that rapist, murderers, and sex offenders should be separated from society to keep it safe, and that society needs to punish those who refuse to adhere to rules that keep it safe (Lee, 2018; James, 2020; White, 2018), but separation from society can keep lawmakers from dissecting unfair practices within the criminal justice system. Lawmakers need to understand that laws penalize those who are not necessarily a threat to society, such as non-violent offenders. Seeds (2017) argues for the bifurcation of violent and non-violent criminals in definition and policy. Others believe that we should increase punitive action on violent offenders while simultaneously reducing sanctions on non-violent offenders, an action that would certainly fall in line with Durkheim's belief that societal punishment should be indicative of the collective conscience of its citizens.

Ancillary factors that affect the implementation of criminal justice reforms (Beckett et al., 2016) include entrepreneurial outcomes of the buildup process of laws during the decades long war on drugs. Public and private prisons, counseling, release programs, food services, lawyers, and many more side effects of the great era of incarceration can put pressure on lawmakers to kill reform bills. In addition, lobbying by these groups to lawmakers can have effects on their decision to vote for or against legislation. (Payson, 2020). Beckett et al. (2016) refer to this phenomenon as path dependance or the tendency for government programs to inadvertently create businesses needed to support those programs. Once the businesses are created, it can be hard for legislators to cast votes that might put working citizens out of a job. The pressure from lobbyist and groups representing those that work for enterprises tied to the penal and criminal

justice system can override the sentimentalities of a lawmaker in reform efforts. The question is, how do legislators get past these hurdles when attempting to pass social criminal justice reform?

What Predicates the Need for Reform?

Public outcry, similar to what occurred after Michael Brown's death in Ferguson, Missouri has predicated the need for criminal justice reform (Robinson, 2020). The field of criminal justice is receptive to the need for reform. The president of the International Association of Chiefs of Police made a public apology to minorities for past transgressions against minority communities. Use of force policies have been amended to reduce deadly encounters between police and citizens (Stephens, 2019). Subramanian et al., (2017) report on police reform trends. Seventy-nine bills originating in thirty-four states were aimed at reforming the criminal justice system in the wake of Ferguson, including improving police practices in use of force, profiling, crisis intervention, body cameras, data collection, and accountability of the police. Mandated training on crisis intervention, mental health, and use of force were also legislated between 2014 and 2017 (National Conference of State Legislators, 2018; International Association of Chiefs of Police, 2019; Mather, 2017). In the future, the focus of criminal justice reform efforts should consider several key factors. These factors include prioritizing community and trust to legitimize efforts (President's Task Force on 21st Century Policing, 2015), creating hiring practices that further legitimize reform efforts (Rahr & Rice, 2015), getting leadership to recognize the need for reform (Morin et al., 2017), and developing more interaction between academia and practitioners (Braga et al., 2013).

No literature review on criminal justice reform would be complete without covering legislation regarding marijuana legalization. Ahrens (2020) traces the historical roots of legislation sweeping over America which is eroding long held views and laws about marijuana.

Minorities have been disproportionately targeted, arrested, and imprisoned, regarding marijuana use, sales, and transportation since the inception of the war on drugs (Mosher & Atkins, 2019). A reformation of marijuana laws at the state level can be seen as a precursor for the ability of state legislatures to reform the criminal justice system. The majority of Americans would like to see marijuana become legal both recreationally and medically (Vann, 2022). The push for legalization has occurred mostly at the state level and less so at the federal level, which highlights the viability of reform efforts within state legislations and signifies a grass roots effort for voters to push their will to reform from local jurisdictions, into policy within their states. This push emphasizes the ability for states to be on the cutting edge of reform instead of following mandates from the federal government. For purposes of my research, the states' ability accentuates the need to find avenues for legislators to push legislation through to reform inequalities within the criminal justice system.

Psychological and Political Decision-Making Factors

To better understand factors that guide the political processes about proposed legislation, I will cover an understanding of what guides decision-making in general. Politicians possess an understanding of how decisions are made (Sheffer et al., 2018). People in general base decisions on divergent points that affect them personally. Factors that have a bearing on decision-making are, age, gender, education, subcultural leanings, expertise, and other demographical factors. People make voting choices based on their view of the world. They represent themselves in the voting booth. Political science has volumes of scholarship about the decisions of voters yet is lacking in research about how and why elected officials make decisions when representing their constituents.

Loss Aversion, Choice Overconfidence, Escalating Commitment

Sheffer et al. (2018) reports that the decision-making processes of elected officials are understudied, and that many assumptions about the elite abilities of politicians to make informed decisions are embellished and inaccurate. Those that run for elected office have, in general, a set of personalities that differ from the common man. These differences do not necessarily make them better decision-makers. Factors such as loss aversion, choice overconfidence, and escalating commitment all play a part in the decision-making personality present in many lawmakers.

Loss aversion is a way of thinking that overemphasizes the impact of a loss over a gain (Gal et al., 2018). Loss aversion can create trepidation in a legislator's mind when voting on a bill. The fear of being on the losing side can have an impact on the legislator's decisions. Choice overconfidence is a resounding feeling that one's choices are right because of past experiences (Lin & Bier, 2008). Politicians are particularly susceptible to being overconfident based on psychological profile studies of those who have run for public office (Hafner-Burton et al., 2017). Overconfidence can become amplified in decisions. Preferences of politicians can be magnified in their decision-making processes. In addition, many of the decisions they make are a direct influence of their experience with the body that elected them. Their overconfidence stems from their popularity, and the fact that they were elected translates to an oversimplification of the correctness of their choices. In other words, they may think that they are always right because they were elected by those that trust them to be always right (Sheffer & Loewen, 2019). Escalating commitment deals with the decision-making power of groups of people and hinges on the interplay of individual choices and how the majority effects those decisions (Curseu et al., 2016). When politicians take a stance on an issue, they will sometimes strengthen that stance in

the presence of adversity. By publicly supporting an issue, many politicians will continue to support it and when it fails, they will go down with the ship. The same occurs when an issue, policy, bill, or program is not supported by a group. When these cognitive processes occur in a group setting, it can deter free thinking and block out reason.

Cognitive Dissonance

Predictive levels of cognitive dissonance influence decisions made by politicians (Baekgaard et al., 2019). The implicit biases of lawmakers will be ubiquitous even when faced with mounting evidence (Christenson, et al., 2018). Faced with prior beliefs and a need to serve their electorate, cognitive dissonance will allow lawmakers to turn a blind eye to mounting evidence on an issue. Motivated reasoning theory individualizes meaning between accuracy and directional goals. The decision-making process involves a lawmaker motivated by the direction they want to take and one that calls for objectivity on an issue. Decision-makers using directional motivation can use interpretation strategies to indulge their preconceived ideology thus enacting their cognitive dissonance about an issue. Lawmakers can selectively hear substantiation that posits their way of thinking on an issue, resulting in a skewed version of the truth. Baekgaard et al. (2019) show evidence that pre-conceived ideology of a legislator can directly impact their understanding, interpretation, and beliefs.

Preconceived ideology by individual lawmakers determine how they process information (Baekgaard et al., 2019). Research shows that when presented with more evidence, only those who previously supported the motion at hand will increase support for the issue. If a politician hears additional evidence about an issue that they did not initially support, the additional evidence will not dissuade them from their way of thinking. New information is viewed through the lens of predetermined attitudes and beliefs. When sides are at odds, the propensity to act

irrationally is increased (Esaiasson & Ohberg, 2019). This irrational behavior coincides with escalation commitment (Curseu et al., 2016). Conflict with preconceived beliefs affecting rationality can also present an air of competition between lawmakers. In other words, there can be animosity between lawmakers for not listening to reason, and retaliation can occur.

Based on the literature we can assume that the decision process in legislation is different than that of the common man. The factors at play reach deep and affect how lawmakers decide to vote on bills. Some supplementary factors include prior beliefs, the need to be consistent for their electorate, self-perceptions, loss aversion, choice overconfidence, and escalating commitment (Baekgaard, et al. 2018; Curseu, et al. 2016). Based on prior studies it is safe to assume that there are motivational factors that affect how lawmakers come to decisions on bills. If future studies can identity theories to categorize influential factors affecting legislation decisions, then bills can be better presented to capitalize on the dynamic.

Louisiana Political System

The legal parameters that differentiate common law and Napoleonic Code have to do with the role of case law interpretation versus the role of legislation and how these two factors affect current legal systems (Trahan, 2011). Louisiana is the only state that operates under the Napoleonic Code. There is debate on how much of this legal tradition stems from Spanish and French origins. What is not debatable is the impact these legal methodologies have on legislation and the power of current legislative efforts. In short, Louisiana's legal setup gives precedence to a more powerful legislative and executive branch, thus reducing the power of case law and interpretive judicial power. Judicial precedence carries less weight in Louisiana than in other "common law" states (Algero, n.d.). Judges in Louisiana adhere to legislation more often than they examine case law. Many times, judges who review case law in Louisiana cite other

interpretations of existing legislation. While this review can strike a unique balance in legal decisions, it separates Louisiana from the rest of the country in its legislative framework.

Louisiana's legal system differs from the rest of the country (Callais, 2021). Napoleonic Code as it was applied to Louisiana took legal structure from Spain (both countries owned Louisiana at one time) to create the present-day legal system. Napoleonic Code emphasizes the state's role in legal matters and dilutes the importance of case law as a guide, which can lead to too much power in the hands of the governor and lawmakers leading to corruption. Louisiana leads the nation in political corruption arrests per capita. Early French civil law was brought back from obscurity in the 11th century by Catholics. When France owned Louisiana, the legal system was set up on the basis of Napoleonic Code. Surprisingly, after the Louisiana Purchase, Louisiana continued to operate under many of the tenants of the law, which separated it from other states in a legal sense (Callais, 2021, pp. 663-666)

Napoleonic Code tips the checks and balance scales in favor of legislative and executive power over judicial review (Callais, 2021). Studies have shown that when a state or nation has roots in Napoleonic Code, a politically corrupt environment is more probable (Callais, 2021; Scottus, 2017; Crosby-Arnold, 2017). When a state is rich in natural resources, such as oil, is added, corruption, authoritarian ideology, and a sluggish economy can be the result (Brooks & Kurtz, 2016). Louisiana has its inception rooted in Napoleonic Code and is rich in many resources. Incidentally, or perhaps correlative, it has the highest rate of corruption of all fifty states in the U.S.

The Institute for Corruption studies ranks Louisiana in the top five states with high levels of corruption. Louisiana also ranks second to last in legal reforms in reference to the legal systems in place (Murphy, 2020). Louisiana ranks 38th in economic freedom. This is partly due

to its tight regulation and licensing mandates on occupational substrates. Callais (2021) reports that Louisiana is the only state that forces low-income workers to have state issued licenses. For example, if one wants to sell flowers in Louisiana one has to have a state issued license or be in violation of state law (Louisiana Department of Agriculture & Forestry, 2022; Callais, 2021). Louisiana ranks 39th in entrepreneurial gains (Callais, 2021). Factors such as the number of lobbyists in the state, venture capitalism, and judicial practices are used to calculate economic and legal efforts. Louisiana's legal system is keeping the state from making progress, and so Louisiana struggles politically, economically, and legally.

Louisiana ranks second in oil production and its neighbor, Texas ranks first. Texas is economically sound while Louisiana consistently ranks as one of the poorer states. Although not an empirical study, Callais' (2021) comparison of state legal systems and their correlation to corruption outlines how opportunities for reform may be staunched by predicating factors. The legal, and legislative system in Louisiana can be seen as a barrier to economic and reform progress in Louisiana. While the presence of Napoleonic Code does not quantitatively show that it is the reason for problems in Louisiana, the correlate of the different legal systems and corruption, supplementary to the correlate of corruption and the state's downward trend cannot be dismissed (Murphy, 2020; Callais, 2021).

Cross and Maloyed (2022) describe Louisiana politics as reflecting "unique historical, demographical, cultural, and economic influences that has combined to produce a political culture quite unlike that of other states" (p.1). Louisiana's governor has extra-constitutional controls that can sway the balance of power. The state has a corrupted past resulting in a one-party government. Oil and natural resources exert their power over the legislative process in unprecedented ways in America. Local governments are overpowered by state governing

statutes which reduce autonomy. Recently, Louisiana has turned from blue to red, meaning that the traditionally staunch Democratic stronghold is now a Republican one. This change presents a unique time in the state's history to make positive changes.

Louisiana's Legal Process

Louisiana has a process like many states in passing legislation (Louisiana State Legislature, 2022). When a citizen or a legislator introduces a bill, it is entered into the legislative process. Unless special circumstances arise, lawmakers will meet yearly in session. Lawmakers consider tax related bills one year and all other legislation in the following year, continuously alternating between the two kinds. Once introduced in the House of Representatives, a bill is referred to a committee. There are sixteen committees that hear arguments regarding bills. Of importance to this study are the following committees: Administration of Criminal Justice, Judiciary, Appropriations, House and Governmental Affairs, Ways and Means, and Civil law and Procedure.

Table 1

Committees Responsible for Reform Bills

Committee	Subjects Covered
Administration of Criminal Justice	Criminal Law, Criminal Procedure, CDS, Evidence, Traffic, Illegal Weapons, Correctional Institutes, Gambling.
Judiciary	All Levels of State Courts, Judges, Attorney General and District Attorneys, Clerks of Court, National Guard, Civil Defense, Jurisdiction Issues, Holidays, Alcohol Sales, and matters not covered in other committees.

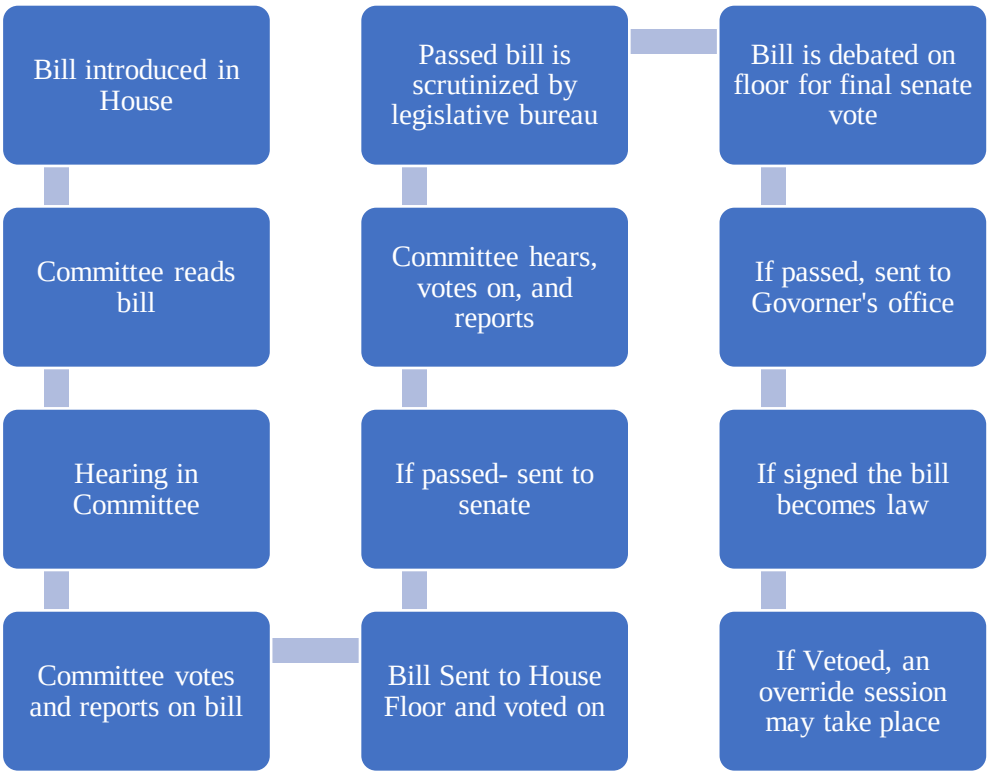
Appropriations	Funding for Programs, Cash Flow, Efficiency of Governmental Operations, Budgetary Issues, Consulting Services, and Public Bid Process.
Ways and Means	Taxes Collection and Revenue, and State Budgets.
Civil Law and Procedure	Civil Code, Constitutional Rights and Changes.

Note: The information above is summarized from Louisiana State Legislature Website (2022).

The committees hear testimony and ask questions from stakeholders regarding the bill at hand. The bill is voted on by the committee (Louisiana State Legislature, 2022). If passed, it is sent to the full house for approval. At any time in this process, a legislator can amend the bill, or add and subtract wording to change the bill. Also, at any time in the process the bill can be tabled, or put aside by the sponsor, killed, or voted down, or passed to continue the process. Once a bill passes through this process in the House it must be sent to the Senate where a similar process takes place. Controversial bills are amended many times over and much of the time they are tabled or taken off the calendar by the sponsor. If a bill makes it through both chambers and committees, it is voted on by the entire house and senate. If passed, it will go to the governor's desk to be signed or vetoed. If signed, the bill becomes law, if vetoed the legislature can override the veto with a two-thirds majority. Currently there are 105 State Representatives and 39 State Senators. Figure 1 outlines the general process of a bill becoming a law in Louisiana.

Figure 1

Bill to Law in Louisiana



Note: This process was gathered from information posted on the Louisiana State Legislature Website, 2022

In 2017 Governor John Bel Edwards signed ten criminal justice reform bills into law as part of a package of criminal justice legislation (Edwards, 2017). A Justice Reinvestment Task Force was formed to calculate returns and impacts on the newly enacted laws. The Louisiana Department of Public Safety and Corrections (2021) outlines ongoing progress of the programs. The Justice Reinvestment Package was implemented as a response to the fact that Louisiana maintains the number one spot for prison population per capita. The legislation aimed to reduce prison populations and reinvest the cost savings into community programs to instill prison reforms within the state. Louisiana was putting offenders behind bars at up to three times higher proportions than other states in the South with similar crime rates, with no reduction in crime due to high recidivism.

Results show that prison populations are being reduced and non-violent offenders are less likely to serve time while the population of violent offenders behind bars rose slightly. Overall, the program is operating as intended. In 2009 there were over 35 thousand inmates in Louisiana, in 2020 that number decreased to 27 thousand. Of concern is that many of Louisiana's inmates are housed in parish jails which have little or no rehabilitation or reentry services. Also of concern is that crime rates remain relatively stable in Louisiana (Louisiana Commission on Law Enforcement and Administration of Criminal Justice, 2021). These deficiencies show that the legislation passed in 2017 were a productive first step in efforts to reform Louisiana's Criminal justice system, yet more is needed.

Summary

The literature review for this dissertation covered theory, reform theories on crime, psychological decision-making factors of politicians, the Louisiana Political System and reform efforts in Louisiana. My study will use a constructivist view of grounded theory. I will implement qualitative methodology to ascertain, through semi-structured interviews, factors that affect the decision-making process of legislators on reform bills or polices. I chose this methodology and view of inquiry because of its applicability and fluidity (Anderson, 2017; Charmaz, 2017). Reform theories on crime outline the problem of prison overcrowding, the historical background of reform, Durkheim's view of punishment and society, barriers in reform, and marijuana legalization (Hinton & Cook, 2021; Gritter, 2021). Psychological factors for lawmakers include, loss aversion, over confidence, and escalating commitment. The preconceived ideology of lawmakers and the collective perceived will of their electorate can steer the decisions of a lawmaker (Scheffer et al., 2018). The Napoleonic legal system is deeply rooted in Louisiana culture and legal framework. This legal system, combined with a wealth of

natural resources can foster corruption and a faltering of statewide economic growth (Callais, 2021). Reform efforts in Louisiana are a result of federal guidelines and have worked, yet there is more reform needed to curb crime and fully realize a revamping of individual rights within the criminal justice system (Louisiana Commission on Law Enforcement and Administration of Criminal Justice, 2021).

CHAPTER THREE: METHODS

Overview

The research on which the data for this study will be based is interviews. These interviews will be conducted with lawmakers in the state of Louisiana. I will use a qualitative method of interviewing. The theoretical premise will be grounded theory. A constructivist view of grounded theory will be implemented. The manner in which the data collection will occur is by teleconference, using Microsoft Teams software. The interviews will be recorded, transcribed, checked for accuracy, and coded using initial, intermediate, and advanced coding techniques. The data will be sorted and analyzed using MAXQDA qualitative coding software. Using an inductive approach, the data will build theory based on coded phrases. Constructivist views of grounded theory will be implemented using new data as the study progresses to create pathways of investigative reasoning based on obtained and coded data.

Design

I will use a qualitative grounded methodology that was originated by Straus and Corbin in 1967 and fine-tuned in several works dating into the 1990s (Straus & Corbin, 1990). Charmaz finalized the theoretical underpinnings of grounded theory and created the constructivist view in 2002 (Glesne, 2016). This methodology fits well with the concept of the research in that the answers to the research questions are unknown, and possible solutions are not hypothesized. Constructivism creates theory from the data inductively. The data is analyzed not after but during the study to ascertain directional themes. Once these directional themes have been exhausted, data saturation occurs, and theory is built from the results of interactions between participant and researcher. A conceptual analysis is built from the learned experiences of the researcher as they view the data and investigate the coded data (Charmaz & Belgrave, 2012).

Research Questions

A constructivist view of grounded theory finds the participants in a certain time and place and creates conceptual theories based on their answers to research questions (Hansson et al., 2021). Patterns of thought categorized by key words and phrases, which are pulled out through computer memoing, are analyzed. The individual answers of participants are not necessarily used to report data, rather the culmination of all the participants answers is used to create a theory of social leanings for the time and place studied. These social leanings could be skewed by current events, social leanings of the time, or personal feelings toward a subject.

Symbolic interactionism plays a part in the methodology of constructivist grounded theory (Charmaz, 2014). The experiences of lawmakers both personal and professional can shape the meaning of subjects to an individual. This study shows how we can find patterns in the culmination of the collective symbolic interactionism of a group to form theory. The group of lawmakers in this study find meaning from their individual environmental experiences yet have a job to do based on mutuality of outcome. Their job is to pass legislation for the good of their constituents. The preferences of lawmakers toward criminal justice reform can be based on pre-existing experiences, yet the results of their decisions are based on a mutual goal of the group. The theory this methodology creates will be based on these two factors. The interview questions (research questions or *RQ*s) are based on these preconceptions.

RQ1. What factors influence legislators to pass criminal justice reforms?

Sub questions in support of the main research question:

1. What influential factors are at play when lawmakers make decisions about bill support?
2. What strategies can be effective enough to convince lawmakers to pass reform measures?
3. What factors differentiate criminal justice reform decisions from other legislation?

4. How is bipartisanship fostered in relation to criminal justice reform?

Interview Questions

1. When voting on criminal justice reform legislation, what factors do you consider?
2. How valuable is scientific evidence when making decisions about criminal justice reform bills?
3. What factor influences your decision to pass or fail a bill on criminal justice reform?
4. What is your decision-making process for bills regarding criminal justice reform?
   A. Is it different than the process for other bills?
   B. If so, how, and why are the processes different?
5. What are some of the ways the different political parties vote when considering criminal justice reform, and why?
6. What other influential factors are at play when lawmakers make decisions about bill support?
7. How is bipartisanship fostered in relation to criminal justice reform?
8. What strategies can be effective enough to convince lawmakers to pass reform measures?

Setting

The semi-structured interviews for this study will be conducted via teleconference. I will use the Microsoft Teams program or recorded and transcribed phone calls for the interviews. Microsoft Teams is a communications platform that allows users to connect with video, chat, audio and text. I will record the interviews using the record feature on Microsoft Teams or a recorded phone call and enter the transcription into MAXQDA for coding. I chose this setting because of the compatibility between the transcribing and recording software and the coding software. The setting for the interviews will allow interviewer and interviewee to interact via

teleconference or phone call, thus allowing for follow up questions and clarifications. Members of the Louisiana legislature can be contacted by their legislative email addresses, and it is assumed that if they agree to participate, they will conduct the interview at their convenience.

Participants

The population set for this study will be current and former lawmakers in the state of Louisiana. They may be State Senators or State Representatives who have or have had an active part in passing legislation. I intend to conduct interviews with members of different political parties. I intend to conduct a minimum of nine interviews. These interviews will be semi-structured and will analyze the decision-making processes of legislators who make decisions about criminal justice reform bills.

Invitations that explain the research purpose will be sent to legislators' official email addresses. Rather than send invitations to every lawmaker, I will initially email invitations to a diverse group of legislators that represent as close as possible the demographics and political leanings of the current legislative body in Louisiana. The Louisiana legislature seats 144 members. Of these 105 are state representatives and 39 are senators. The House of Representatives seats 69 Republican, 33 Democrat, 2 Independent, and has 1 vacancy. The senate seats 27 Republican and 12 Democrats. These elected members are from different geographic areas of the state. I will email invitations again according to responses from the first email. I anticipate some snowball sampling as participants may be able to initiate contact with other lawmakers by legitimizing the research to them. I assume that the participants get email requests for varying purposes, and recommendations from other lawmakers can go a long way in initiating positive contact.

Locations for the interviews will be through a computer-aided conference call. This avenue of contact ensures equivalency in data collection and will allow for recording through Microsoft Teams software. Transcriptions of the recorded interviews will be reviewed for accuracy and amended if software inaccurately deciphers the words. I anticipate that with the different accents and speeds of speech, there will be anomalies that predicate inaccurate transcription of commonly used words. Times and dates for the recorded interviews will vary due to the availability of the participants. Interview questions may also change as the inductive constructivist process builds theory from coded interviews, which is explored in subsequent data retrieval (Charmaz et al., 2018). I will secure my data by a password copied to a thumb drive and kept in a locked drawer. However, I anticipate that participants will agree to have their answers available to the public for transparency purposes.

Procedures

I will record and transcribe interviews. Institutional Review Board (IRB) approval will be acquired prior to any emails sent to participants and before gathering any data. I will obtain written permission via email before interviewing any participants. The participants for this study are commonly questioned by the media and their thoughts on issues, bills, and policy is known by many. Qualitative research software will then analyze the transcriptions, and generate codes based on themes. Coding will be completed using three steps. Initial coding will generate data and will fracture of the data based on action codes or words. Intermediate coding will focus on trends in the initial data. Advanced coding will complete the process and create theory based on results. Charmaz (2012) describes intermediate coding as axial coding, used when incorporating thematic elements of code around the axle, or core of the data. Axial coding brings back the data and categorizes it after fracturing in initial coding. Themes such as conditions, actions, and

consequences are used to focus during axial coding. The advanced or theoretical coding level analyze the focused codes and help maintain theoretical premises found by grouping them in even closer related categories. Inductive coding procedures, as opposed to a priori coding, will be used as grounded theory does not permit the use of pre-determined hypothesis. Grounded theory creates theory from constructing the garnered data without pre-conceived notions of what it will yield.

By using a constructivist grounded theory, I will codify the qualitative results from interviews with Louisiana legislators regarding their experiences with bill passage and the factors they consider when making decisions. Initial coding will feature a large body of action codes, and the data will be broken down by category. MAXQDA software will be used to codify the results. MAXQDA separates coded material into groups by a hierarchical coding system. Intermediate coding will focus on more profound principles and support theoretical formations (Chun et al., 2019). Finally, advanced data coding will be used to build theory from the ground up and will result in continual data processing until saturation occurs in the coding process. The data collected in this study will be kept on my personal computer in a locked drawer in a locked office. A back up of the data will be stored on a storage devise which will be locked in a safe.

Researcher's Role

Roger et al., (2018) describes qualitative research as a process where the observer is located by the research. Realities found in individual research are objective to a point. It is important that the role of the researcher remain neutral, yet that role must be malleable in its execution. Corbin & Strauss (2015) see the ability of the researcher to bend to the direction of the research and become empathetic in their performance as a crucial part of the researchers role in qualitative inquiry.

I am the human instrument in this study. I will be asking the questions as well as the follow up questions in semi-structured interviews with participants. I may have met some of the participants in my role as a consultant, but do not have a personal relationship with any of them. My personal biases are concerning scientific data and its necessity in decision making processes. In other words, I may be biased to answers that favor scientifically based solutions that could affect follow up questioning.

Data Collection

Data collection will be comprised mainly of semi-structured interviews. During the interviews, which will be recorded, I will take notes that can be part of the theory building process (Charmaz, 2014). As part of the initial coding process, the researcher can decide which action codes deserved to be narrowed in order to focus coding. The memos taken by the researcher can help identify thematic elements not discovered by machine coding, or it can reestablish the theme as relevant. Recording and researcher memoing will take place simultaneously. Data collection will take place at the time the participant choses and will be recorded via Microsoft Teams or through a recorded phone call and then transcribed. Once transcribed the data will be entered into qualitative examination software for inspection.

Interviews

Semi-structured interviews will explore the participants views on criminal justice reform efforts.

Interview Question 1.

When voting on criminal justice reform legislation, what factors do you consider?

Bureaucratic language can have an influence on what lawmakers consider when passing legislation (Kroger, 2022). Factors that lawmakers consider when voting on legislation can

include expert testimony, lobbyist interaction, party affiliation, and personal preferences. This question will ascertain the thinking process of the lawmaker in reference to which factors carry weight in their decision making. Follow up questions for this interview question could be regarding the importance of the factors the participant mentions.

Interview Question 2.

How valuable is scientific evidence when making decisions about criminal justice reform bills?

Recent studies show that there is a rift between scientific evidence and lawmakers' decisions (Crowley et al., 2021; Kennedy, 2020). When a collaborative effort exists between researchers and policy makers it can increase the efficacy of that policy. Conceptually based research as opposed to hands-on research has been shown to have more value to lawmakers. A follow up question to this issue could be based on the merit of the scientific evidence concerning conceptual or actual program evidence. When research shows efficacy in a policy or project, those with no preconceived notions toward that policy can cross party lines to support the bill. This question could determine if party lines affect the decision-making process, and how much weight the participants' political affiliations have to do with their decisions. In other words, in what cases would scientific evidence trump other influential factors such as party affiliation or personal sentiment?

Interview Question 3.

What factor influences your decision to pass or fail a bill on criminal justice reform?

There are many factors at play when lawmakers make decisions about criminal justice reform bills (Schroeder, 2022). Political pressure, future political, legal ramifications, and public sentiment are considered. Dodsworth (2021) argues that state lawmakers do not have a grasp of

the reality of the implications of their decisions when it comes to criminal justice reform. The answer to what influences an individual lawmaker could yield results that affirm this assertion. Follow up questions could discuss why the factors mentioned by the participant influence them. Their answer to follow-up questions should yield rich information on the background evidence or experience that play a role in their decisions.

Interview Question 4.

Is your decision-making process for bills regarding criminal justice reform different than the process for other bills?

This question will explore the differences between the way the participant makes decisions based on the type of bill being presented. For example, a bill funding a road in a specific area may be a simple choice based on funding or a *quid pro quo* situation. Decision-making processes for lawmakers vary according to the type of bill being considered (Sheffer et al., 2018). By coding and memoing answers to this question my study can find nuances related to decisions made surrounding criminal justice reform.

Interview Question 5.

What are some of the ways the different political parties vote when considering criminal justice reform, and why?

This question will find out if the participant has a vision of their colleagues and the way they make decisions about criminal justice reform. The answers could explain the participants' personal preference and delve into why they make decisions based on party affiliation. Perhaps a bridge can be built if we know what each side feels about the decision-making process of others. Gelman & Wilson (2022) assert that there is a gap between personal ideology and partisanship. Partisanship can override ideology, which leaves scientific evidence as a third-party affiliate in

decision making. Follow-up questioning can lead to coding of how each side feels about the other when making decisions.

Data Analysis

Epistemological legitimacy can be found in a researcher's method of inquiry (Consoli, 2021). The data analysis in this study will show the results of a narrative inquiry. By using computer assisted qualitative data analysis I will break down semi-structured interviews with participants in the initial coding process. Intermediate coding will further separate thematic language apparent across the participants' interview transcriptions. Finally, advanced coding of further reduced thematic overtures will result in the process of theory building. Charmaz (2014) finds participants and researcher in a specific place and time, and uses the interaction combined with the results of coding to create theory based on the combination of personalities and cultural understandings.

For this study I will use MAXQDA software. MAXQDA is a qualitative software designed to use for multiple forms of mixed method and qualitative research (Marjael et al., 2021). MAXQDA can analyze different types of data for thematic inquiry. For example, pictures, articles, media, and interviews are used for analyzation. MAXQDA looks for content analysis as well as thematic analysis. For this study we are looking for thematic analysis based on content of transcribed interviews. MAXQDA released its first version of qualitative research study in 1989 and has added numerous features and capabilities since then. Of interest to this study is its ability to organize and categorize data from interviews. When using the code theory model template, the software categorizes and produces memos from transcribed interviews. These theoretically based codes can be further reduced to produce a workable theory based on the thematic elements found in the culmination of the interviews recorded for research.

Trustworthiness and Credibility

Trustworthiness is an essential aspect of qualitative research that ensures that the findings accurately describe reality and are consistent, applicable, and credible (Stewart et al., 2017). I will discuss each aspect of trustworthiness, and the methods proposed to achieve them, in a study involving interviews with lawmakers regarding their willingness to pass criminal justice reform legislation. Trustworthiness should be part of all planned research (Glesne, 2016).

Credibility refers to the extent to which the findings accurately describe reality. According to Guba and Lincoln (1994), credibility is established through the richness of the information gathered and a researcher's analytical abilities. In this study, credibility will be established by conducting in-depth interviews with lawmakers and collecting a large amount of data. Additionally, the researcher will use negative case analyses, where counterexamples are sought to challenge the findings, and peer/expert reviews ensure that the conclusions are valid. Lane (2021) explains how when a diverse panel of participants is used in a study, inclusion of all views can create thematic negative case analysis that can enrich the data. This diversity can also increase credibility by allowing the researcher to induce from varying viewpoints that there may be a deeper meaning based on the findings in the negative case analysis. In other words, when opposite viewpoints are found within the research, further inquiry into reasoning behind their differences can add credibility to the research.

Dependability and Confirmability

Dependability and confirmability are similar to reliability in quantitative studies and deal with consistency (Thomas & Magilvy, 2011). Lincoln and Guba (1985) suggest that dependability and confirmability are established through the provision of rich detail about the context and setting of the study. In this study, dependability and confirmability will be

established by providing detailed descriptions of the participants, the data collection process, and the data analysis. Additionally, member checks will be used, where the participants will be asked to review and confirm the findings, and an external audit will be conducted to assess the consistency of the findings. According to Bloomberg and Volpe (2019) dependability is part of the process of a studies ability to be replicated. If the results are consistent with the data then dependability is conferred.

To be confirmable, the ambiguous nature of the ability to be objective must be understood. When the researcher understands the nature of their objectiveness, it can be factored into resulting data. Once the tenants of transferability and dependability have been identified, confirmability can be accepted (Thomas & Magilvy, 2011). If researchers can understand their biases, and incorporate them into data coding, the coding can yield more confirmable results, which can also be accomplished by following the themes in the semi-structured interviews, rather than leading the conversation.

Transferability

Transferability refers to the possibility that what was found in one context is applicable to another context. According to Lincoln and Guba (1985), transferability is established through the provision of detailed descriptions of the context and setting of a study. In this study, transferability will be established by providing detailed descriptions of the participants, the data collection process, and the data analysis. Additionally, prolonged engagement will be used, where the researcher will spend a significant amount of time working with the data to gain a deeper understanding of the context.

The term transferability when used in qualitative research is synonymous with external validity when referring to quantitative research. Transferability further refers to the ability to

recreate the study in a similar atmosphere (Thomas & Magilvy, 2011). My research will describe participants in a way that will allow other researchers to perform studies using similar participants, which can ensure reliable transferability. If this study uses five Democrat and five Republican state level lawmakers, other studies can increase transferability by using the same demographics of participants.

Ethical Considerations

Qualitative research should have at its forefront the protection of its subjects (Arifin, 2018). The personal environment found in an interview setting compounds the need for ethical considerations in qualitative research. For this study, the participants will be informed of the details of the research, as well as how the information garnered will be analyzed and disseminated. The data gathered in this study will be kept in my locked office in a locked drawer. I will have the data saved on my personal computer as well as on a thumb drive. No information will be used without the express written consent of the participants.

The participants in this study are interviewed regarding their views continually. Their views are transparent and can be heard in multiple media forms by everyone. Louisiana legislators can be heard on the radio and Internet, and their views are in printed media daily. For this reason, I will use the participants real names in this study. These are public figures that express their views in a public manner. Their standing in the public arena does not garner them the luxury of having their views remain private. Legislators are aware of this inefficacy as being part of their roles.

Conclusion

The data collection and interpretation in a qualitative grounded theory study depends on the interaction between participant and researcher. In this type of research, the investigative

avenue taken by the researcher when using an inductive approach is fluid, malleable, and based on cause- and-effect (Charmaz, 2017). I anticipate that theory will be built from the ground up through the process, which is constructed to provide the researcher with information to build a case for theory production. Once coded, data will be analyzed for patterns and used to further the study.

CHAPTER FOUR: FINDINGS

Overview

The findings in this chapter are the result of an eight-question interview conducted with nine Louisiana lawmakers. The Louisiana Legislature if composed of 71 Republicans, 33 Democrats, and 1 Independent. Republicans represent 68.3% of the legislature, Democrats 31.7%, and the Independent is .96%. The nine interviews of legislators reflect these numbers with 6 Republicans representing 66. 6%, and 3 Democrats representing 33.3%, and the Independent brings the ration to 100%. Each participant was allowed to speak at length about their experiences with passing reform bills. Each participant had different reactions to the interview questions. This chapter will review the distinctive responses of each interview and compare the differing opinions. The plan initially was to use the names of the participants, but the decision not to do so was made in the interest of discretion and privacy; for purposes of anonymity, the participants will be referred to by numbers 1 through 9. The questions were:

1. When voting on criminal justice reform legislation, what factors do you consider?
2. How valuable is scientific evidence when making decisions about criminal justice reform bills?
3. What factor influences your decision to pass or fail a bill on criminal justice reform?
4. Is your decision-making process for bills regarding criminal justice reform different than the process for other bills?
    a) Is it different than the process you use for other bills?
    b) If so, how and why are the processes different?
5. What are some of the ways the different political parties vote when considering criminal justice reform, and why?

6. What influences lawmakers to make decisions about supporting a bill?
7. How is bipartisanship fostered in relation to criminal justice reform?
8. What strategies can be effective enough to convince lawmakers to pass reform measures?

Participant 1

Participant 1 (P1) is a Republican whose answers to the questions were candid and relevant. P1 said that factors in passing criminal justice legislation were a) cost to the taxpayer, and b) benefit to the voter. Both decision-making points for this lawmaker had to do with immediate safety and cost concerns. It should be noted that the reform decision process for P1 did not involve what might be better for the person in the system, i.e., the criminal. P1 weighed in on question 2 regarding scientific evidence and its impact on decision making. P1 mentioned the 2017 Louisiana Criminal Justice Reform Act and its effects:

> At the time, Louisiana had a 41% recidivism rate. Today, we only had 38% and we've invested over $3.6 billion in those programs. I typically look for immediate results. How do we make the community safer immediately? And in my mind, I believe that incarcerating individuals produces that result. (Interview June 23, 2023)

P1 considered cost as a major factor in his decision making. P1 stated:

> We go back into what's the balance between incarceration, rehabilitation, and recidivism. And again, I don't know what the national average is, but I think at this point in time, all across America, we realize that just hurting criminals … and putting them in prison doesn't arbitrarily give us a successful result. (Interview June 23, 2023)

P1 said that as a system we fail to properly identify which criminals can be rehabilitated and which ones cannot. P1's main influence in their decision about reform legislation has to do with

the distribution of services to do the most good. P1's answer to question 4 reiterated their proclivity to examine public safety as a factor. They stated that habitual offenders are the biggest caveat to making across the board decisions on reform. In other words, what if, in the process of prison reform, we release a habitual offender, and they cause harm to the public?

Question 5 deals with partisan views on criminal justice reform. P1 replied:

> So, typically, what we've seen in the last four years here in the State of Louisiana is that the Democratic Party has leaned more on finding ways to reduce time that people spend incarcerated and the Republican Party is moving towards, how do we have long term incarceration and remove these people from society? So, I think those parties are pretty polar opposites as to where we stand on criminal justice reform and just criminal justice enforcement. (Interview June 23, 2023)

The comments highlight the research earlier in this dissertation regarding partisanship and how it relates to the policymaking processes of politicians.

Question 6 asks what influences affect criminal justice reform. P1 says lobbyists are the greatest influence in informational processes of understanding these bills, and therefore, they have a singular role in how decisions are made. P1 said,

> People like the ACLU and the Louisiana Sheriff's Association and the District Attorneys Association, in so many instances in government, these lobbyists are trying to give you as much data as you can before testimony ever begins from, from the public or elsewhere. So, I think lobbyists are the greatest influence on the way people look at a bill before we get to the final vote. (Interview June 23, 2023)

Many times, legislators have a short amount of time to debate and vote on a bill and rely on information from others, such as lobbyists, to get information. P1's answer follows the research that presents evidence that influence from outside sources influence legislative policies.

Question 7 deals with fostering bipartisanship in relation to criminal justice reform. P1 had this to say:

> I think bipartisanship and criminal justice reform in 2017 [referring to the criminal justice reform package] was crucial to its passage. But as politics and parties become more polarizing, we are seeing that it's more difficult to bring both parties to the table to come to a compromise. I'll give you an example. I am a pro death penalty … where many of my Democrat counterparts are opposed to the death penalty. So, some of the bipartisan maneuvers we make to come to a type of compromise is looking at removing the death penalty for those people with low IQs or those people who may suffer from mental health issues. So there is some avenues where we can come to some compromise on some issues. But I would tell you that in today's political climate is getting harder for bipartisan agreements. (Interview June 23, 2023)

Question 8 dealt with strategies to pass reform bills. Interestingly, P1 chose cost comparison analysis as a way to convince others to pass a bill. The quid pro quo idea of returns on investment appeals to everyone, according to P1, who says,

> The number one issue that lawmakers, especially on the Democratic side of the aisle use effectively, is a cost comparison analysis. What does it cost to incarcerate an inmate, versus what does it cost if we let them out? We know that we released 2000 plus inmates under criminal justice reform that resulted in hundreds of millions of dollars of savings. So that's the strategy that's employed quite often by a Democratic lobbyist trying to fight

> for criminal justice reform. Now, here we are on the other side, those more conservative strategists are letting you know that in 2017, Louisiana was the sixth deadliest place to live in America. It was the highest in cost of police probably in the world. And here we are five or six years post criminal justice reform. And now we're the deadliest place to live. So, it's, it's a battle on both sides on the tactics and the information that they deliver to get what they want. (Interview June 23, 2023)

In a rebuttal to the cost analysis P1 said:

> Look, you can't put a price tag on, on your grandmother getting burglarized three times in six months. And that's nonviolent offenses. So Democrats wouldn't want that person incarcerated. But I would, I would argue if we were incarcerated in the first time, he wouldn't have done the second and the third burglaries. But let me say this before we finish by nonviolent offenses. What we know is, is that 71% of all offenders who commit a violent crime have once committed a nonviolent offense. They don't just start off and choose to be heinous murderers, they start off in crimes that are very limited. Sometimes Democrats will tell you that it's a victimless crime, but no crime is victimless. Someone always suffers for those crimes. (Interview June 23, 2023)

P1's interview shows that lobbyists for both sides of an issue play a large part in the decisions made by lawmakers. In addition, cost and benefit analysis to citizens also weigh heavily. The question remains, how much does each side bend the facts to convince legislators to support their side? Thematic elements derived from P1's interview include lobbyist and stakeholder opinions, fiscal balancing, and constituent leanings.

Participant 2

Participant 2 (P2) is a Republican who believes their district is highly conservative. P2 says their decision-making process for any bill usually involves a process of being able to justify their decisions to the base electorate in their represented area, a theme that played a part throughout the interview. While P2 did not mention the word "lobbyist," they did go on in detail about the influence stakeholders have in P2's decisions about reform.

Question 1 asks which decision-making factors are considered when voting on reform. P2 mentioned that many times they will be contacted by someone before a bill makes it to a vote. In the case of criminal justice reform, sheriff's, district attorneys, or local advocate groups will call P2 and tell them why they should vote one way or another on a proposed bill. P2 stated: Often, they'll call me before I even have a chance to call them because those associations they're a part of are paying attention to [any certain bill] now. But the challenge comes when the Sheriffs' Association may be leaning one way but my local sheriff who is very, more, much more conservative than the association, will tell me to vote a different way. (Interview June 27, 2023)

P2 says they know very little about criminal justice and rely almost solely on their constituents to help guide their decisions. P2 said regarding the 2017 reform bills passed in Louisiana,

You can go back and look when we did criminal justice reform, I only voted for two out of the 10 bills. I voted against eight of them because my local sheriffs' and DA's were not in favor of that. They have a hard-on-crime background. (Interview June 27, 2023)

On question 2 regarding scientific evidence and its effect on decision making, P2 reiterated their reliance on advice from stakeholders in their districts. P2 added that they feel the

voters in their district is who they should be concerned about, and the leanings of their constituents, will trump other factors. Question 3 elicited a similar reply but P2 added:

Now mostly how my locals are going to apply the law to them, how they're gonna feel about implementing those laws or how those laws are gonna restrict their ability to implement justice here locally. Now, on one occasion, I can remember voting in a different way than they wanted me to, you know, they were kind of split on it, but I voted the way I felt like was best and nobody said anything about it, but I have kind of went against them one time. (Interview June 27, 2023)

Question 4 attempts to delineate the difference in reform decisions and decisions made on other types of bills. P2 describes the major differences in their rural conservative area compared to liberal urban areas:

> There are certain social issues that I think because of where I live and the part of the state I reside in that are much more conservative than metropolitan areas. And one of those being the criminal justice side, incarceration rates here are higher, especially for crimes that typically in metropolitan areas are not viewed the same, like marijuana possession. In Baton Rouge or New Orleans, they just write you a ticket and send you on your way here. Where I am from, they're gonna lock you up. (Interview June 27, 2023)

P2 said the process they use to vote on reform bills is the same as any other bill as they independently value each new law. About question 5, P2 said:

> Republicans typically vote more conservative on criminal justice reform bills. Democrats will typically vote for them before Republicans will. And once again, I think that goes back to the district you represent and historically, the crime ratios in those areas and what types of crimes occur, you don't see as many murders and rapes and things like that here

> in my community. But everybody also knows there are certain crimes that the legal system here are gonna be much harder on. So the Democrats typically will vote for reform before Republicans. (Interview June 27, 2023)

Answers to Question 5 and 6 also included the theme of relying on local influence to guide decisions. P2 declared,

> If my locals like it, you know, I'll vote for it even if it's not popular statewide, even if it's not with my party. My party affiliation may not like it, but if my locals are in favor of it, these are the 45,000 people I represent. So I'm gonna vote the will of these people here. (Interview June 27, 2023)

Question 7 asks how to foster bipartisanship when passing reform bills. P2 maintained that they were in the legislature when the 2017 reform bills were passed and they voted against many of the reforms based on constituent leanings. P2 mentions the consequences of voting against reform:

> My district did not allow me to vote for all that. And consequently, the governor punished me for it. He vetoed most of all my money and vetoed some bills." When asked if the retaliation changed the way they might vote in the future P2 said "It didn't, matter of fact what it did, it drove me the other way because I'm truly representing the people that elected me and sent me there. I have made votes that personally I didn't agree with, but my district was supportive of it, so I had to vote for it. (Interview June 27, 2023)

Question 8 asks about strategies to help pass reform bills. P2 explained that in order to pass legislation a representative has to build coalitions that agree to vote the will of the group in order to pass or fail a bill. P2 says, "If you get some of those key members that are identifying

with you to go along with it, they'll be vocal, they'll ask others to support it" (Interview June 27, 2023). Additionally, P2 said:

> And that's to me how you pass difficult legislation, especially when it comes to criminal justice reform is you got to go sell it to the members that you know are gonna be on board and then have that allegiance or alliance with them that they're gonna help you advance that once it gets to not only in committee but even onto the floor. (Interview June 27, 2023)

P2 advances the idea of fostering relations with other politicians who may think similarly and creating trust about the issues individual lawmakers may know little about. P2 gave as an example of a bill regarding insurance. They said they know nothing about insurance, but another representative is in the insurance business. They will ask that representative how they should vote on a bill affecting insurance and take their advice. This highlights the effect of relying on legislative peers to influence their decisions.

Thematic elements in P2's interview include the influence of local voters, local stakeholders, and the influence of peers in the legislature. In closing, P2 stated,

> When you put it in perspective and you look all the way across the spectrum of the conservative ideas of not just Republicans but Democrats too, if you go all the way across the board and look at that, I live in a very conservative, socially conservative district and they will give me passes on fiscal measures but when it comes to social issues like criminal justice reform, gambling, drugs like marijuana, I don't get a pass on that. I got a vote on the line. (Interview June 27, 2023)

Participant 3

Participant 3 (P3) is also a Republican and answered many questions similarly to other Republicans in this study, yet still added context and thematic elements to the research. P3 focused on victim rights in relation to criminal justice reform in addition to relying on stakeholders and peers to guide decisions. P3 mentions one solution to getting reform passed is to go to the stakeholders with the bill before presenting it to other lawmakers. This preempts opposition to the language in a bill and values the stakeholders' opinions prior to releasing the bill. (Interview June 30, 2023)

In reference to question 1, P3 focused on the victim as a factor in passing reform legislation.

> I would probably say that victims' rights are kind of a big deal because most of what comes into my office causes my mindset normally always goes towards the victim and if that had been my child or my family member [who took a drug] that's been laced with fentanyl or my family member that's been raped or, or whatever. That's traditionally one of my first thoughts in my life: where is the victim in this? It's kind of like, how are they going to view it on their end? (Interview June 30, 2023)

Question 2 regarding scientific evidence and bill passage was answered and clarified. At first P3 said that most bills are not black and white and scientific evidence did not weigh heavily. A clarification on what an example of what scientific evidence can be yielded an answer saying evidence showing cost savings, or lowering recidivism would affect their decision. Question 3 yielded this answer, "I would say the strongest influencing factor would be is, where are the victims in, in this reform?" (Interview June 30, 2023)

Question 4 looks at the decision-making process that lawmakers go through when deciding a bill. P3 stated that their decision-making process is different when making decisions on reform. P3 said,

> Yes, I would say yes [my decision-making process is different], because, and I'm not an attorney and I don't know a lot about criminal justice bills. I end up talking to a lot of different legislators who deal with that. I talk to legislators who are attorneys who might have experience with defending folks and who might have experience with prosecuting folks. And really what I try and do is to find out is, what's the outcome? What, what at the end of the day, where does the rubber meet the road with this issue? And I, and I say that because a lot of it is Greek to me as a non-attorney on these issues. So I really try and gather as many opinions as I can. I'll talk to judges; I'll talk to district attorneys as well as to both sides of the aisle. (Interview June 30, 2023)

In reference to Question 5, P3 differentiates the ways in which political parties vote on criminal justice reform. P3 says Democrats want to let everyone out of jail and there are very few bipartisan bills in reforming criminal justice. P3 says, in contrast, Republicans are not always in favor of "just locking more people up as a solution" (Interview June 30, 2023). P3 did say that marijuana possession is becoming a non-issue, in that, both sides are lenient on it. P3 stated, "I think everybody agrees that these small possession crimes should not put somebody in prison for life for having a couple ounces of weed on them, even though it might be a third or fourth offense" (Interview June 30, 2023). P1 said in their area simple possession is considered an offense to be dealt with by police.

Question 6 looks at influential factors for bill support. P3 answered similarly to prior participants. P3 calls sheriffs, district attorneys, judges and other stakeholders and asks them

what they think of a bill before deciding. They look for the real-world impact to those that have to deal with the benefits or consequences of the passage of a particular bill.

> I also go to the judges, and I'll ask them because I know the judges are supposed to be the neutral party and basing this off of a real case. I'll ask them, hey, tell me what you've seen in your court and tell me, you know what the real-world impact of, of this is and is this practical or not? So, I really think those other, those other, criminal justice positions, prosecution, sheriffs, and whatnot have a, have a big impact on it [my decision]. (Interview June 30, 2023)

Question 7 deals with fostering bipartisanship to obtain goals in the legislature. P3 said that understanding the opposing view is the most important part of fostering bipartisanship. They said they always to seek out opposing views to get a different way of thinking on an issue. While answering Question 7, P3 referred to answering a previous question on scientific evidence and its impact on decisions:

> We changed the ages on everything and all of a sudden juvenile, these 16 and 17-year-olds are doing all the dirty work for the old, for the people who are 18 and over. The more statistics on all of this kind of stuff, I would say the better, and especially like the defense side of it. I mean, like to say these people who have served these kinds of crimes and went through an educational program while they were in prison, they had this rate of recidivism versus someone who didn't go through it. And to, to have more [statistics] like that, I think would, would really build some strong cases for or against different laws that we pass. Some statistics were talking about the use of heroin in Louisiana and at one time they made it so heroin, basically, put a life imprisonment sentence if you deal heroin (there was an outbreak of heroin back in the nineties). Well, guess what? Heroin

> disappeared from Louisiana, and we did not have any more heroin cases. Well, since criminal justice reform, a couple of years ago, we got rid of life imprisonment [for that crime] and now you see it back on the rise again. That's important to me to know that, hey, this was not an issue when we had tough crime penalties now that we've loosen them is back, is back on the rise. (Interview June 30, 2023)

On Question 8 P3 reiterated their proclivity on their reliance of stakeholder opinion to shift their thoughts on reform bills, while admitting their answer to Question 7 leaned toward the importance of scientific evidence. They stated that:

> Even though I just answered [Question 7] differently a second ago, I think building a case for it would be important. I think going to your sheriffs and the DAs that are gonna oppose the legislation and explain to what we're trying to accomplish and find out what difficulties they might have with it and trying to work with them. A lot of times what you see in that building is somebody comes up with an idea and they wrap their own arms around that idea, but they don't bring everybody else in. I think you see success when everybody's at the table and you have some, some practical responses to it. (Interview June 30, 2023)

P3 discussed loopholes in sentencing and misunderstood statistics or incorrect statistics that can dilute the meaning of real data to the point that no one knows what the actual numbers are, which can result in the failure of a bill because of lack of transparency about what the bill is going to accomplish.

Participant 4

Participant 4 (P4) is a Republican who focused on public safety as a resounding factor in passing reform legislation. The familiar answers of taking the advice of stakeholders and

lobbyists are also mentioned in P4's interview. The context of a particular bill plays a part in P4's decisions as well. P4 believes that both parties want to keep communities safe, yet they have different views on how to accomplish that. One of the most profound ideas to come from this interview is the statement that many bills can be passed by only one side of the aisle and not the other. For example, if a certain bill is presented by a Democrat, it will pass, and if that same bill would be authored by a Republican, it would fail. Local district concerns have an impact on P4's decisions as well. P4 echoes the sentiment of P3 in delving into the importance of talking with peers who think differently than P4 and ascertaining their background on issues and why they think the way that they do. P4 also believes in building coalitions with other lawmakers to accomplish reform. At this point in the study there are numerous examples of data overlap and some areas of saturation occur. As overlapping thematic elements occur, I will mention them but not go into detail in many of the interview answers.

P4 examines the public safety aspect before supporting criminal justice reform bills. P4 questions if the 2017 reform bill package is really working. They believe social issues, such as the breakdown of the family, are the reason for high crime. Scientific evidence is important to P4 in making reform decisions. P4 stated, "If you're a good legislator, you're trying to accumulate, learn as much as you can about every issue" (Interview July 6, 2023). P4 recommends talking to a bill's author as well as getting stakeholder views to gain insight into both of their decision-making processes. To be clear, stakeholders can also be lobbyists or have associations with criminal justice. In reference to Question 4, P4 is skeptical of a bill at first and wants to know if it is redundant or if it is a new concept or problem that needs to be addressed. P4 said regarding this,

> Because me as a legislator, I'm not somebody that likes to pass a bunch of bills or to see a glut. Every time we have an issue, people rush to figuring that by passing that bill, we can solve the problem. It doesn't solve the problem. Sometimes it just creates more confusion in solving the problem. Passing a bill is only one aspect. You've got to get people to enforce that law. If you pass a new law, you've gotta figure out how that if it solves the problem. And so, the biggest [obstacle] is trying to find out what, what problem are they trying to solve. (Interview July 6, 2023)

P4 believes the reforms of 2017 may have worsened the crime problem. They feel that in order for people to feel safe, criminals have to be put in jail, and the reform bill may compromise public safety. Question 5 deals with political parties and reform. P4 says Democrats look at crime through a race-based lens and Republicans look at it from a public safety point of view. P4 says the media plays a big part in being divisive on issues. P4 stated,

> I think the division comes because that's the way it's portrayed in the media is that it's a White/Black issue. The thing is there are many races in our country. And people just want to be able to raise their children and feel safe in their own communities regardless of your race. There are people in the Democratic Party and that feel that any type of repeal to criminal justice reform is strictly on race, and they will say it, they will tell you, they will say it in debate. They will say it in the floor that it's strictly race and it's not, it's about having safe communities regardless of what race is involved. (Interview July 6, 2023)

One intriguing answer from P4 had to do with bill passage and criminal justice reform. P4 said that a tough-on-crime bill passed last year simply because it was introduced by a Democrat legislator. They added, “it was a good bill and was passed almost unanimously”

(Interview July 6, 2023). P4 insisted that if a Republican had presented the bill, Democrats would have looked at it suspiciously and the bill would not have had the support it did. P4 explained the House needs a two-thirds vote on a bill to be considered veto proof. P4 said this particular bill would not have passed as a veto-proof bill if a Republican had written it. Louisiana has had a Democrat governor for the last seven years. This is his last year in office. P4 added, in reference to partisan politics,

> And, and you can look at it right now when they write about the vetoed bills in the paper, they'll say the governor will put out such partisan politics. But the only bills vetoed in the four years I've been there have all been Republican [bills]. You haven't vetoed any Democrat bills? So, who's partisan? The only people you've heard he hasn't taken projects from is Democratic legislators, he's vetoed conservative projects. So, when you say people are partisan, who's partisan, if you've never vetoed a Democrat, not one Democratic bill, you didn't think one of them was bad, not one of them, only Republican bills. (Interview July 6, 2023)

Question 6 asks about factors at play when deciding to support a bill. Much like other participants, P4 says the needs and political perspective of their district are a big factor in how they decide. In addition, they must also think about the good of the state and make tough decisions that constituents may not always agree with. In reference to the difficult decisions made by legislators P4 stated,

> They put you here for a reason, to make those tough decisions. And trust me, there are a handful of bills every year that’s it's a tough decision one way or the other and you're not sure if you're doing the right thing for your district, you're not sure if you're doing the

> right thing for the state. But you know that those are the things that usually play into it, and [I think about] how does it affect my district? (Interview July 6, 2023)

P4 thinks that bipartisanship is fostered through mutual understanding of the viewpoint others see in an issue or bill.

> It's easy to go hang out with the people who are going to echo your sentiments. Sometimes it's hard to go sit down and hear [the other] point of view and it goes on both sides, and I think if you're a good legislator and there are a number of them up here, they do not hesitate to reach out to the other side to try and work together to find a common ground that works for everybody. Because if you just strictly push your [views] and think that whoever else's suggestion is wrong, you're never going to get anywhere. You're never going to get anything passed that you want to pass and you're never going to move the needle. It's a game, it's moving that ball a little one way, a little bit, one way or the other. I always say you can get a couple of singles, you put a couple of singles together, you'll eventually score a run. There's a lot of people out there that we serve, and they want us to hit a home run every time and that's something that doesn't happen very often. I think you try and change the parameters by moving by having legislation that moves incrementally, moves the ball in the direction you want to go incrementally each year. (Interview July 6, 2023)

P4 suggests polling stakeholders before writing the final legislation to gauge if a bill would pass successfully. Often sheriffs' associations or district attorneys will give reasons for why a bill will not work, or how to adjust it before it goes to a committee. P4 mentioned capitol staff as a great resource for assurance that a bill will not have too much opposition:

> Some of the staff members are around the capitol are the most knowledgeable people around, those people have been here for decades. They know what has worked in the past. I've called staff members and ask what's the best way to tackle this bill? What's the best way if you were going to pass this bill, what should you do? What should you leave in? What should you leave out? I'm not an attorney so I've got to make sure this bill passes in a legal way. You got to pick up the phone and talk to these people when you come up with an idea. I've had ideas in the past where he said, you know, we've already got laws in the books that pretty much address that, you want to make sure you're not doing anything that's redundant. (Interview July 6, 2023)

P4 supplemented my data and added factors not mentioned by other participants, including ways to pass bills as well as bipartisanship issues that can pass or fail a bill based on who presents it. Overlapping thematic elements include stakeholder influence on the bill passage process and public safety as a factor in reform of the criminal justice system.

Participant 5

Participant 5 (P5) is a Democrat whose answers to the interview questions varied from their Republican counterparts, as one might imagine. P5 gave examples of reform bills that did not pass and mentioned possible remedies for changing the thinking of opponents of reform bills. P5 mentioned a failed reform bill that they recently tried to pass and explained how it was defeated. An additional question was added to this interview clarifying what reform is as permitted by a constructivist view of grounded theory.

P5 did not mention voters as did most of their Republican colleagues. In response to Question 1 regarding factors they consider when making decisions on reform legislation, P5 stated that:

> It depends on what is the reform and what are we trying to reform from and reform to, what is the out, what is the goal of the instrument and, or its intended consequence and the unintended consequences? Should that piece of legislation be sign into law? You know, that's a factor that I go into whether I'm a vote for a particular criminal justice bill. So, what is the goal? And is it necessary or needed and what are the consequences, both intended and unintended consequences of that particular piece of legislation? (Interview July 6, 2023)

Question 2 weights the value of scientific evidence when making decisions. P5 says they take scientific evidence into consideration when making decisions, but each bill has a fiscal argument as well as a moral argument. To elaborate, P5 mentions efforts to decriminalize marijuana,

> So, an example of that is when we look at there's a push to legalize recreational marijuana or decriminalize it. Well, we have polls; a poll is a scientific instrument to collect data from people and the polls are overwhelming that the vast majority of Louisianians support either decriminalization or instruments for the recreation use of marijuana. But many of my colleagues just, they're just fearful of it. That is gonna be a political issue. So, you know, it's great to have data. But sometimes data is not enough to overcome people voting for something. I'll give the data strong consideration. Absolutely, but, you know, we're all politicians and so you have a political component, you have to factor into the decisions that you make. (Interview July 6, 2023)

P5's response mimics the answers regarding scientific evidence from other lawmakers. Necessity tops the reasons P5 votes for reform legislation. P5 mentioned several laws or bills that already have a remedy grounded in other laws.

> One of my colleagues had a bill that would have basically said that if an individual killed somebody because they were intoxicated while driving then basically that individual could be on the hook for child support payments to their minor children. There's already basically a remedy for that in our civil and criminal justice system. You know that person could be sued [in] civil [court] for that and have a judgment run against them and the person could then go and collect the judgment, that person could be ordered to be given restitution for the crimes they committed. So, because of all the things that already are enshrined in statute, why would that bill need be necessary? So, first thing when, when you talk about criminal justice bills, why is the bill necessary? What does your bill seek to accomplish that is that you can't accomplish already in statute and two, what are the consequences of this bill that are both positive and unintended consequences of this bill? Could this bill if it were to pass, end up doing more harm than good? (Interview July 6, 2023)

P5 believes their decision-making process for reform bills is the same as for any other bill. When asked about the ways different parties vote on reform bills P5 replied that "Based on the collective voting patterns of those individuals [Republicans] tend to believe that we need to just lock every criminal up and build more prisons" (Interview July 6, 2023). P5 says their party's views are more holistic, in that they look at the source of crime instead of reacting to the crime itself. P5 elaborated by asking:

> What could you do to stop that from happening on the front end as opposed to having penalties on the back end to punish them for the crime they committed? It seems though for me and people on my side of the aisle wanna take a look at the root cause of crime. And so, in order to take a look at the root cause of crime you have to take into

> consideration the person's upbringing, their socioeconomic status, their access to educate a quality education, access to resources. The data shows that the people who are most likely to commit crimes are the ones who are coming from basically poor, impoverished areas in our community and, and they don't have access to quality education. They don't have a good family structure to where they're parents are home by and large. Do you think the other side of the aisle doesn't look at those factors? I don't think it's heavily weighted in the decision making. They tend to see things as black and white, you're good or you're evil and if you're evil, you deserve to go to jail. Alright? And be locked up. But I mean, what good does it do to lock somebody up for the rest of their life? (Interview July 6, 2023)

P5 did declare that murderers should be locked away for life. In reference to reasoning behind their thoughts on criminal justice policy, P5 noted that:

> You can't build enough jails fast enough to house, everybody commits to crime. You have to look at why the crime is being caused in the first place. And that to me has, has kind of been missing in some of all this stuff. That's we've seen the reactionary politics of the day. (Interview July 6, 2023)

In response to what are the influential factors that are at play when lawmakers make decisions about reform legislation, P5's answer was very similar to their Republican counterparts. Stakeholders, district attorneys' associations, sheriffs' associations, and special interest organizations all play roles in decisions made by lawmakers. This answer was given almost exclusively by everyone interviewed, which would indicate a strong thematic element in the process.

P5 described a different strategy to produce bipartisanship than their Republican peers based on the party make-up of the legislation. The Louisiana legislature is overwhelmingly Republican which can cause difficulties for Democrats trying to pass legislation. P5 describes the struggle as follows:

> Well, number one, you have to realize the lay of the land depending on which side of the aisle you fall on. So, when you have 72 votes in the house as a Republican, you only need 53 votes to pass a bill. So, you can lose maybe 18 of your own people in your own party and you don't necessarily need Democratic support to pass your bill. And the same is for the Senate. So, you know, when you have the majorities, you really don't have to have bipartisanship to move your instruments on the Democratic side. However, any astute policy maker who is a Democrat would understand numbers and knowing how to count and realize well, and if I have 32 or 33 Democrats in the House on any given vote, I need 20 Republicans to go along with me. So, because of that very nature all of my bills have to be bipartisan. So, I'm operating from a different perspective than let's say a Republican. And so now as a Democrat in order to pass anything, I have to now go and talk to Republicans who I think would be more inclined to support my bills and work to get them on board. To pass it requires a lot more work. Knowing your audience and knowing what drives people and part of being able to do that is to talk to people on a personal level and getting to know them on a personal level to figure out, I know this person or that person. I know this, what this is what makes them tic. I know that this is where they stand on certain issues. I know this is where they don't stand on certain issues, and this is where we have room for compromise. This is where I know we have absolutely no room for compromise. There are people in that chamber who I know who

> been talking with them uh extensively that I know that there's certain bills that they can never support because of their own individual viewpoints or their backgrounds or even their districts. So that is what I have to do as a Democrat in a chamber where you have 72 Republicans and 33 Democrats. (Interview July 6, 2023)

Describing effective measures to pass reform legislation P5 says,

> When I'm trying to pass reform measures and based on my definition of reform, I try to have my colleagues look at it from a personal perspective because so many times we see things and we do things in such an abstract manner to where we're removed from the situation. Rarely do we ever think about the consequences of what it is that we're voting on in terms of how it could affect our lives. Because if we have a shortcoming it is failing to see ourselves and the people that we represent or do not represent. (Interview July 6, 2023)

P5 says people have to first identify the problem that needs reforming and make sure it is in need of the remedy being applied, then strategize about how to fix the problem.

> And I think both parties identified that we do have a crime problem. But I think that's where the differences stop or where they start, we disagree on how it starts. And because of that, you are such at a large impact. And so, number one, identify the problem and the figuring out solutions out of how to fix it? And then with those solutions were the consequence of those solutions, both intended and unintended consequences and then developing a strategy to implement those reforms to try to fix the problem. (Interview July 6, 2023)

Thematic elements found in P5's interview include the differences and similarities in their answers to questions posed to Republicans. The repetitive descriptions of ways the

different parties solve problems is also found throughout the interview. The gap in the number of Republicans and Democrats poses challenges for any Democratic bill to be passed. P5 details how to go about getting reform legislation passed through understanding the perspective of their peers on the other side of the isle.

Participant 6

Participant 6 (P6) is a Democrat who served in the Louisiana legislator for 12 years. P6's answers were more moderate than other participants, yet little new data was gained in the interview. Some of the points from other participants on either side of the aisle were represented in P6's interview. The interview was shorter and succinct compared to the other interviews.

Factors in voting on reform legislation include personal experiences as a lawyer, and the effect on communities if the bill in question would be implemented. When asked about the weight of scientific evidence P6 said:

> I would consider the source because a lot of times lobbyists tend to pick their own scientific evidence to the point that sometimes I didn't trust what they said was scientific evidence; but legitimate reviews or legitimate scientific results of polls and not necessarily polls of studies, I would read them and take them into account. (Interview July 13, 2023)

About how they process decisions on reform P6 acknowledged that,

> Criminal justice reform gets complex because what some people call reform can simply mean letting more criminals out of jail. What some people call reform is having a better justice system or having laws written in such a way, it just depends on what the reform is. So, I would still apply the first two that I said at the beginning, right, my personal experience and how it affected our communities. (Interview July 13, 2023)

When questioned about different party's consideration of criminal justice reform legislation, P6 said,

> Well, it's unfortunate many times parties vote simply on what their party stands for, which I detest. And I was never one of those. Even though I was registered Democrat, I would still vote what I felt was the best. I find now that legislators are voting according to their party. And many times, they're misled into believing such as calling it reform would just simply mean that more people were getting out of jail when they necessarily should not have. (Interview July 13, 2023)

Discussing what influences are at play when lawmakers make decisions on reform legislation P6 claims that,

> A lot of lawmakers were influenced by the lobbyist who proposed it, which legislator proposed it. I know of one little group when I was in the legislature that there's a group of five and one of them proposed the bill, the other four were gonna vote for it. It didn't matter whether they agreed with it or not. So that's one bad factor. Sometimes money is an influence. Constituent response is huge. And by that, I mean, getting calls by constituents, not just the same email, which said the same exact words that they just forwarded to the legislature, right? And then the personal beliefs that did come into effect, of course, many. (Interview July 13, 2023)

P6 said that many times a stakeholder group will draft an email for or against a bill and forward it to all their members urging them to send it to a legislator. These emails say the same thing and when received multiple times from people out of the legislator's district, the emails have little bearing on decisions.

Follow up questions about influence yielded answers similar to other those of the lawmakers. P6 says there is money behind lobbying for victims' rights and issues such as abolishment of the death penalty, but many times the money cannot change the moral views of these subjects. P6 says that if credible scientific evidence and stakeholder leanings were at odds, they would pick the science over the sheriffs' or district attorneys associations' points of view. P6 revealed that they "lean towards the well-founded or grounded report. And again, my sense of justice and many times when I was in the legislature that I disagreed with the District Attorneys Association and the Sheriff's Association, so I didn't let them totally influence me" (Interview July 13, 2023).

On effective strategies to pass reform P6 says grass roots efforts to convince local officials, scientific evidence, and maintaining relations with other points of view can be constructive tools. Overall thematic elements in P6's interview was similar to many other participants. The interview had more moderate components in it and the echoing of sentiments, such as community support, was found in interviews with both Republicans and Democrats. The leaning toward the use of scientific evidence rather than leaning toward the urging of constituents was the first definitive answer of its kind in this research.

Participant 7

An interview with Participant 7 (P7), a Democrat, yielded little new information; much of their answers focused on constituent concerns. P7 did lean towards scientific evidence over organizational or lobbyist concerns. As with other participants, P7 does not distinguish between reform bills and other bills when making decisions. In reference to their political party's view of criminal justice reform, P7 said:

> I think that different parties have different views when some parties think locking up people (Republican) will keep people off the streets when some of another party view that locking up people (Democrats) may turn them more into animals instead of rehabilitation and mental health. They figure if you take the criminals off the street that it will help with crime but, you know, some people feel like you need to change their mind, get them educated, get them reformed. A lot of stuff is nature versus nurture and trying to change the dynamics and trying to change the people's mindset. (Interview July 13, 2023)

When pressed on why the views of Democrats and Republicans differ on reform P7 maintained that:

> [We] grew up in different worlds, … represent a different type of people. And, and, so I just blame, I blame it, but I just look at it as far as, you know, if you're not around that element of people, you don't know, they're good or bad people [who] just want to lock up everybody. (Interview July 13, 2023)

P7 agrees that the environment the representative came from has an impact on their views of criminals and criminal justice reform. P7 says their constituents are the core of why they vote on issues, they said, “What's the purpose of the law? Sometimes we have people pass laws that didn't have a purpose. It just still good legislation and that, that may or may not affect anybody. And if it's not hurting people, I don't mind the legislation helping people” (Interview July 13, 2023).

P7 revealed a side of decision making when it comes to lobbyist and organizational pressures.

> I think the information that they give is priceless because it's a lot of bills, a lot of knowledge, that I don't have what a lot of people don't have and when you have trusted advisors, which may be lobbyists, which may be associations that could be honest with you about the pros and the cons of legislation, it will help you make your decision a lot easier, or a lot better. When I think about some associations they don't affect my decision at all, honestly because they didn't put me in here. They didn't get me elected; a lot of those, some of those associations don't have influence with my constituency either. My situation may be different from people in like a rural area that where the sheriffs' associations, other associations have more of an influence. (Interview July 13, 2023)

In reference to fostering bipartisan support, P7 says they use the data to pass a bill. They also say they believe the data can change the minds of others regarding a bill. P7 says the solid data that has not been skewed by outside influence is what they look for when voting for reform. Interestingly P7 says that asking opponents of a bill what can be changed in the bill can help get the opponents to support it. P7 specifically said to see what part of a bill brings opposition from the constituents of another lawmaker, and what amendments to the bill can reverse the objection to it.

> If it's a big controversy ask them how can, how would this affect your constituents? What can I do to change my bill to make it better so that your constituents not affected. I think that's the way to pass legislation just working across party lines, being honest and getting that across. How can we adjust the bill to make it, make it better for everybody. (Interview July 13, 2023)

Participant 8

Participant 8 (P8), a Republican, yielded little new information in this study, which indicates a saturation of data. P8 supported the view of past participants sentiments, giving a clearer perspective of their positions. P8's concerns were the voter and the victims when referring to criminal justice reform. In reference to scientific evidence being presented on a reform bill P8 said, "I would say it, it weighs heavy but it's not, my decisions are not based just on scientific evidence because I think criminal justice reform has a lot of emotional and maybe nonscientific factors that need to be taken into account" (Interview July 27, 2023). When asked which weighs more, scientific data or lobbyist preferences P9 reiterated, "I would probably likely, I'm going to say, unfortunately I listen to the sheriff or the D.A. or the lobbyist in, in that arena before I would listen to some of the scientific data" (Interview July 27, 2023). The Republican participants agreed that expert or lobbyists' views on a bill trumped scientific evidence. In an effort to clarify their position about how much lobbying influences their decisions about criminal justice reform, P8 acknowledged that:

> It actually does play a pretty big opinion, pretty big in the opinion. I think mostly because they are also elected officials and, you know, your constituents elected them also. So, listening to their opinion, their subject matter experts make a huge difference because, you know, I'm not a subject matter expert when it comes to criminal justice reform, so I think obviously listening to what they have to say is very important and it does weigh pretty, pretty big. (Interview July 27, 2023)

P8 says that debates on bills help foster party cooperation. They believe that if a lawmaker shies away from having a debate they create an air of cynicism around the bill. P8 explains,

> I think the only way it's [bipartisanship] fostered is you have to have the debates and when you hide from the debates I think that that creates the division more than just actually having the debates and starting to listen with an open mind; only if you have an open mind to what people are trying to say, I think that actually pulls you together in the middle more. So, I like having the discussion because I think it, it ultimately creates bipartisan support. (Interview July 27, 2023)

Participant 9

Participant 9 (P9) is a Republican who mentioned personal beliefs, morality, and constituent concern as factors considered when voting on criminal justice reform. In addition, they said that advice from colleagues more knowledgeable on any particular subject helps them make decisions on all issues. P9 stated, “Where I'm not an expert, I frequently rely on my colleagues or other representatives who serve on the committee or have a background in criminal justice. So, of course, I put a lot of stock into their opinions as well” (Interview July 27, 2023). P9 highlights the effect of committee outcomes. In a committee, the issues of a bill are heard and voted on. The differing committee members become knowledgeable about their subjects over time from hearing experts, lobbyists, and other legislators give testimony about the committees’ assigned bills.

P9 says they consider scientific data when deciding on a bill, but that data is not a big factor.

> I think again that would come back the personal beliefs, to where my district is on the issue and, groups like the Louisiana Sheriff's Association, Louisiana Association of district Attorneys, those are groups that I rely on heavily and I respect their opinions. So,

> input from outside groups like that are very influential on the process. (Interview July 27, 2023)

As far as the how they decide to vote for criminal justice reform bills, P9 asserted that:

> So, one thing you learn when you get to the legislature is you can't be an expert on everything. And if, especially if you don't serve on that particular committee, and I do not serve on criminal justice committee. So, I try to read every bill, I try to do my due diligence and make sure I understand what the bill does, and what the possible unintended consequences are. And if I've got questions about a particular bill, I would typically follow up with representatives that are on the committee or with the author of the bill. And again, the input from the sheriffs and district attorneys is very important to me as well. (Interview July 27, 2023)

P9 answered very similarly to other Republicans when they stated that a fundamental difference exists in the way each side views the issues as a barricade in passing reform:

> I think that successful criminal justice reform that does involve representatives and senators from both parties, I think it needs to be goal oriented. So for example, I think we can all agree whether you're Republican or Democrat, it's good for the state to have fewer people incarcerated. So, if you approach that issue from, our goal is to have less people going to prison to reduce recidivism for the penal system to produce productive citizens. I mean, those are things we can agree on. So I think if you approach legislation from a goal oriented perspective and then you look at the various ideas to accomplish those goals, I think that's where we can find some middle ground that both parties, both sides of this issue can come to some agreement on so that, from my perspective, the best approach to uh achieve bipartisan support. (Interview July 27, 2023)

P9 described a bill that they introduced last session. P9 said the bill in its original form ultimately failed, but amendments made along the way from a bipartisan coalition passed a version of the bill that everyone could agree on. So, while the original bill failed, the democratic process brought about cooperative compromises that ended up being agreeable to everyone for the passage of the bill. This highlights much of what many lawmakers said in their interview regarding ways to foster bipartisanship.

Results

After and during data collection I began the coding process. The iterative and recursive processes involved in conducting a grounded theory study include stages of coding that evolve into a theoretical view of the data (Charmaz, 2006; Chun et al., 2019). Some memoing conducted during the data collection resulted in follow-up questions in subsequent interviews. For example, across the board, participants stressed the importance of lobbyists' opinions in their decision-making processes, which resulted in a follow up question, "Which would play a bigger role in decision making, lobbyist/stakeholder opinions or scientific evidence?" The answers to that question strengthened the answers regarding weight placed on scientific evidence in the way criminal justice reform decisions were made.

While following Charmaz's (2006) thought "All is data" line-by-line coding was conducted on the interview transcripts that resulted in 360 codes. These codes were overlapping and resulted in the determination that the data had become saturated. Once data saturation became evident, nine interviews were used in the coding process. The transcripts were edited to take out repeating words and filler words such as "um," "like," and "ah." Beginning and ending pleasantries of the recorded interview were also excluded from the transcripts as to not corrupt the data. The codes were generated by the answers to specific questions and not by participants

to generate meaning behind specific answers to each question. This aided in intermediate coding. In other words, the answers to each question were analyzed individually instead of coding participants interview as a whole.

Initial/Open Coding

Initial coding looked at similarities and differences in answers and pulled out thematic words and phrases from the interview transcripts. Examples of initial codes generated by questions generated can be seen in Table 2:

Table 2

Outcomes of Research Questions

P1	P2	P3	P4	P5	P6	P7	P8	P9
Benefit to citizens; Length of incarceration; Sentence type; Rehabilitation; Mental health; Cost benefit analysis; Incarceration v. rehabilitation; Society	Constituents in district; Sheriffs' Association; District Attorneys' Association; Attention to leanings; Judges' Understanding of criminal justice; Reliance on stakeholders; 2017 reform legislation	Public safety; Victims' rights; Reform and mindset; Victims' views	Public safety; Not enough punishment; Law enforcements' views; 2017 reform acts; Juvenile crime; Juveniles crime for adults; Off the streets; Broken system; Social ills; Breakdown of family	Reform goals; Consequence of reform; Unintended consequences should legislation be passed, necessary, or needed	Personal experiences; Fair and just effect on community; Implementation or not	Constituents	Victims' needs; What is best for taxpayer	Personal beliefs; Morality (right and wrong); Peoples' opinions; Constituents in district; Not an expert; Reliance on colleagues and committee members; criminal justice; Opinions of committee members

Initial line-by-line coding of interview transcripts resulted in a total of 361 words or themes used in focused coding and reduced to create a theoretical framework to explain the results. While many of the initial codes are repetitive, it allowed me to specify thematic overtures by seeing how many times participants mentioned and went into detail about certain issues. For example, in answer to Question 2, participants mentioned the importance of social science and programs 16 times, yet ambiguity and lowered reliance of data were mentioned 12 times. While these themes were at odds with each other, the reliance on sources other than scientific data won the day.

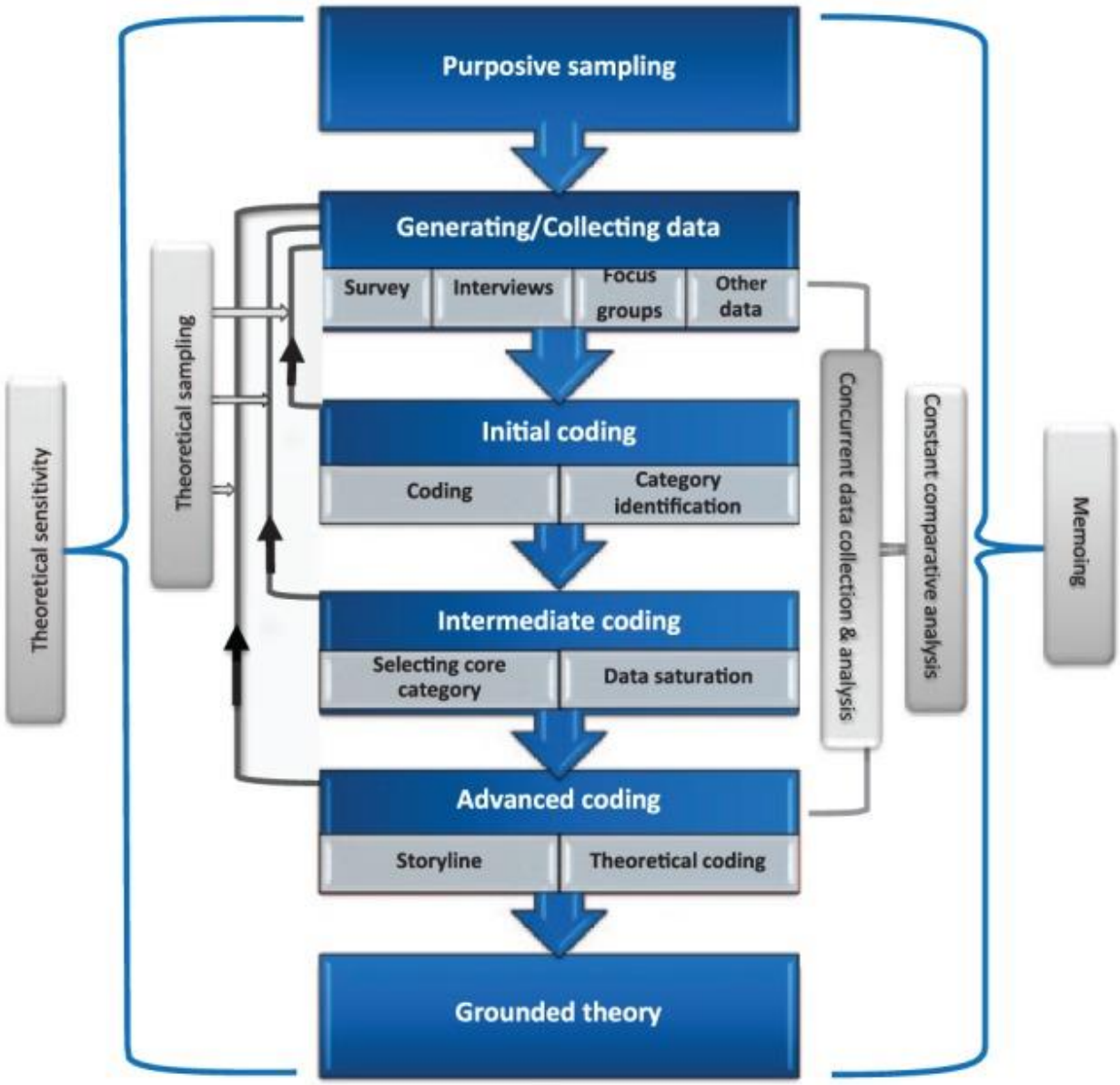
Question 8 generated the most initial codes (56). As each interview continued, participants became familiar with the issues and the last question culminated in their overall view of the sentiment of the interview. Twenty-two initial codes generated for question 8 involved lawmakers coming together to understand issues on a bill. Codes in this category included words or phrases such as: building a coalition of lawmakers, tactics and information delivery, thorough discussion of the bill, and logical presentation of the bill on floor and committee. Question 8 generated forty initial codes. Question 7 asked how bipartisanship could be fostered in relation to criminal justice reform. Almost half of the codes generated had to do with compromise, discussing the bill, and understanding of others' views. Nine of the codes alluded to the difficulty in gaining bi-partisanship support for a bill in today's climate. Again, these answers are at odds, yet they highlight the ambiguity and difficulty in getting reform bills passed. Scientific data and geographical/demographical impact each had five codes attributed to them for Question 7.

While not an exhaustive list of each of the 360 codes generated by initial line-by-line coding, this section gives examples of how the codes were derived and their impact on the

coding process. Though time consuming, this exhaustive process is imperative in the grounded theory process of research (Charmaz, 2006). Initial coding identified earmarks of each answered question and enabled the questions to be categorized for focused coding. This method of collective data dissection (Figure 2) gives meaning to the collected data and assigns categories to be furthered studied.

Figure 2

Interplay and Movement Between Methods and Processes



Retrieved from Chun et al, 2019.

Intermediate Coding

Grounded theorists use the intermediate phase of coding to get to the core of the data (Chun et al, 2019), hence the title "grounded theory." The end result of research is grounded in the raw data yet refined by the coding process. For my research I examined each initial code and

assigned it a category of similarity based on its merit, resulting in 5-8 focused themes per question extracted from the initial coding process. Fifty-eight focused codes then emerged from this process. For each question there were majority codes, which had more indicators from the initial coding phase as well as minority codes, which had fewer. Outlying codes are also mentioned as they can have an impact on minority views, which allows theory to become visible from the process. This section will give examples of the results of focused coding involved in this research.

Question 6 asks about influential factors at play when making decisions about criminal justice reform bills. Seven focused codes were generated from the initial coding process: lobbyist/stakeholder (15 codes generated), local/constituent views (9 codes generated), personal beliefs (3 codes generated), partisan or political group leaning (1 code generated), the purpose of the bill (2 codes generated), money/ cost (2 codes generated), and data on the bill (1 code generated). The majority of subjects in this research stated that the most influential factor at play when making decisions about criminal justice reform bills are lobbyists and stakeholders. Coming in second is local or constituent concerns. Cost, personal beliefs, and purpose of the bill had only a mediocre impact on their decisions. Outlying factors were partisan group voting and data associated with the bill.

Question 3 asked about factors that influenced criminal justice reform bill passage. The relevancy or lack of redundancy was the point most mentioned, while personal beliefs were mentioned less often. Table 3 lists the numbers behind question 3.

Table 3

Number of Influential Facts Mentioned by Participants

Relevancy/Redundancy of bill	Lobbyist/Stakeholder	Local Impact	Rehab vs. Prison	Victims	Personal Beliefs
8	7	6	5	3	3

Some participants expressed concern about a bill's redundancy in general. They questioned if the purpose of a bill had been adequately addressed in former legislation. The relevance of a particular bill was also an issue. Did the bill solve a current problem? Was the bill needed? As stated before, lobbyist and stakeholder opinions on a bill strongly influenced how lawmakers voted on a particular bill. Many participants expressed the importance of what their voters thought of a reform as having a strong impact on how they made their decisions. These intermediate or focused codes will allow for selective theoretical coding to be generated through saturated data analysis through the coding process.

The 58 focused codes found through the intermediate coding process developed conceptual categories to be used in refining the analytical data. Several core concepts can be identified and those can be described on a theoretical basis. I was able to interact with the data and access meaning to the codes generated from the interviews I conducted. The focused codes I identified have been further reduced to theories constructed from the data, grounded in the data, and the findings in chapter 5 will describe their relevance to the research.

Focused Coding Based on Research

Q1

1. The details of the reform presented are a large factor when legislators decide to pass or fail criminal justice legislation.
2. Constituents' views on the issue also play a part in the decision-making process.

3. Stakeholders' and lobbyists' interest in the details of the bill can convince lawmakers to pass or fail a bill.

Q2

1. Social science and programs influence decisions about criminal justice reform.
2. In contrast, there is little reliance on data and distrust in the validity of the science.
3. Citizens' opinions and lobbyist/stakeholder information is more valuable than science to lawmakers who consider reform bills.

Q3

1. Stakeholder/lobbyist information as well as the relevance or redundancy of the bill have the most influence in reform bill decisions.
2. Local consequences, personal beliefs, victim impact, and rehabilitation or prison impacts of the bill also influence reform.

Q4

1. The process used to make decisions about reform bills was not different than any other bill.
2. The most widely used tactic is for lawmakers to talk to one another, to experts, and to the bill's sponsor about the bill when making decisions.
3. Other factors include social issues like victims' rights and rates of incarceration.

Q5

1. Personal experience, scientific studies, partisan politics, and public safety had less impact on voting for or against a reform bill.
2. Groups, cliques, and likeminded individuals will, however, vote with each other on social issues.

3. Motives for crime had an impact on Democrat lawmakers while public safety had an impact on Republican lawmakers.
4. Republicans said Democrats liked to have less jail time while Democrats said Republicans wanted more jail time. Both of these assumptions are based on the point of view of the other and their perceptions of society.

Q6

1. Lobbyists and stakeholders' opinions had by far the greatest influence on decisions about reform.
2. Local constituent leanings were also influential.
3. Personal beliefs, group voting, purpose of the bill, cost of legislation and data on the bill also generated codes.

Q7

1. When asked how to foster bipartisanship, both Republicans and Democrats has similar answers: compromise, discussions, tolerance, debates, and a willingness to try to understand others' views.
2. However, many generated codes stressed that bipartisanship is very difficult today and with a super majority, bipartisanship may not be needed for some lawmakers.
3. Other ways to foster bipartisanship include using scientific data, understanding geographical and demographical impacts, and realizing the local impacts on lawmakers.

Q8

1. One of the best strategies to effectively pass reform legislation was for lawmakers to come together to understand the issues at hand.

2. Some generated codes stressed that prior reforms have not worked, leaving one to believe that new efforts will be costly and fruitless.
3. Science and data, necessity of the bill, local issues, and cost comparison analysis also generated focused coding.

Theoretical Coding

According to Charmaz (2009) the interpretive definition of theory allows the researcher to interpret data based on the mutuality of shared experiences of the researcher and the participants. By connecting patterns in the data, the researcher can explain phenomenon found in the meaning of shared experiences of participants. In this research, the shared experience of the participants clearly puts lobbyists and stakeholders in the driver's seat when it comes to making decisions on bills. This view is shared from almost all participants who enriched the data by partially answering the main research question.

However, in answer the main research question, we must look at the sub questions first.

Sub question 1: What influences are involved when lawmakers make decisions about bill support? Influential factors include opinions of lobbyists, constituent concerns, and relevance of the bill. While these are the main factors, there are sub and outlying factors also involved. Other factors include public safety, victim concerns, cost analyses, personal beliefs, opinions of other lawmakers, partisan politics, and scientific data.

Sub question 2: What strategies can be effective enough to convince lawmakers to pass reform measures? Strategies effective enough to pass reform measures include the ability to clearly convey meaning behind a bill, convincing stakeholders to support the bill, and talking to peers about why the bill is needed.

Sub question 3: What factors differentiate criminal justice reform decisions from other legislation? Seven of the participants say the process is the same for them when voting on reform legislation than any other bill. One participant says their decision-making process is different because they do not know anything about criminal justice reform, so they rely on the knowledge of others. One participant says for these types of bills they rely on others to help them make decisions because the participant is not experts. In short, participants do not have different ways to vote on reform legislation than other types of bills.

Sub question 4: How is bipartisanship fostered in relation to criminal justice reform? Bipartisanship is formed by debate and fostering an understanding of the views of the other lawmakers. However, this sentiment was not shared by all participants. Some held the viewpoint that a super majority does necessitate the need for agreement between parties.

The main research question, which asked *what factors influence legislators to pass criminal justice reforms?* Has answers in thematic coding conducted in this dissertation. Of the original 360 initial codes, 58 focused or axial codes were generated. These can be deduced to four theoretical premises. Based on the constructivist view of grounded theory, the selected codes detailed in the conclusion of this research are:

1. Lobbyist/stakeholders are the largest influence on lawmakers' decision-making process when it comes to criminal justice reform.
2. The concerns of constituents of lawmakers greatly influence their decision-making process.
3. The relevance of a bill can have an influence on lawmakers' willingness to support it.
4. The leanings and knowledge of peers in the legislature can influence lawmakers on reform legislation.

While these four focused theoretical implications are by no means an exhaustive list of the answer to the main research question, they embody the shared sentiment of the participants as a group. Chapter 5 will give an overview of the research, conclude the results, and offer a summary of the findings.

CHAPTER FIVE: CONCLUSION

Overview

Chapter 5 presents four main conclusions to the central research question. The major factors affecting decisions of legislators who take a position on criminal justice bills are: 1) opinions of lobbyists and stakeholders, 2) the concern of constituents, 3) the relevance of the bill, and 4) peer knowledge and perspective. These findings are proven by line-by-line coding, focused coding, and advanced theoretical coding of the interviews I conducted.

I will summarize and discuss the result, and implications, of my research. I will also explain ways in which the research's findings can be used in real world settings as well as the implications of the research. I will study an outline of the study's delimiters as well as the limitations of the research. In addition, I will explore recommendations for future research in other states and government entities that make decisions in the field of criminal justice.

Summary of the Findings

What factors can convince legislators to vote for criminal justice reform? The short answer is the opinions of lobbyist/stakeholders, the voters' leanings, the relevance of the bill, and the opinion of legislative peers. In addition, other factors can include cost basis or fiscal notes attached to the bill, scientific data, personal convictions about criminal issues, and party line voting.

Discussion

A discussion of the findings and implications in light of relevant literature review and theory is based on the buildup of theory found in the fluidity of data collection (Strauss & Corbin 1990; Charmaz, 2018). In the case of our main research question, the answer, based on this research seems simple, yet its complexity is compounded by many factors. This section will

compare what was found in the literature review with the major and minor findings in my research.

Durkheim's social justice theory cites the criminal justice process as an extension of social virtues (Burkhardt & Conner, 2016). My research shows that a major factor in convincing lawmakers to pass legislation on criminal justice reform is constituents' concerns, and a minor factor is the legislator's personal convictions regarding the issue. To add to that, Ahrens (2020) says incarceration is a symbol of societal virtues. Punishment is society's way of showing concerns as well as regulating the morals of those who live on the fringes of society (Lee, 2018; James, 2020; White, 2018). Lawmakers make decisions using both analytical and personal factors (Shaffer et al., 2018).

Another main factor that sways legislative decisions is the knowledge and information of their peers as well as their preferences. Legislators realize that each of Louisiana's 105 state representatives cannot be expected to have a large base of knowledge on every subject. They commonly rely on each other to help make their respective judgements. For example, participant 5 is in the insurance business and others rely on them to assist in relaying information about insurance that can be useful in understanding a bill. The same could be said for criminal justice reform, medical issues, and civil law. Lawmakers will rely on the combined knowledge of their peers when making decisions. Gal et al., (2018) cite loss aversion theory as a way in which people can justify decisions. If a lawmaker feels they may lose a bill, or vote, they can overemphasize the loss, which will force them rely on others to make sure they make the right decision about reform. In addition, choice overconfidence can fuel the feeling of superiority and peer connections can create a pack mentality, even if the decision turns out to be wrong (Sheffer & Loewen, 2019). Many times, these group votes are predicated by stakeholder, lobbyist, and

constituent tendencies. Curseu et al., (2016) asserts that reason can be left out in these types of group settings.

Cognitive dissonance and implicit bias both allow lawmakers to lean toward a side without listening to scientific evidence (Baekgaard et al., 2019). In fact, scientific evidence is weighed lower than most factors when lawmakers look at a bill. As I wrote in the literature review, even when faced with mounting evidence lawmakers will not use numbers and science to influence their vote on a bill (Christenson et al., 2018). The reason for this is partly based on the types of evidence presented to lawmakers, which can be biased, and the inability of lawmakers to differentiate from peer-reviewed science and skewed information. In other words, in their experience, science presented to legislators from both sides of an issue seemed like a sales pitch and less like actual data. Legislators can see scientific data as unreliable. Perhaps this is why legislators rely on lobbyists, as they may have been right before on an issue. If decisions are not generally swayed by scientific evidence, why do researchers continue to present scientific information to lawmakers? Even though a small number of participants say they rely on scientific evidence, Baekgaard et al. (2019) shows that unless the decision maker is already on the side of the science, science will not change their minds. This is not to undermine that some lawmakers may actually be on the fence about an issue and can be swayed by evidence.

While all of the previously mentioned literature coincides with the findings in this study the truncated number of previous studies looking at the issue of passing criminal justice reform makes it difficult to extend previous research. The contribution added to the field of criminal justice by this research can be found in the answers to the main and sub research questions. If lawmakers use the information found from this research to formulate a strategy when attempting

to pass a bill, it could strengthen their ability to explain and pass legislation in the realm of criminal justice reform.

Implications

Theoretical

A constructivist view of grounded theory is the basis for this research and was found to be suitable for further theoretical implications. Theoretical implications discussed in the literature review were found to be a factor in the decision-making process of lawmakers. While grounded theory builds, or constructs theory through the data, it can rely on previous theoretical implications to help explain it (Charmaz, 2016). Theory is constructed through coding and comparison. These categorizing methods allow the researcher to find meaning in the cohesiveness of the entire body of data. For my research, I found implications in which parts of the study's participants did have similar answers to the interview questions. For the four main theories constructed in this research, participants words and sentiments alluded to that being a large part of their decision-making process. As the constructivist view of grounded theory dictates, theory was built from the coding of the interviews with the lawmakers.

Empirical

Empirical evidence found in this study found that the four main categories that affect the way lawmakers make decisions about criminal justice reform are: stakeholder/lobbyist opinions, constituent concerns, relevance of the bill, and peer knowledge and predilection. These theoretical implications are born from the coding processes outlined in a constructivist view of grounded theory. Empirical data found in this research is evident in the interview answers by participants. Lawmakers can increase their chances of passing reform legislation by following the suggestions of the data.

If a lawmaker wants to pass a criminal justice reform bill they should begin by convincing those who influence legislative peers; in this study that is overwhelmingly lobbyists and stakeholders. One should also ascertain how the general public in each voting district leans to see if it is possible to swing lawmakers to vote on a bill. It might be possible to tweak a bill to change language, or what is needed by others and still get the intended outcome. In addition, by confirming the bill is not already covered in current law can convince others that it is needed. The relevance of the bill is important to many lawmakers and the author should seek guidance about a bill's relevance before presenting the bill. Finally, the influence of one's peers within the legislature plays a part in the decision process. One should gauge interest between known cliques or subgroups within the organization before finalizing a bill.

Practical

The result of my research can be used by lawmakers, policy makers, legislative staff, and stakeholder groups to assist in getting bills written and passed. A clear comprehension of what convinces lawmakers to vote for or against a bill, can increase the chances of legislators successfully passing criminal justice reform into law. By following the suggestions of this research and implementing those suggestions prior to writing and submitting a bill, the bill's author can anticipate and amend the bill to allow other lawmakers to thoroughly comprehend and vote for the bills based on the merits of this study. The practicality of following the results of this research to assist in real world bill passage is different for each of the findings. The next section will look at implementation issues, strategies, and guidelines.

To manage the issue of how stakeholder/lobbyist opinions affect decisions of lawmakers, bill authors can use several strategies to increase the chances of a bill's success. Many of the participants mentioned stakeholder groups by name. District Attorneys Associations, Sheriffs

Associations, Association of Chiefs of Police, victims' advocates groups, and judges to name a few. Depending on the exact purpose of the bill being written, an author should get with the applicable groups while drafting the language of the bill, which could help eliminate stakeholder opposition to the bill.

One unanticipated answer that prompted further questioning in the semi-structured interviews occurred when the majority of participants in this study mentioned lobbyists as extremely influential in their decisions about whether or not to support the passage of a bill. Additional questioning yielded rich information about why lobbyists are so influential in bill passage. Many legislators serve terms that have limits, which restricts their knowledge regarding political issues. Many lobbyists are former lawmakers and experts who have been politicians for many years. The opinions of lobbyists do not always just stand for what their organization believes but can add information about issues that concern the voting lawmaker. In addition, money donated by a lobbyist's organization to a legislator aids in bending the ear of the legislator. One can assume lobbyists do not donate as much to campaigns in the field of criminal justice as they do for potential laws in other issues. For this reason, stakeholders' opinions may have an influence on reform bills, yet sometimes lobbyists and stakeholders can be used interchangeably, depending on the dynamics of a bill or issue, and depending on the organization.

Stakeholders such as District Attorneys Associations, Sheriffs Associations or judges all have reasons to like or dislike a bill. They are the boots on the ground in criminal justice reform. They are the ones that have to carefully weigh the victims' rights against overcrowded prisons and treatment of the accused. So, it stands to reason that these organizations can shed light on the realities of what a proposed law does in practice. One participant said that they have the cell

phone number of their area's judges, sheriffs, and chiefs of police and that when an issue comes up, they call and ask what the pros and cons of a particular bill for their area could be. This is one way that representatives can be sure to follow the will of their constituents.

For practical implications the author of a criminal justice reform bill should solicit the opinion of stakeholders and lobbyists before and as they write a bill. The bill's author should meet with their areas/states District Attorneys Association, Sheriffs Association, and other law enforcement groups before finalizing a bill. According to my research, these groups' ideas, opinions, and expertise can greatly affect passage of a criminal justice reform bill. If a reform bill is already endorsed by these stakeholders prior to going before a committee or the floor for a vote, that bill stands a much better chance of being easily passed because, due to stakeholder influence, many of the problematic parts of the bill should have already been addressed prior to debating and voting on the bill.

Constituent concern was highly regarded as a predictor of influence for how a lawmaker will vote on a bill. Participants in this study were from all parts of the state of Louisiana. Participants were from rural, urban, and suburban areas. The political composition of these voting districts steers the legislators in their decisions. For example, one participant from a suburban area said that their constituents are not concerned with possession of marijuana. Another participant, from a rural area, said that people get locked up for possessing marijuana. Both of these lawmakers are Republicans, yet they will vote differently based on their constituent concerns. Of interest is when Participant 2 said that they can get away with voting differently than their constituency on fiscal issues, but any moral issue will have to be subject to party lines and local concerns. This remark highlights the importance of the lawmakers voting for the interests of their base when making decisions about criminal justice reform. By

understanding this influence, the author of a bill can predict support as well as tweak a bill to fit broader geographical concerns.

With thousands of laws on the books already, lawmakers look for redundancy and relevance when voting on a new law. Several participants said the relevance of a bill played a big part in their decision-making process. Many bills are written and fail to make it through the process because someone pointed out during the process that the sentiment of the bill was already covered under an existing law. For example, one of the participants mentioned a bill that would make a perpetrator who was driving drunk and killed a parent pay child support to the victim's children. The participant pointed out that there were already civil laws in place that forced compensation to be paid to victims of drunk drivers, in some form. For political purposes, the bill in question was worded differently than the law already in place. In other words, the participant thought the author was presenting the bill to gain political capitol rather than solve a problem. A thorough review of a bill's merits prior to submitting it for consideration can prevent opposition based on relevancy and redundancy. Written explanations of why the bill is needed and what it will accomplish can decrease communication difficulty over a bill and enhance debate.

The last of the four factors that influenced reform in criminal justice bill passage was peer knowledge and predisposition, which will include partisan votes, as the subject came up throughout the study. Most participants stated that they rely on the opinions of their peers when making decisions on bills. Of the 105 state representatives in Louisiana, many are lawyers, but there are also insurance salesmen, technological company owners, logging company owners, financial planners, social workers, entrepreneurs, and many other types of vocations represented. Many times, bills are presented in a manner that does not allow for a full review of the language

and meaning behind a law. In these instances, lawmakers will ask their peers how they should vote, or to get clarification about bills from those in the field who deal with the subject of the bill, while on the house floor prior to a vote. The sentiment presented by the participants was that they are not familiar with all fields, but one of their peers may be, and the advice of that peer knowledge carries weight when they make decisions. I asked one participant that if someone with a Ph.D. in criminal justice were in the legislature and suggested that you should vote for or against a criminal justice bill, would you listen to them? The answer was yes. For practical purposes the passage of a reform bill could potentially be predicated by the bill's author forming a coalition (even a bipartisan group) with other lawmakers who are influential in the criminal justice arena prior to presenting a bill for consideration.

Delimitations and Limitations

This study was conducted on current and former legislators from the House of Representatives in Louisiana. The parameters allowed for any state lawmaker, to include the House of Representatives and State Senate, to be a participant. State representatives in Louisiana are elected by a district based on population. Roughly 40,000 people reside in each of the 105 districts. This means that there may be as many as ten representatives from a large city such as New Orleans, but another district may encompass several sparsely populated parishes.

Limitations in the study were based on the willingness of participants to be involved in the study. As mentioned, during data collection for this study the representatives had just gotten out of a long session followed by a veto override session that made them less apt to have time to participate; 2023 is also an election year, which had many of the potential participants unwilling to spend time on endeavors that did not involve campaigning. State representatives in Louisiana are paid roughly $16k a year; many have jobs and commitments that prevent their involvement

in other activities. I found that many of the recruitment emails I sent out were overlooked due to their being directed to spam folder. Only after calling the district offices and speaking to the representatives' legislative assistants was I able to get any responses, which may have limited my research to participants with willing and competent assistants who saw value in research. In addition, if the potential participant did not see any value in the merits of the research, they were more likely to ignore the request. Once the participants understood what the study was about they willingly answered the interview questions.

Recommendations for Future Research

There are many areas where future research in this area can be improved. The questions in the interview can be modified to fit the parameters of the results in this study to further the meaning behind the answers. To clarify, specific questions could be tailored to find deeper meaning behind the results of this study and further the data. Charmaz (2018) places the researcher and participant in a give-and-take investigative dynamic. Future research on this topic should be conducted in way that scrutinizes that relationship in qualitative data collection. Similar studies could focus on smaller groups to pinpoint anomalies in data or have a larger pool of participants to broaden the data. One could look separately at Republicans and Democrats following the guidelines of this research. One could recommend that future researchers conduct a similar study outlining similarities in decision-making processes of rural and urban lawmakers. While not the goal of this study, if complementary research can ascertain similarities and differences in parties and other demographics, that research could help pass future reform.

Summary

The most influential factors for bill passage involved in criminal justice reform according to this research are: stakeholder/lobbyist opinions, constituent concerns, the relevance of bill,

and peer inclinations. Practical implications involve pre-meditated actions by the bill's author which include involving opinions of sources, as I mentioned before. By presenting a bill that is pre-approved by stakeholders, voters, and peers, a bill's author can solidify their chances of a smooth passage.

The goal was to breech the nexus of science and politics by deciphering any code to reform bill passage and bridging the gap between the two. Surprisingly, all of the main answers to the research questions pointed to politics based on other groups' opinions. I conclude that to bridge that gap, the groups influencing the votes of politicians must first be educated on the importance of social science and its involvement in the criminal justice reform effort. As social scientists it is important to remember that many times policy and law are not made by professionals in a given field, yet decisions are made by those that rely on groups that may have a motive other than furthering peer reviewed science. If a lawmaker that is not familiar with the intricacies involved in social sciences is to make an informed decision, the data must be given to them (and the groups they listen to) in a way that a non-expert can relate to.

Factors that influence lawmakers to pass criminal justice reform are varied, yet they are based on the political will of the public. If a legislator does not follow the public's will, they will eventually be replaced. This research shows that while not perfect, the democratic process does work, and the majority of the people do have a voice in how their criminal justice system works. My contribution to the field of criminal justice, specifically the reform of the system, will further the study of how politics and science can complement each other for future betterment.

REFERENCES

Ahrens, D. M. (2020). Retroactive legality: Marijuana convictions and restorative justice in an era of criminal justice reform. *The Journal of Criminal Law and Criminology (1973-), 110*(3), 379–440. https://www.jstor.org/stable/48573787

Alexander M. 2010. The new Jim Crow: Mass incarceration in the age of colorblindness. New York: New Press. http://cflj.org/report/New-Jim-Crow-Flier.pdf

Algero, M.G. (n.d.) Considering precedent in Louisiana: Balancing the value of predictable and certain interpretation with the tradition of flexibility and adaptability. *Loyola Law Review. http://law.loyno.edu/sites/law.loyno.edu/files/Algero-LoyLRev[1].pdf*

Anderson, V. (2017). Criteria for evaluating qualitative research. *Human Resource Development Quarterly, 28* (2), 125-133. https://doi.org/10.1002/hrdq.21282

Apuzzo, M. (2014) Holder and Republicans unite to soften sentencing laws. New York Times, 4 March. http://www.nytimes.com/2014/03/04/us/politics/holder-and-republicans-unite-to-soften-sentencing-laws.html?_r=1 http://www.webcitation.org/6T0zy9fnc

Arifin, S. R. M. (2018). Ethical considerations in qualitative study. *International journal of care scholars*, *1*(2), 30-33. https://journals.iium.edu.my/ijcs/index.php/ijcs/article/view/82/27

Baekgaard, M., Christensen, J., Dahlmann, C. M., Mathiasen, A., & Petersen, N. B. G. (2019). The role of evidence in politics: Motivated reasoning and persuasion among politicians. *British Journal of Political Science*, 49 (3), 1117-1140. https://doi-org.ezproxy.liberty.edu/10.1017/S0007123417000084

Bagaric, M., & McCord, D. (2019). Decarcerating America: The opportunistic overlap between theory and sentencing practice as a pathway to meaningful reform. *Buffalo Law Review,*

67 (2), 227. http://holyspiritlibrary.pbworks.com/w/file/fetch/46616403/sociological%20theories%20of%20crime.pdf

Battaglini, M., & Coate, S. (2007). Inefficiency in legislative policymaking: A dynamic analysis. *American Economic Review*, *97*(1), 118-149. https://www.aeaweb.org/articles?id=10.1257/aer.97.1.118

Beckett, K., Reosti, A., & Knaphus, E. (2016). The end of an era? Understanding the contradictions of criminal justice reform. *The Annals of the American Academy of Political and Social Science, 664*(1), 238-259. https://doi.org/10.1177/0002716215598973

Belfrage, C., Hauf, F. (2017). The gentle art of retroduction: Critical realism, cultural political economy and critical grounded theory. *Organization Studies*, 38, 251-271. https://journals.sagepub.com/doi/abs/10.1177/0170840616663239

Birks, M., Mills, J. (2015) *Grounded theory: A practical guide*. 2nd Edition SAGE. https://books.google.com/books?hl=en&lr=&id=YsGICwAAQBAJ&oi=fnd&pg=PP1&dq=Birks,+M.,+Mills,+J.+(2015)+Grounded+theory:+A+Practical+Guide.+2nd+Edition+SAGE.&ots=-O2oqPAiOn&sig=NBZ3X-

Bloomberg, & Volpe, M. (2019). *Completing your qualitative dissertation : a road map from beginning to end* (Fourth edition.). SAGE Publications, Inc. https://liberty.alma.exlibrisgroup.com/discovery/openurl?institution=01LIBU_INST&rfr_id=info:sid%2Fsummon&rft_dat=ie%3D21164997030004916,language%3DEN&svc_dat=CTO&u.ignore_date_coverage=true&vid=01LIBU_INST:Services&Force_direct=false

Bouncken, R. B., Qiu, Y., Sinkovics, N., & Kürsten, W. (2021). Qualitative research: Extending the range with flexible pattern matching. *Review of Managerial Science, 15*(2), 251-273. https://doi.org/10.1007/s11846-021-00451-2

Braga, A., Robinson, L., Davis, E. (2013). Encouraging a broader set of criminologists to form research partnerships with police departments. *The Criminologist* 4:24–27. https://scholar.google.com/scholar?cluster=19306521817497650 83&hl=en&oi=scholarr

Brancale, J., Blomberg, T. G., Siennick, S., Pesta, G. B., Swagar, N., Noorman, K., Caswell, J., & Chouhy, C. (2021). Building collaborative evidence-based frameworks for criminal justice policy. *Criminal Justice Policy Review, 32*(8), 795-815. https://doi.org/10.1177/08874034211011234

Brooks, S. M., & Kurtz, M. J. (2016). Oil and Democracy: Endogenous natural resources and the political "resource curse". *International Organization, 70*(2), 279-311. https://doi.org/10.1017/S0020818316000072

Burkhardt, B. C., & Connor, B. T. (2016). Durkheim, punishment, and prison privatization. *Social Currents, 3*(1), 84-99. https://doi.org/10.1177/2329496515604641

Burns, M., Bally, J., Burles, M., Holtslander, L., & Peacock, S. (2022). Constructivist grounded theory or interpretive phenomenology? Methodological choices within specific study contexts. *International Journal of Qualitative Methods*. https://doi.org/10.1177/16094069221077758

Callais, J. (2021). Laissez les bons temps rouler? The persistent effect French civil law has on corruption, institutions, and incomes in Louisiana. *Journal of Institutional Economics, 17*(4), 663-680. doi:10.1017/S1744137420000661

Carson, Ann E., (2021, December) Prisoners in 2020-Statistical Tables. https://bjs.ojp.gov/content/pub/pdf/p20st.pdf

Charmaz, K. (2017). Constructivist grounded theory. *The Journal of Positive Psychology*, 12(3), 299–300. https://doi.org/10.1080/17439760.2016.1262612

Charmaz, K. (2017). The power of constructivist grounded theory for critical inquiry. *Qualitative Inquiry, 23*(1), 34-45. https://doi.org/10.1177/1077800416657105

Charmaz, K., & Belgrave, L. (2012). Qualitative interviewing and grounded theory analysis. *The SAGE handbook of interview research: The complexity of the craft, 2*, 347-365. https://books.google.com/books?hl=en&lr=&id=VCFsZsvZdwkC&oi=fnd&pg=PA347&dq=Charmaz,+K.,+%26+Belgrave,+L.+(2012).+Qualitative+interviewing+and+grounded+theory+analysis.+The+SAGE+handbook+of+interview+research:+The+complexity+of+the+craft,+2,+347-365.&ots=

Charmaz, K., Thornberg, R., Keane, E. (2018). Evolving grounded theory and social justice inquiry. In Denzin, N. K., Lincoln, Y. S. (Eds), The Sage handbook of qualitative research (5th ed., pp. 411–443). Sage. https://www.diva-portal.org/smash/record.jsf?pid=diva2%3A918096&dswid=-5370

Choi, J., & Kruis, N. E. (2021). Social integration and confidence in the police: A cross-national multi-level analysis. *Policing & Society, 31*(6), 751-766. https://doi.org/10.1080/10439463.2020.1751160

Christensen, J., Moynihan, D. P., Petersen, N. B. G., Dahlmann, C. M., & Mathiasen, A. H. (2018). How do elected officials evaluate performance? goal preferences, governance preferences, and the process of goal reprioritization. *Journal of Public Administration Research and Theory, 28*(2), 197-211. https://doi.org/10.1093/jopart/muy001

Chun Tie, Y., Birks, M., & Francis, K. (2019). Grounded theory research: A design framework for novice researchers. *SAGE open medicine*, *7*, 2050312118822927. https://doi.org/10.1177/2050312118822927

Cole, G. F., Smith, C. E., & DeJong, C. (2021). *Criminal justice in America*. Cengage Learning.

Consoli, S. (2021). Uncovering the hidden face of narrative analysis: A reflexive perspective through MAXQDA. *System (Linköping)*, *102*, 102611. https://doi.org/10.1016/j.system.2021.102611

Corda, A., & Hester, R. (2021). Leaving the shining city on a hill: A plea for rediscovering comparative criminal justice policy in the United States. *International Criminal Justice Review*, *31*(2), 203-223. https://doi.org/10.1177/1057567720981626

Costonis, J. J. (2002). The Louisiana State University Law Center's Bijural Program. *J. Legal Educ.*, *52*, 5. https://heinonline.org/HOL/LandingPage?handle=hein.journals/jled52&div=8&id=&page=

Creswell, J. W., & Poth, C. N. (2016). *Qualitative inquiry and research design: Choosing among five approaches*. Sage publications. https://books.google.com/books?hl=en&lr=&id=DLbBDQAAQBAJ&oi=fnd&pg=PP1&dq=Creswell,+J.+W.,+%26+Poth,+C.+N.+(2016).+Qualitative+inquiry+and+research+design:+Choosing+among+five+approaches.+Sage+publications.&ots=-hs478GTSA&sig=FzFmGJyR1KVtnD4YlE_MXOWmagc#v

Crosby-Arnold, M. B. (2017). A case of hidden genocide? disintegration and destruction of people of color in Napoleonic Europe, 1799-1815. *Atlantic Studies (Abingdon, England), 14*(3), 354-381. https://doi.org/10.1080/14788810.2017.1330499

Cross, P., & Maloyed, C. L. (Eds.). (2022). *The Party Is Over: The New Louisiana Politics*. LSU Press. https://books.google.com/books?hl=en&lr=&id=pURIEAAAQBAJ&oi=fnd&pg=PP1&dq=louisiana+veto+session&ots=_rJX8ZBV2N&sig=1hXPJmMDCDlxNWoMGnf3C3Os8gU#v=onepage&q=louisiana%20veto%20session&f=false

Crowley, D. M., Scott, J. T., Long, E. C., Green, L., Israel, A., Supplee, L., Jordan, E., Oliver, K., Guillot-Wright, S., Gay, B., Storace, R., Torres-Mackie, N., Murphy, Y., Donnay, S., Reardanz, J., Smith, R., McGuire, K., Baker, E., Antonopoulos, A., Giray, C. (2021). Lawmakers' use of scientific evidence can be improved. *Proceedings of the National Academy of Sciences - PNAS, 118*(9), 1. https://doi.org/10.1073/pnas.2012955118

Crowley, M., Supplee, L., Scott, T., & Brooks-Gunn, J. (2019). The role of psychology in evidence-based policymaking: Mapping opportunities for strategic investment in poverty reduction. *The American Psychologist, 74*(6), 685-697. https://doi.org/10.1037/amp0000466

Curseu, P. L., Schruijer, S. G. L., & Fodor, O. C. (2016). Decision rules, escalation of commitment and sensitivity to framing in group decision-making an experimental investigation. *Management Decision, 54*(7), 1649-1668. https://doi.org/10.1108/MD-06-2015-0253

Da Graça Oliveira Crossetti, M., Oliveira de Goes, M. G., & de Brum, C. N. (2016). Application of constructivist grounded theory in nursing research. The Qualitative Report, 21(13), 48–53. https://nsuworks.nova.edu/tqr/vol21/iss13/5/

Denny, E., & Weckesser, A. (2022). How to do qualitative research?: Qualitative research methods. *BJOG : An International Journal of Obstetrics and Gynaecology,* https://doi.org/10.1111/1471-0528.17150

Dodsworth, H. B. (2021). identifying the most democratic institution to lead criminal justice reform. *Northwestern University Law Review, 116*(2), 561-609. https://www.proquest.com/docview/2581885767?pq-origsite=summon

Edwards, John B. (2017, June 15) Criminal Justice Reform, Office of the Governor https://gov.louisiana.gov/index.cfm/page/58

Edwards, S. C. (2020). *Carl Suddler: Presumed criminal: Black youth and the justice system in postwar New York: New York University Press, New York, 2019, 246 pp, ISBN: 9781479847624*. Springer US. https://doi.org/10.1007/s10964-020-01226-w

Engel, C. (2019). When does transparency backfire? Putting Jeremy Bentham's theory of general prevention to the experimental test. *Journal of Empirical Legal Studies, 16*(4), 881-908. https://doi.org/10.1111/jels.12231

Engel, R. S., Corsaro, N., & Ozer, M. M. (2017). The impact of police on criminal justice reform. *Criminology & Public Policy, 16*(2), 375-402. https://doi.org/10.1111/1745-9133.12299

Esaiasson, P., & Öhberg, P. (2020). The moment you decide, you divide: How politicians assess procedural fairness. *European Journal of Political Research, 59*(3), 714–730. https://doi.org/10.1111/1475-6765.12370

Fine, L. E. (2021). Everything is different in Louisiana—an overview of forced heirship: A reminder of the intricacies of practicing under the Napoleonic code. *Estate Planning (Tampa), 48*(8), 27. https://www.proquest.com/docview/2585501926?parentSessionId=589%2Fj1LrZNeB8ChET1Z0c7%2B5R6VOd3ZlHTbWhiAAwvI%3D&pq-origsite=summon&accountid=12085

Gal, D., Rucker, D. D., & Shavitt, S. (2018). The loss of loss aversion: Will it loom larger than its gain? *Journal of Consumer Psychology, 28*(3), 497-516. https://doi.org/10.1002/jcpy.1047

Garb, M. (2017). No mercy here: Gender, punishment, and the making of Jim Crow modernity by Sarah Haley (review). *The Journal of Southern History, 83*(3), 710-712. https://doi.org/10.1353/soh.2017.0205

Garland, D. (2002). *The culture of control: Crime and social order in contemporary society*. Univ. Chicago Press. https://books.google.com/books?hl=en&lr=&id=5nbRAgAAQBAJ&oi=fnd&pg=PR15&dq=Garland,+D.+(2002).+The+Culture+of+Control:+Crime+and+Social+Order+in+Contemporary+Society.+Univ.+Chicago+Press&ots=Ip9xlKg9r3&sig=Bcl26NI0tX9fSxrAb7fg7XYDc6E#v=onepage&q&f=false

Gelman, J., & Wilson, S. L. (2022). Measuring congressional partisanship and its consequences. *Legislative Studies Quarterly, 47*(1), 225-256. https://doi.org/10.1111/lsq.12331

Gerber, A., Haita-Falah, C., & Lange, A. (2018). the agency of politics and science. *Economic Inquiry, 56*(3), 1543-1561. https://doi.org/10.1111/ecin.12562

Giordano, P. C. (2020). Continuing education: Toward a life-course perspective on social learning. *Criminology (Beverly Hills), 58*(2), 199-225. https://doi.org/10.1111/1745-9125.12244

Glesne, C. (2016) *Becoming qualitative researchers: An introduction* (5th ed.). New York, NY: Pearson. ISBN: 9780133859393. https://eric.ed.gov/?id=ED594812

Grasso, A. (2017). Broken beyond repair: Rehabilitative penology and American political development. *Political Research Quarterly, 70* (2), 394-407. https://doi.org/10.1177/1065912917695189

Gritter, E. (2021). The color of crime: Black men and the politics of criminality: [A review of] Douglas J. Flowe's Uncontrollable blackness: African American men and criminality in Jim Crow New York. Chapel Hill: University of North Carolina press, 2020. xi + 312 pp. 9781469655734. *The Journal of the Gilded Age and Progressive Era, 20*(2), 363-364. https://doi.org/10.1017/S1537781421000074

Gross, A. J. (2009). Legal transplants: slavery and the civil law in Louisiana. *USC Law Legal Studies Paper*, (09-16). https://scholar.google.com/scholar?hl=en&as_sdt=0%2C19&q=Louisiana+uniqueness+political+system&btnG=

Hansson, M., Lundgren, I., Hensing, G., Dencker, A., Eriksson, M., Carlsson, I.M. (2021), Professional courage to create a pathway within midwives' fields of work: A grounded theory study. *BMC Health Services Research, 21*(1), 312-312. https://doi.org/10.1186/s12913-021-06311-9

Hafner-Burton, E. M., Haggard, S., Lake, D. A., & Victor, D. G. (2017). The behavioral revolution and international relations. International Organization, 71(S1), S1–S31

Hinton, E., & Cook, D. (2021). The mass criminalization of Black Americans: A historical overview. *Annual Review of Criminology, 4,* 261-286. http://stdavidssf.infiplex.com/utilities/file_library/pdfs/annurev-criminol-060520-033306.pdf

House, J. (2018). Authentic vs elicited data and qualitative vs quantitative research methods in pragmatics: Overcoming two non-fruitful dichotomies. *System (Linköping), 75*, 4-12. https://doi.org/10.1016/j.system.2018.03.014

Hutchinson, T. (2015). The doctrinal method: Incorporating interdisciplinary methods in reforming the law. *Erasmus L. Rev., 8,* 1309. https://heinonline.org/HOL/LandingPage?handle=hein.journals/erasmus8&div=22&id=&page=

International Association of Chiefs of Policy (IACP) . 2019. One mind campaign – Improving police response to persons affected by mental illnesses. Alexandria, VA: IACP. Available from https://www.theiacp.org/projects/one-mind-campaign (accessed 26 August 2019).

Interviews. Anonymous. Conducted between June 30, 2023, and July 27, 2023

James, D. (2020). Crime, contract and humanity: Fichte's theory of punishment. *British Journal for the History of Philosophy,* , 1-17.

Janssen, M. C. W., & Teteryatnikova M. (2017). Mystifying but not misleading: When does political ambiguity not confuse voters? *Public Choice*, *172*(3-4), 501-524. https://doi.org/10.1007/s11127-017-0459-3

Jefferson, B. J. (2016). Broken windows policing and constructions of space and crime: Flatbush, Brooklyn. *Antipode, 48*(5), 1270-1291. https://doi.org/10.1111/anti.12240

Keane, E. (2015). Considering the practical implementation of constructivist grounded theory in a study of widening participation in Irish higher education. International Journal of Social Research Methodology, 18(4), 1–17. https://doi.org/10.1080/13645579.2014.923622

Kennedy, M. S. (2020). Why doesn't science matter anymore? *The American Journal of Nursing, 120*(3), 7-7. https://doi.org/10.1097/01.NAJ.0000656252.49512.47

Kirk, E. M. (2022). Community consequences of mass incarceration: Sparking neighborhood social problems and violent crime. *Journal of Crime & Justice, 45*(1), 103-119. https://doi.org/10.1080/0735648X.2021.1887751

Kleinfeld, J. (2017). Manifesto of Democratic Criminal Justice. *Nw. UL Rev., 111*, 1367. https://heinonline.org/HOL/LandingPage?handle=hein.journals/illlr111&div=46&id=&page=

Korstjens, I., & Moser, A. (2017). Series: Practical guidance to qualitative research. part 2: Context, research questions and designs. *The European Journal of General Practice, 23*(1), 274-279. https://doi.org/10.1080/13814788.2017.1375090

Kroeger, M. A. (2022). Bureaucrats as lawmakers. *Legislative Studies Quarterly, 47*(1), 257-289. https://doi.org/10.1111/lsq.12320

Lane, J. (2021). If Adorno met intersectionality theory: Reconceiving the method of negative case analysis. *International Journal of Qualitative Methods, 20*, 160940692110454. https://doi.org/10.1177/16094069211045473

Lee, H. (2018). A new societal self-defense theory of Punishment—The rights-protection theory. *Philosophia (Ramat Gan), 46* (2), 337-353. https://doi.org/10.1007/s11406-017-9931-z

Lee, C. C., & Joo, S. (2020). Measuring the performance of the U.S. correctional systems at the state level. *The Journal of Applied Business and Economics, 22*(5), 97-110. https://doi.org/10.33423/jabe.v22i5.3052

Levin, B. (2019). Mens rea reform and its discontents. *The Journal of Criminal Law & Criminology, 109*(3), 491-558. https://heinonline.org/HOL/LandingPage?handle=hein.journals/jclc109&div=19&id=&page=

Levin, B. (2018). The consensus myth in criminal justice reform. *Michigan Law Review, 117*(2), 259-318. https://www-proquest-com.ezproxy.liberty.edu/docview/2138967849?pq-origsite=summon

Lin, S.-W., & Bier, V. M. (2008). A study of expert overconfidence. Reliability Engineering & System Safety, 93(5), 711–721. https://www.sciencedirect.com/science/article/abs/pii/S0951832007000981

Lincoln, Guba, E. G., & Pilotta, J. J. (1985). Naturalistic inquiry. *International Journal of Intercultural Relations, 9*(4), 438–439. https://doi.org/10.1016/0147-1767(85)90062-8

Louisiana Commission on Law Enforcement and Administration of Criminal Justice (2021). http://www.lcle.la.gov/programs/SAC.asp

Louisiana Department of Agriculture & Forestry (2022). https://www.ldaf.state.la.us/ldaf-programs/horticulture-programs/louisiana-horticulture-commission/

Louisiana Department of Public Safety and Corrections (2021). https://doc.louisiana.gov/about-the-dpsc/justice-reform/

Louisiana State Legislature, (2022). https://legis.la.gov/legis/Home.aspx

Maifreda, G. (2021). Against the death penalty: Writings from the first Abolitionists—Giuseppe Pelli and Cesare Beccaria ed. by Peter Garnsey (review). *Eighteenth - Century Studies, 55*(1), 116-118. https://doi.org/10.1353/ecs.2021.0110

Marjaei, S., Yazdi, F. A., & Chandrashekara, M. (2019). MAXQDA and its application to LIS research. *Library Philosophy and Practice, ,* 1-9. https://liberty.summon.serialssolutions.com/search?type=articles&q=libraries#!/search?ho=t&include.ft.matches=t&fvf=ContentType,Journal%20Article,f%7CContentType,Magazine%20Article,f&l=en&q=maxqda

Martin, L. L., Fasching-Varner, K., Quinn, M., & Jackson, M. (2014). Racism, rodeos, and the misery industries of Louisiana. *Journal of Pan African Studies, 7*(6), 60-83. https://scholar.google.com/scholar?hl=en&as_sdt=0%2C19&q=Louisiana+racist+political+system&btnG=#d=gs_cit&t=1656510447504&u=%2Fscholar%3Fq%3Dinfo%3A_azHm6exn0J%3Ascholar.google.com%2F%26output%3Dcite%26scirp%3D0%26hl%3Den

Mather, K . 13 July 2017. LAPD union joins national push for feds to help prepare police for contacts with mentally ill. *Los Angeles Times*. Available from https://www.latimes.com.

Mayson, S. G. (2020). The concept of criminal law. *Criminal Law and Philosophy, 14*(3), 447-464. https://doi.org/10.1007/s11572-020-09530-z

Mills, J., Bonner, A., Francis, K. (2006). Adopting a constructivist approach to grounded theory: Implications for research design. *International Journal of Nursing Practice*, 12(1), 8–13. https://doi.org/10.1111/j.1440-172X.2006.00543.x

Mooney, C. Z. (1991). Information sources in state legislative decision-making. *Legislative Studies Quarterly*, 445-455. https://www.jstor.org/stable/440107

Morin, R., Parker, K., Stepler, R., Mercer, A. (2017). Behind the badge: Amid protests and calls for reform, how police view their jobs, key issues and recent fatal encounters between blacks and police. Washington, DC: Pew Research Center. Available from https://assets.pewresearch.org/wp-ontent/uploads/sites/3/2017/01/06171402/Police-Report_FINAL_web.pdf

Mosher, C. J., & Atkins, S. (2019). *In the weeds: Demonization, legalization, and the evolution of US marijuana policy*. Temple University Press. https://scholar.google.com/scholar?hl=en&as_sdt=0%2C19&q=Mosher%2C+C.+J.%2C+%26+Atkins%2C+S.+%282019%29.+In+the+weeds%3A+Demonization%2C+legalization%2C+and+the+evolution+of+US+marijuana+policy.+Temple+University+Press.&btnG=

Murphy, R. H. (2020). The quality of legal systems and property rights by state: A ranking and their implications for economic freedom. *The Journal of Regional Analysis & Policy, 50*(1), 29-45. https://www-proquest-com.ezproxy.liberty.edu/docview/2462485058?pq-origsite=summon

National Conference of State Legislatures. 2018. State trends in law enforcement legislation: 2014–2017. Available from http://www.ncsl.org/research/civil-and-criminal-justice/state-trends-in-law-enforcement-legislation-2014-2017.aspx

Obama, B. (2017). The president's role in advancing criminal justice reform. *Harvard Law Review, 130* (3), 811-866. https://bi-gale-com.ezproxy.liberty.edu/global/article/GALE|A480194994?u=vic_liberty&sid=summon

O'Leary, Z. (2005). *Researching real-world problems*. Thousand Oaks, Sage. 9781412901956. https://doi.org/10.1177%2F00380385080420031005

O'Rourke, A., Su, R., & Binder, G. (2021). Disbanding police agencies. *Columbia Law Review, 121* (4), 1327-1404. https://www-jstor-org.ezproxy.liberty.edu/stable/27021389?pq-origsite=summon&seq=1

Parent, W. (2006). *Inside the carnival: Unmasking Louisiana politics*. LSU Press. https://scholar.google.com/scholar?hl=en&as_sdt=0%2C19&q=Louisiana+uniqueness+political+system&btnG=#d=gs_cit&t=1656509271319&u=%2Fscholar%3Fq%3Dinfo%3AcOUFk1ucJmIJ%3Ascholar.google.com%2F%26output%3Dcite%26scirp%3D0%26hl%3Den

Payson, J. A. (2020). The partisan logic of city mobilization: Evidence from state lobbying disclosures. *American Political Science Review, 114*(3), 677-690. https://doi.org/10.1017/S0003055420000118

Percival, G. L. (2020). Policy learning and criminal justice reform in the U.S. states. *State & Local Government Review, 52*(4), 321-332. https://doi.org/10.1177/0160323X21994890

Petty, T. R., Gongwer, J. B., & Schnabel, W. (2018). Bridging policy and science action boundaries: Information influences on US congressional legislative key staff decision-making in natural resources. *Policy Sciences, 51*(1), 77-96. https://doi.org/10.1007/s11077-018-9311-y

President's Task Force on 21st Century Policing, (2015). Final report of the President's task force on 21st century policing. Washington, DC: Office of Community Oriented Policing Services. Available from https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf

Rahr, S, Rice, (2015). From warriors to guardians: Recommitting American police culture to democratic ideals. Washington, DC: National Institute of Justice. Available from https://www.ncjrs.gov/pdffiles1/nij/248654.pdf

Richardson, R., & Kutateladze, B. L. (2021). Tempering expectations: A qualitative study of prosecutorial reform. *The Journal of Research in Crime and Delinquency, 58*(1), 41-73. https://doi.org/10.1177/0022427820940739

Robinson, L. O. (2020). Five years after Ferguson: Reflecting on police reform and what's ahead. *The Annals of the American Academy of Political and Social Science, 687*(1), 228-239. https://doi.org/10.1177/0002716219887372

Roger, K., Bone, T., Heinonen, T., Schwartz, K., Slater, J., & Thakrar, S. (2018). Exploring identity: What we do as qualitative researchers. *Qualitative Report, 23*(3), 532-546. https://doi.org/10.46743/2160-3715/2018.2923

Rudes, D. S., Portillo, S., & Taxman, F. S. (2021). The legitimacy of change: Adopting/Adapting, implementing, and sustaining reforms within community corrections agencies. *British Journal of Criminology, 61*(6), 1665-1683. https://doi.org/10.1093/bjc/azab020

Sarrett, J. C. (2022). A vulnerability inspired universal design of justice. *Punishment & Society*, *24*(3), 324–345. https://doi.org/10.1177/1462474521989806

Schroeder, P. (2022). Pushing boundaries: How lawmakers shape judicial decision-making. *Comparative Political Studies*, *55*(14), 2447-2479. https://doi.org/10.1177/00104140221089649

Scottus, R. B. (2017). To purify the ballot the racial history of felon disenfranchisement in Louisiana. *Loyola Journal of Public Interest Law, 19(2),* 105-138. https://heinonline-org.ezproxy.liberty.edu/HOL/Page?handle=hein.journals/loyjpubil19&id=123

Seeds, C. (2017). Bifurcation nation: American penal policy in late mass incarceration. *Punishment & Society, 19*(5), 590-610. https://doi.org/10.1177/1462474516673822

Seligman, J. (2018). Confronting a crisis: An appraisal of legislation in Louisiana combating the opioid epidemics. *Tulane Law Review, 93*(1), 147. https://web-s-ebscohost-com.ezproxy.liberty.edu/ehost/pdfviewer/pdfviewer?vid=0&sid=30778b09-8dc9-49b8-a008-cc3a21d3edcd%40redis

Sheffer, L., & Loewen, P. (2019). Electoral confidence, overconfidence, and risky behavior: Evidence from a study with elected politicians. *Political Behavior, 41*(1), 31-51. https://doi.org/10.1007/s11109-017-9438-0

Sheffer, L., Loewen, P. J., Soroka, S., Walgrave, S., & Sheafer, T. (2018). Nonrepresentative Representatives: An experimental study of the decision-making of elected politicians. *The American Political Science Review, 112*(2), 302-321. https://doi.org/10.1017/S0003055417000569

Staff Reports. (2017, January 24). "Study: Louisiana among states wasting most Medicare money." *New Orleans City Business, Business Insights.* https://www.proquest.com/docview/1863294138/fulltext/8BE139473CCB4A31PQ/1?accountid=12085

Stephens, D. W. (2019). Officer involved shootings: Incident executive summary. https://www.policinginstitute.org/wp-content/uploads/2019/05/1.-OIS_incident_exec_summary_8.28.19.pdf

Stewart, H., Gapp, R., & Harwood, I. (2017). Exploring the alchemy of qualitative management research: Seeking trustworthiness, credibility, and rigor through crystallization. *Qualitative Report, 22*(1), 1. https://doi.org/10.46743/2160-3715/2017.2604

Strauss, A., & Corbin, J. (1990). *Basics of qualitative research*. Sage publications. https://doi.org/10.5072/genderopn-develop-7

Subramanian, Ram, Skrzypiec, Leah. 2017. To protect and serve: New trends in state-level policing reform, 2015–2016. Brooklyn, NY: Vera Institute of Justice. Available from https://storage-googleleapis-com.eproxy.liberty.edu/vera-web-assets/downloads/Publications/protect-and-serve-policing-trends-2015-2016/legacy_downloads/04417-PolicingTreandsReport-web.pdf accessed 1 September 2019).

Temin, P. (2018). The political economy of mass incarceration and crime: An analytic model. *International Journal of Political Economy, 47*(3-4), 317-329. https://doi.org/10.1080/08911916.2018.1517464

Thieman, F. W. (2020). The disaster of success: Lessons in failed leadership from the criminal justice system. *Leader to Leader, 2020*(97), 30-35. https://doi.org/10.1002/ltl.20513

Trahan, J.R. (2011) An elementary treatise of the civil law of Louisiana. *Louisiana Bar Foundation.* *http://www.laed.uscourts.gov/sites/default/files/200th/cle/civil_law_in_louisiana.pdf*

Trump, D. J. (2018). Remarks on criminal justice reform legislation. *Daily Compilation of Presidential Documents*. https://www-proquest-com.ezproxy.liberty.edu/docview/2199798394?pq-origsite=summon

Vann Jr, B. (2022). Direct democracy and the adoption of recreational marijuana legalization in the United States, 2012–2019. *The International Journal of Drug Policy, 102*, 103583-103583. https://doi.org/10.1016/j.drugpo.2022.103583

Wasif, R. (2019). reforming expansive crime control & sentencing legislation in an era of mass incarceration: A national and cross-national study. *International and Comparative Law Review, 27*(1), 174. https://heinonline-org.ezproxy.liberty.edu/HOL/Page?collection=journals&handle=hein.journals/miaicr27&id=189&men_tab=srchresults

Weimer, D. L. (2018). Policy analysis in the United States. In J. A. Hird (Ed.), *Policy analysis in the United States* (1st ed., pp. 9–30). Bristol University Press. https://doi.org/10.2307/j.ctt22h6q1x.7

Wenzel, M., Woodyatt, L., & Hedrick, K. *(*2012). No genuine self-forgiveness without accepting responsibility: Value reaffirmation as a key to maintaining positive self-regard. *European Journal of Social Psychology, 42, 617–627. https://doi-org.ezproxy.liberty.edu/10.1002/ejsp.1873*

Wenzel, M., Woodyatt, L., & McLean, B. (2020). The effects of moral/social identity threats and affirmations on psychological defensiveness following wrongdoing. *British Journal of Social Psychology, 59*(4), 1062-1081. https://doi.org/10.1111/bjso.12378

West, H.C. & Sabol W. J., Bureau (2008) Prisoners in 2007. Bureau of Justice Statistics, U.S. Dept. of Justice. http://www.bjsgov/content/pub/pdf [https://perma.cc/66FE-GW44]

White, M. D. (2018). The neglected nuance of Beccaria's theory of punishment. *European Journal of Law and Economics, 46*(3), 315-329. https://doi.org/10.1007/s10657-016-9530-7

Wigmore, J. H. (2015). Louisiana: The story of its legal system. *Tulane Law. Review. 90*, 529. https://web-p-ebscohost-com.ezproxy.liberty.edu/ehost/pdfviewer/pdfviewer?vid=0&sid=6c4d232c-22e6-478c-96ed-47c3d6681c68%40redis

Winters, M. (2020). Black fatigue: Racism, organizations, and the role of future leadership. *Leader to Leader, 2020*(98), 7-13. https://doi.org/10.1002/ltl.20539

Zielinski, M. J., Allison, M. K., Brinkley-Rubinstein, L., Curran, G., Zaller, N. D., & Kirchner, J. A. E. (2020). Making change happen in criminal justice settings: Leveraging implementation science to improve mental health care. *Health & Justice, 8*(1), 21-21. https://doi.org/10.1186/s40352-020-00122-6

APPENDICES

Appendix A: Recruitment Notice

Dear State Representative,

As a doctoral candidate in the Helms School of Government at Liberty University, I am conducting research on legislation on criminal justice reform as part of the requirements for a Ph.D. The purpose of my research is to study the decision-making processes of lawmakers when deciding to pass criminal justice reform legislation, and I am writing to invite you to join my study.

Participants must be current or former legislators in the state of Louisiana. Participants will be asked to take part in a one-on-one, audio/video-recorded, in-person interview via Microsoft Teams or a short phone call. It should take approximately 15 minutes to complete the procedure listed. Names and other identifying information will be requested as part of this study, but participant identities will not be disclosed.

To participate in the study, you will simply need to have your assistant, or yourself, schedule a time to conduct the Microsoft teams interview via teleconference or schedule a short, recorded phone call.

A consent document is provided as an attachment on this email and should be signed and returned. The consent document contains additional information about my research.

Sincerely,
Jay Callegari

Doctoral Student
[redacted]

Appendix B: Interview Questions

Interview Questions

1. lawmakers to pass reform measures? When voting on criminal justice reform legislation, what factors do you consider?
2. How valuable is scientific evidence when making decisions about criminal justice reform bills?
3. What factor influences your decision to pass or fail a bill on criminal justice reform?
4. What is your decision-making process for bills regarding criminal justice reform?
   A. is it different than the process for other bills?
   B. If so, how and why are they different?
5. What are some of the ways the different political parties vote when considering criminal justice reform, and why?
6. What other influential factors are at play when lawmakers make decisions about bill support?
7. How is bipartisanship fostered in relation to criminal justice reform?
8. What strategies can be effective enough to convince lawmakers to pass reform measures?

Appendix C: Informed Consent Form

Title of the Project: Legislating Criminal Justice Reform in Louisiana

Principal Investigator: Jay Callegari, Doctoral Candidate at Liberty University. Helms School of Government.

Invitation to be Part of a Research Study

You are invited to participate in a research study. To participate, you must be a sitting or former state representative in Louisiana. Taking part in this research project is voluntary.

Please take time to read this entire form and ask questions before deciding whether to take part in this research.

What is the study about and why is it being done?

The purpose of the study is to identify factors that will persuade lawmakers to vote for viable criminal justice reform.

What will happen if you take part in this study?

If you agree to be in this study, I will ask you to do the following:

1. Participate in a teleconference interview.
2. The audio and video recorded tele-conference interview that will take no more than 30 minutes.
3. We will use Microsoft teams to conduct the recorded interview.

How could you or others benefit from this study?

Benefits to society include an addition to scholarly material researching lawmakers and their decision-making process. This could possibly aid in increasing cooperation within governing bodies to pass viable reforms.

What risks might you experience from being in this study?

The expected risks from participating in this study are minimal, which means they are equal to the risks you would encounter in everyday life. Lawmakers give interviews and talk about their decision-making processes daily.

How will personal information be protected?

The records of this study will be kept private/confidential. Published reports will not include any information that will make it possible to identify a subject. Research records will be stored securely, and only the researcher will have access to the records.

- Participant responses will be kept confidential by replacing names with pseudonyms.
- Interviews will be conducted in a location where others will not easily overhear the conversation.
- Data collected from you may be used in future research studies and/or shared with other researchers. If data collected from you is reused or shared, any information that could identify you, if applicable, will be removed beforehand.
- Data will be stored on a password-locked computer/in a locked drawer in the researchers office. After seven years, all electronic records will be deleted and/or all hardcopy records will be shredded.
- Recordings will be stored on a password locked computer for seven years/until participants have reviewed and confirmed the accuracy of the transcripts and then deleted/erased. The researcher will have access to these recordings.

Is study participation voluntary?

Participation in this study is voluntary. Your decision whether to participate will not affect your current or future relations with Liberty University. If you decide to participate, you are free to not answer any question or withdraw at any time without affecting those relationships.

What should you do if you decide to withdraw from the study?

If you choose to withdraw from the study, please contact the researcher at the email address/phone number included in the next paragraph. Should you choose to withdraw, data collected from you will be destroyed immediately and will not be included in this study.

Whom do you contact if you have questions or concerns about the study?

The researcher conducting this study is Jay Callegari. You may ask any questions you have now. If you have questions later, **you are encouraged** to contact him at [redacted]. You may also contact the researcher's faculty sponsor, Dr. Larry Anthony, at [redacted].

Whom do you contact if you have questions about your rights as a research participant?

If you have any questions or concerns regarding this study and would like to talk to someone other than the researcher, **you are encouraged** to contact the IRB. Our physical address is Institutional Review Board, 1971 University Blvd., Green Hall Ste. 2845, Lynchburg, VA, 24515; our phone number is 434-592-5530, and our email address is irb@liberty.edu.

Disclaimer: The Institutional Review Board (IRB) is tasked with ensuring that human subjects research will be conducted in an ethical manner as defined and required by federal regulations. The topics covered and viewpoints expressed or alluded to by student and faculty researchers are those of the researchers and do not necessarily reflect the official policies or positions of Liberty University.

Your Consent

By signing this document, you are agreeing to be in this study. Make sure you understand what the study is about before you sign. You will be given a copy of this document for your records. The researcher will keep a copy with the study records. If you have any questions about the study after you sign this document, you can contact the study team using the information provided above.

I have read and understood the above information. I have asked questions and have received answers. I consent to participate in the study.

☐ The researcher has my permission to audio-record/video-record me as part of my participation in this study.

_____
Printed Subject Name

_____
Signature & Date