

# Appendix

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## 1 Identifying Private Lawsuits

To identify those lawsuits filed by inmates in private prisons, I created a dummy variable for the following defendant names, with differential spacing:

- cca or cca,
- c c a
- c.c.a.
- cca - or cca-
- director of cca
- medical staff, cca
- owner cca,
- / cca, or cca/
- superintendent of cca
- cca prison
- ceo of cca
- cca correction
- /cca,
- corrections co
- corrections crop
- wackenhut
- geo group
- geo care
- geo corp
- geo facility
- geo corrections
- geo department
- geo facility
- geo, et
- geo, inc or geo inc
- geo intermediate
- geo international
- geo medical
- geo world
- geo,
- geo-
- geo/
- wachenhut
- wacken hut
- wackenhut
- corrections corp
- correction corp
- correctional corp
- cornell companies
- cornell corrections
- cornell chairman
- cornell corections
- cornell corporation
- cornell corr

- cornell inc or cornell, inc
- esmor or esmor:
- esmor, inc
- lasalle geo
- corecivic
- prison realty

## 2 Random Sample of Cases

Here are the 50 randomly sampled cases against public prisons:

1. -8 v. SHEHEE, ET AL filed on 8/3/95
2. A.R KEY V D.SHILLINGER ETAL filed on 4/21/86 (**could not find on PACER**)
3. ANDERSON v. JUAREZ, ET AL filed on 3/5/90
4. BLACKS v. GREENHAVENS FOOT DOCTOR, ET AL filed on 6/26/15
5. BRANDON v. ARIZONA, STATE OF filed on 5/10/13
6. BRITT v. SNODGRASS, ET AL filed on 3/26/93
7. BUSEY v. SMITH, ET AL filed on 3/15/12
8. CARLE v. UNITED STATES OF AMERICA filed on 7/24/13
9. COLVARD v. JOHNSON filed on 10/21/86 (**could not find on PACER**)
10. COTA v. VALUE OPTION, ET AL filed on 9/13/01
11. CROSS v. TERRY filed on 3/22/89
12. DAVIS v. SWAIN filed on 2/9/04
13. DICKERSON v. WALKER, ET AL filed on 11/20/91 (**could not find on PACER**)
14. ESTERS v. MURPHY, ET AL filed on 6/3/96 (**could not find on PACER**)
15. FARNSWORTH, MICHAEL A. v. BEST, D. filed on 4/25/90
16. FLORIE v. YEAGER, ET AL filed on 11/9/01
17. GAYLE v. CAPUTO filed on 12/2/09
18. GILLERY v. SCHNEIDER filed on 3/15/89
19. HALL v. SELF filed on 6/27/06
20. HINES v. WILT, ET AL filed on 11/22/10
21. HOLIDAY v. LINDSTRAND filed on 3/28/07
22. HOWARD v. PLEDGER, ET AL filed on 4/29/94
23. INMATES OF COLEMAN v. PARKS, ET AL filed on 7/13/00
24. JAMES HENRY OWEN v. PUBLIC DEFENDER, ET AL filed on 4/24/98
25. JASPER v. HENDERSON filed on 5/15/87
26. JOHN L. DAVENPORT v. COUNTY OF SONOMA filed on 7/1/91
27. JUSTICE v. MAYO, ET AL filed on 12/5/11
28. LEWIS v. BAND filed on 5/7/14
29. MAISANO v. CLARK filed on 1/15/14
30. MALIK ABDUL-JABBOR v. P W KHOEHNAN filed on 2/9/95
31. MCDOUGAL v. HOWELL, ET AL filed on 6/5/14
32. MCFADDEN v. SOUTH CAROLINA DEPT OF , ET AL filed on 8/22/11
33. MOORE v. GODINEZ, ET AL filed on 2/19/15
34. MOORMAN, ET AL v. LANGLEY, ET AL filed on 2/2/95
35. MURDOCK v. GILMORE, ET AL filed on 2/5/99
36. PRUITT v. PORTER, ET AL filed on 4/26/95
37. RANDOLPH v. RITE AID PHARMACY filed on 3/29/06
38. REAGAN v. MEISEL, ET AL filed on 11/18/99
39. RUIZ v. EQUIBEL, ET AL filed on 1/9/07 (**could not find on PACER**)
40. SENSABAUGH v. KEMNA filed on 1/8/01
41. SIMMONS v. HUFF, ET AL filed on 2/13/95
42. SPROUSE v. EDWARDS filed on 2/27/87 (**could not find on PACER**)
43. THOMAS v. RIDGE, ET AL filed on 3/8/99
44. TUBBS v. KIRK, ET AL filed on 6/9/92
45. VELEZ v. WALL, ET AL filed on 6/24/13

46. WEBER v. SUPERIOR POLICE DEPT, ET AL filed on 11/19/02
47. WHITE v. RUIZ, ET AL filed on 7/25/96
48. WILLIAMS v. MUNOZ, ET AL filed on 3/31/95
49. WILLIAMS-EL v. MOORE, ET AL filed on 8/8/97
50. YANCEY v. MAY, ET AL filed on 12/16/93

Here are the randomly sampled cases against publicly traded private prisons:

1. ALFRED v. CORRECTIONS CORP OF AME, ET AL filed on 5/7/08
2. ALFRED v. CORRECTIONS CORP OF AME, ET AL filed on 2/23/09
3. AUGUSTINE v. CORRECTIONS CORPORATION OF AME filed on 10/17/03
4. BELCHIA v. CORRECTIONS CORPORATION OF AME filed on 8/11/05
5. BLACK v. WACKENHUT, ET AL filed on 9/26/03
6. BRINK v. CCA WESTERN PROPERTIES, ET AL filed on 3/11/13
7. BROOKS v. WACKENHUT CORR CORP, ET AL filed on 7/10/00
8. BURNS v. LOCKHART WACKENHUT filed on 7/10/00
9. BUTLER v. CORRECTIONS CORP., ET AL filed on 8/23/99
10. CAMPBELL v. CORRECTIONS CORP, ET AL filed on 5/3/99
11. CAMPBELL v. T.C.C.F. OF C.C.A., ET AL filed on 8/7/01
12. CASEY v. GEO CORPORATION, ET AL filed on 3/19/14
13. COUSETT v. CORRECTIONAL CORPORATION OF AM filed on 4/8/13
14. DANIELS v. CORRECTIONS CORPORATION, ET AL filed on 1/13/14
15. DEFORD v. CCA, ET AL filed on 12/16/96
16. ELLIS v. CORRECTIONS CORP, ET AL filed on 10/28/96
17. FEBRE v. GEO GROUP, INC. filed on 4/27/05
18. FISHER v. CORRECTIONS CORPORATION, ET AL filed on 2/26/09
19. GEIGER v. PRISON REALTY TRUST, ET AL filed on 8/21/00
20. GIVENS v. CORRECTIONS CORP, ET AL filed on 1/10/96
21. GRANILLO v. CORRECTIONS CORP OF, ET AL filed on 10/21/02
22. HALLER v. GEO GROUP INC, ET AL filed on 9/16/10
23. HAYES v. THE GEO GROUP, INC. filed on 9/14/09
24. HETHERINGTON v. WACKENHUT CORRECTION, ET AL filed on 11/26/02
25. HINES v. GEO GROUP, INC., ET AL filed on 5/6/08
26. JACOBS v. CORRECTIONS CORP AM, ET AL filed on 5/20/94
27. LANEY v. CCA/METRO DETENTION, ET AL filed on 8/2/94
28. MALUIA v. CORRECTIONS CORPORATION, ET AL filed on 2/1/12
29. MAYERS v. CORRECTIONS CORPORATION, ET AL filed on 8/26/14
30. MCELYEA v. CORRECTION CORPORATI, ET AL filed on 9/4/96
31. MONTGOMERY v. GEO GROUP INC, ET AL filed on 9/3/13
32. NEWTON v. CORRECTIONS CORP, ET AL filed on 8/1/96
33. PATTON v. CCA/MDCDF, ET AL filed on 12/3/13
34. PURKEY v. CCA DETENTION CENTER, ET AL filed on 3/31/08
35. RISINGER v. CORRECTIONS CORP., ET AL filed on 6/22/99
36. SHAFFER v. CORNELL CORRECTIONS, ET AL filed on 5/29/01
37. SHARP v. GEO GROUP INC, ET AL filed on 2/6/09
38. SING v. CORRECTIONS CORPORATION, ET AL filed on 1/5/12
39. SMITH v. CORRECTION CORPORATION , ET AL filed on 4/15/14
40. SMITH v. CORRECTIONS CORPORATION OF AME filed on 10/27/00

41. SPENCER v. CORRECTION CORP/AMER, ET AL filed on 11/6/97
42. THOMAS v. C.C.A. filed on 6/11/10
43. THOMPSON v. CORRECTIONS CORP. OF AM, ET AL filed on 6/11/10
44. VALENTINE v. CORRECTIONS CORP OF AME, ET AL filed on 3/8/10
45. WARRENDER v. CORRECTIONAL CORPORA, ET AL filed on 11/16/01
46. WHITE v. CORRECTIONAL CORPORATION OF AM filed on 5/1/06
47. WHITE v. CORRECTIONS CORP, ET AL filed on 12/3/02
48. WILLIAMS v. WACKEN HUT, ET AL filed on 9/20/99
49. WILLIAMSON v. WACKENHUT, ET AL filed on 2/11/98
50. WORTHEN v. WACKENHUT, ET AL filed on 9/17/99

### **3 Matching Variables**

I exact match on the following pretreatment variables: the lawsuit file year, circuit, district, office (the office within the district where the case is filed), origin (the manner in which the case was filed in the district), Nature of Suit code (either 550 or 555), section (the section of law the suit is filed under), jurisdiction (the basis for district court jurisdiction in the case), and title (the title that the suit is filed under). Below are the more specific FJC codes for some of these variables, where applicable.

#### **3.1 Origin**

1. original proceeding
2. removed (began in the state court, removed to the district court)
3. remanded for further action (removal from court of appeals)
4. reinstated/reopened (previously opened and closed, reopened for additional action)
5. transferred from another district(pursuant to 28 USC 1404)
6. multi district litigation (cases transferred to this district by an order entered by Judicial Panel on Multi District Litigation pursuant to 28 USC 1407)
7. appeal to a district judge of a magistrate judge's decision
8. second reopen
9. third reopen
10. fourth reopen
11. fifth reopen
12. sixth reopen
13. multi district litigation originating in the district (valid beginning July 1, 2016)

#### **3.2 Jurisdiction**

1. US government plaintiff
2. US government defendant
3. federal question
4. diversity of citizenship
5. local question

## 4 Non-Weighted Regression

In the main estimations, I weight the observations by the weights generated in R. Here, I do not weight. The results are substantively similar.

Table 1: Inmate Lawsuits Filed Against Public and Private Prisons Operated by Publicly Traded Companies, A Comparison (Without Weights)

	Fav. Judgment (1)	Likely Fav. Judgment (2)	Case Dismissed (3)	Fav. Judgment (4)	Likely Fav. Judgment (5)	Case Dismissed (6)
Private Prison Defendant	-0.001 (0.003)	0.026** (0.012)	-0.030** (0.012)	-0.006 (0.004)	0.017 (0.011)	-0.038*** (0.013)
Judge Ideology (Bonica and Sen)				-0.002 (0.001)	-0.004 (0.003)	0.033 (0.021)
Judge Former Prosecutor				-0.002 (0.003)	-0.007 (0.010)	0.0005 (0.057)
Black Judge				-0.001 (0.004)	0.015 (0.010)	0.065 (0.042)
Male Judge				-0.001 (0.002)	-0.005 (0.004)	-0.010 (0.015)
Judge Birth Year				-0.00000 (0.0001)	0.00004 (0.0002)	-0.001 (0.001)
Pro Se Plaintiff				-0.041*** (0.012)	-0.366*** (0.029)	0.200*** (0.049)
N	34,382	34,382	34,382	21,687	21,687	21,687
R <sup>2</sup>	0.084	0.113	0.602	0.103	0.182	0.607
Adjusted R <sup>2</sup>	0.065	0.095	0.594	0.079	0.161	0.597
Residual Std. Error	0.091	0.214	0.295	0.084	0.209	0.304

\* p < .1; \*\* p < .05; \*\*\* p < .01

All standard errors clustered by district. Interacted district-year fixed effects included.



## 5 Non-Matching Regression

The main regression weights the sample to address the potential for systematic differences between the kinds of lawsuits filed in public or private prisons. Here, I present the results of the non-matched sample. The results are substantively similar.

Table 2: Inmate Lawsuits Filed Against Public and Private Prisons Operated by Publicly Traded Companies, A Comparison (Without Matching)

	Fav. Judgment (1)	Likely Fav. Judgment (2)	Case Dismissed (3)	Fav. Judgment (4)	Likely Fav. Judgment (5)	Case Dismissed (6)
Private Prison Defendant	0.003 (0.003)	0.058*** (0.011)	-0.040*** (0.012)	-0.002 (0.003)	0.050*** (0.012)	-0.048*** (0.013)
Judge Ideology (Bonica and Sen)				-0.001 (0.001)	-0.008 (0.009)	0.012 (0.008)
Judge Former Prosecutor				0.002 (0.002)	0.013* (0.007)	0.002 (0.010)
Black Judge				0.003 (0.001)	-0.004 (0.006)	-0.006 (0.015)
Male Judge				0.002 (0.001)	0.024* (0.013)	0.018 (0.018)
Judge Birth Year				0.0001* (0.0001)	0.001** (0.0005)	0.0001 (0.001)
Pro Se Plaintiff				-0.046*** (0.006)	-0.358*** (0.020)	0.184*** (0.027)
N	364,377	430,727	802,939	159,657	179,888	330,312
R <sup>2</sup>	0.055	0.239	0.239	0.070	0.269	0.252
Adjusted R <sup>2</sup>	0.048	0.234	0.237	0.059	0.261	0.247
Residual Std. Error	0.135	0.356	0.429	0.103	0.326	0.429

\*p < .1; \*\*p < .05; \*\*\*p < .01

All standard errors clustered by district. Interacted district-year fixed effects included.

## 6 Alternate Dependent Variables

In Table 3, I use the logged number of days it takes to resolve a dispute as an alternate dependent variable.

Table 3: Inmate Lawsuits Filed Against Public and Private Prisons Operated by Publicly Traded Companies, A Comparison (Using Length to Termination as a Dependent Variable)

	Length to Termination (Logged Days)	
	(1)	(2)
Private Prison Defendant	0.218** (0.085)	0.219** (0.104)
Judge Ideology (Bonica and Sen)		-0.071* (0.042)
Judge Former Prosecutor		0.026 (0.111)
Black Judge		-0.013 (0.096)
Male Judge		-0.101 (0.067)
Judge Birth Year		-0.002 (0.003)
Pro Se Plaintiff		-1.109*** (0.131)
N	34,382	21,687
R <sup>2</sup>	0.469	0.501
Adjusted R <sup>2</sup>	0.458	0.488
Residual Std. Error	1.162	1.140

\*p < .1; \*\*p < .05; \*\*\*p < .01

All standard errors clustered by district. Interacted district-year fixed effects included.