

The Death Penalty in North Carolina The Public Considers the Options

A Report on Public Opinion for

The North Carolina Council of Churches

By

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Executive Summary

I. Consensus-Level Support for Suspending The Execution of People on Death Row

By a consensus-level margin of more than two-to-one, (63 percent to 28 percent), the people of North Carolina favor a temporary, two-year suspension on executing people on death row.

Support for a temporary suspension extends to every key demographic subgroup, including men and women, whites and blacks, Republicans and Democrats, and people in every age group and education level. Support also extends to all corners of the state, from Asheville and western North Carolina to the east coast.

People were asked to evaluate 12 arguments for a temporary suspension on executions. Solid majorities ranging from 58 percent to 86 percent said 9 of the 12 were strong arguments. After hearing the arguments, support for a temporary suspension on executing people on death row increased to more than two-thirds (67 percent) while opposition declined to one in four, 25 percent.

II. A Climate of Fear and Mistrust

Support for a suspension exists in a climate of fear and mistrust. People are afraid of crime, with a majority of North Carolinians, 52 percent, saying violent crime has increased over the past five years while only 6 percent saying it decreased. As many as

19 percent said a member of their immediate family had been a crime victim within the past five years, and 9 percent said it had been a violent crime.

The people of North Carolina demonstrate low levels of confidence in certain key aspects of the criminal justice system. North Carolinians see a chasm between what they want their state to do and what they believe it is doing when it comes to dealing with those who are convicted of a violent crime. As many as 88 percent said violent criminals should “almost always” or “mostly” be sent to prison, but only 41 percent said that is what the state is doing. Moreover, only a minority, 47 percent, believes that someone who receives a “life sentence without parole” will actually spend his whole life in prison; 41 percent said he will serve some lesser amount of time and 13 percent are not sure. Since those who receive a sentence of life without parole in North Carolina must in fact spend their entire lives in prison, this finding further suggests a disconnect between what people want and what they believe their criminal justice system is doing.

III. Strong Opposition to the Death Penalty Under Certain Conditions

Support for a suspension on executing those on death row exists alongside broad public support for the death penalty. A total of 59 percent favors the death penalty while 27 percent are opposed.

However, as noted, many North Carolinians are misinformed. Although someone receiving a life sentence must remain in prison his whole life, only a minority believes this is true. And so, when people have the option of using either the death penalty or life without possibility of parole, which is the sanction the state employs, public support for the death penalty declines by 26 percentage points, from 59 percent to 33 percent. Moreover, if people believe that those convicted for life without parole must make financial restitution to a fund for victims’ families, support for the death penalty drops to

26 percent. That is, *under these circumstances*, a total of 64 percent of the people of North Carolina oppose the death penalty.

If people have the option of life without parole, there was also little support for the death penalty with the mentally ill, with 9 percent in favor and 82 percent opposed. There was a similar level of support for executing children under 18 years at the time of the crime, with 9 percent in favor and 83 percent opposed. In a focus group in Greenville, people strongly felt that the state should apply a single standard across the board and that the wishes of a victim's family should not be a factor in determining whether someone is executed.

IV. The System Should Be Fair

Support for a suspension on executing people on death row stems in large part from the public's belief that the system is unfair. As many as 71 percent said the state has definitely or probably freed someone from death row in the past 20 years because he was innocent. In addition, a 56 percent majority said North Carolina has either definitely or probably executed an innocent person within that time frame, while 18 percent were not sure.

Beyond those issues, people have high ideals for the criminal justice system and overwhelmingly said that everyone facing the death penalty should have the same quality of legal assistance, no matter how wealthy or poor the defendant may be and regardless of skin color.

V. Political Implications of the Results

People were asked if they would be more or less likely to support a candidate for the state legislature who supported a temporary suspension of executing people on death row.

About one in four, 24 percent, said they would be more likely while 12 percent said they would be less likely to support such a candidate; 59 percent said it would make little or no difference in terms of how they vote. When the question was reversed, the results were comparable; 29 percent said they would be less likely to support a state legislature candidate who opposed a suspension while 11 percent said they would be more likely to support such a candidate, and 57 percent said it would make little or no difference in terms of how they vote.

Those who wish to communicate with the public about these issues should keep in mind that large numbers of North Carolina citizens do not clearly understand two key terms: “moratorium” and “DNA,” and perhaps others as well, including restitution and the difference between probation and parole.

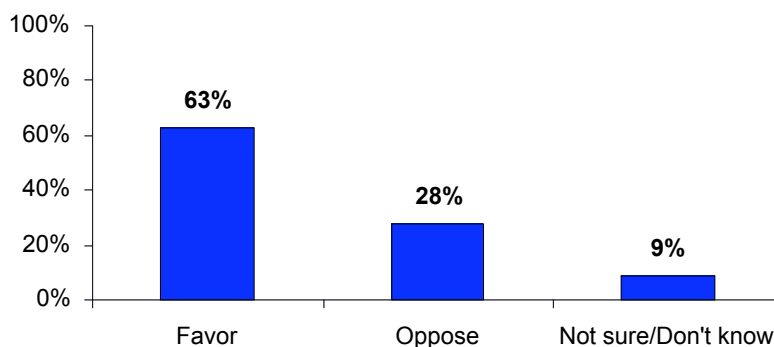
VI. Methodology

Between April 13 and April 21, 2004, a random or probability sample of 818 North Carolina adults 18 and over were interviewed by telephone using random digit dialing. The poll has a margin of sampling error of plus or minus 3.4 percentage points.

I. Consensus-Level Support for a Suspension on Executing People on Death Row

By a consensus-level margin of more than two-to-one (63 percent to 28 percent), the people of North Carolina favor a temporary, two-year suspension on executing people on death row. (See Table 1.)

Table 1
Views on a Suspension of Executing People
on Death Row



Q: No matter how you feel about the death penalty, would you favor or oppose a temporary, two-year suspension on executing people on death row while questions about the system's fairness are studied?

Support for a suspension on executions is across the board, with majorities in favor across the state and in nearly every subgroup, including crime victims and those who favor the death penalty. (See Table 2.)

Table 2
Support for a Suspension on Executions

	<u>Favor</u>	<u>Oppose</u>
	%	%
Statewide Total	63	28
Men	64	30
Women	62	26
White	62	30
Black	66	23
Hispanic	62	28
18-29	66	31
30-45	71	25
46-60	61	28
61+	52	28
Some high school or less	49	35
High school grad	61	26
Some college or trade school	69	25
College grad	68	28
Democrats	69	20
Republicans	55	39
Independents	66	29
Charlotte	68	26
Triangle area	64	29
Triad area	64	27
Asheville and west	73	21
Eastern North Carolina	59	34
Other Piedmont	63	21
Crime victim in family within past 5 years	73	18
Violent crime victim within past 5 years	76	16
Favor death penalty	59	35
Oppose death penalty	72	21

On March 24, 2004 Doble Research conducted a focus group in Greenville with 12 people who did not have a college degree (they had either some high school education but not a diploma, or a high school diploma but no education beyond high school, or some college or trade school but not a college degree). Comments from that group that illustrate people's feelings are interspersed throughout the report.

In the focus group, people talked about some of the reasons why they favored a suspension on executing those on death row.

From the focus group:

“If you're innocent, you're innocent. There's always going to be holes in the system – the way the courts are set up now. The way everything is set up...something's always going to slip through the cracks. In fact, there was a case just now in North Carolina, [a man] who was just released. Who was put in jail [then] they found out he was innocent.” Man.

“We need [a suspension on executions] bad. When you've got a prosecutor telling these juries that ‘Yeah, this guy right over here is guilty, guilty.’ And when he's [been] in prison for ten years and something comes up that [proves he's not, they say,] ‘Oh, he's not? Let him go.’ What I'm saying is, that's ten years of his life.” Man.

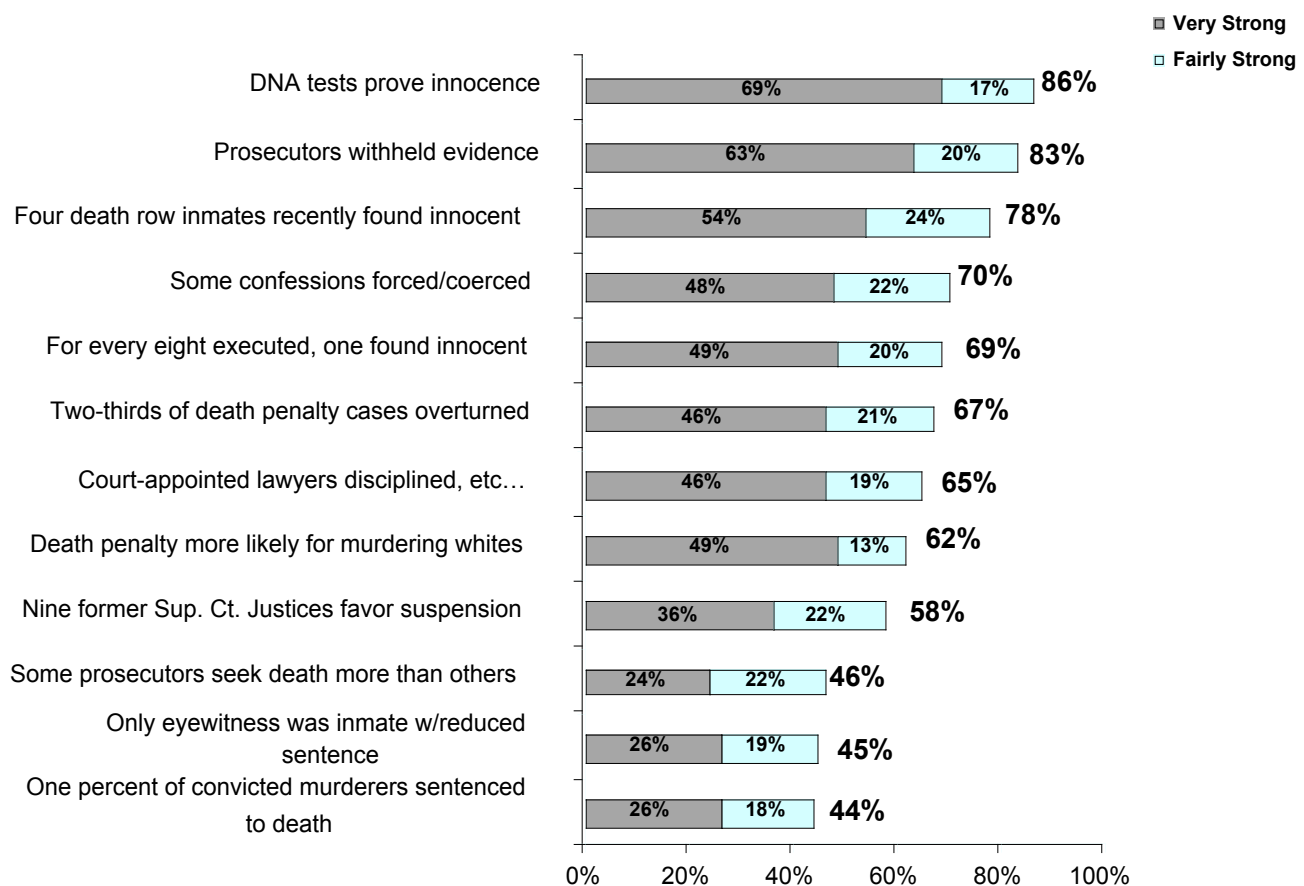
“I think halt it for at least two years. To find out if [those convicted of a crime punishable by death] really did it.” Woman.

The moderator asked the group if a suspension on executing people would be worthwhile if it turned out that no more than one in one thousand people on death row were actually innocent. The 12 people unanimously said it would be worthwhile.

“[A suspension] is worth it [if it's] one [innocent person] in a thousand. Like if I was the one in a thousand.” Man.

When people were asked to evaluate 12 arguments for a temporary suspension on executing people on death row, solid majorities of from 58 percent to 86 percent said 9 of them were strong. (See Table 3.)

Table 3
Assessment of Arguments for a Temporary Suspension on Executions



In the focus group, people talked about some of the arguments for a suspension.

From the focus group:

The need for a uniform standard:

“If there’s a murder – whether the [victim] is white, black, Protestant or Catholic. If they murder somebody, they should get [treated] the same way. It should be set.” Woman.

“I’m saying, the way society is set up...if blacks kill blacks they will get less time [than if they kill whites]. It’s a known fact.” Man.

“If the [murder victim] is a doctor, you’re much more likely to get the death penalty [than] if the victim is an everyday person.” Man.

“There should be a standard – murder is murder.” Woman.

DNA evidence:

“I think we’re on the threshold of technology and we can really make a difference here. It’s going to change everything in the system if we can prove without a doubt that someone’s not guilty.” Woman.

Coerced confessions:

“If I’m drilled, if somebody stays on top of me, I’ll finally try and agree with them to get them to shut up. And if they do it for three or four hours, I’d go insane.” Woman.

“Some people are weaker than others and they’ll go ahead and give in and say, ‘I did it.’” Woman.

The only eyewitness received a reduced sentence for testifying:

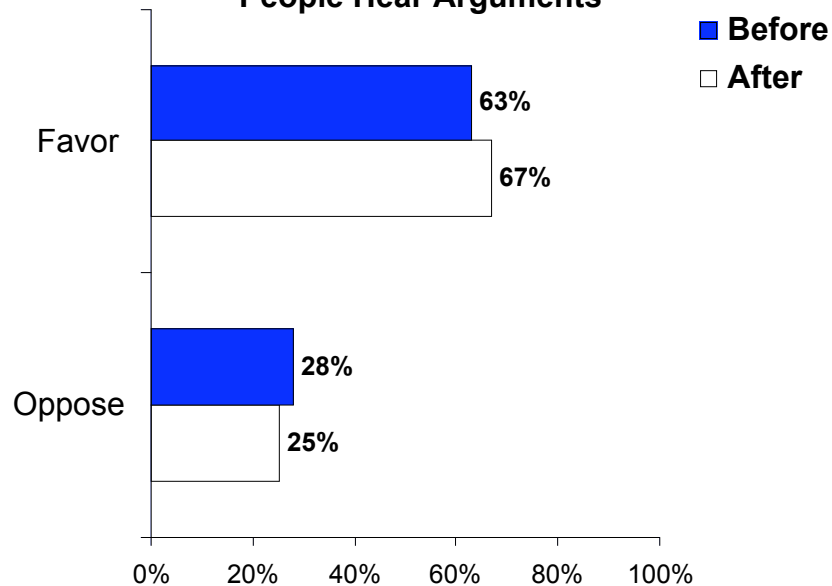
“I saw a case like that [on television] where the best friend of the guy said [the guy] did it. He was standing trial and the other guy was on trial for accessory. But [the other guy] actually committed the rape and the murder.” Woman.

Withheld evidence:

“Prosecutors need to do their job – not withhold evidence.” Woman.

After people considered the 12 arguments, support for a suspension on executing those on death row increased from 63 to 67 percent while opposition dropped to 25 percent. (See Table 4.)

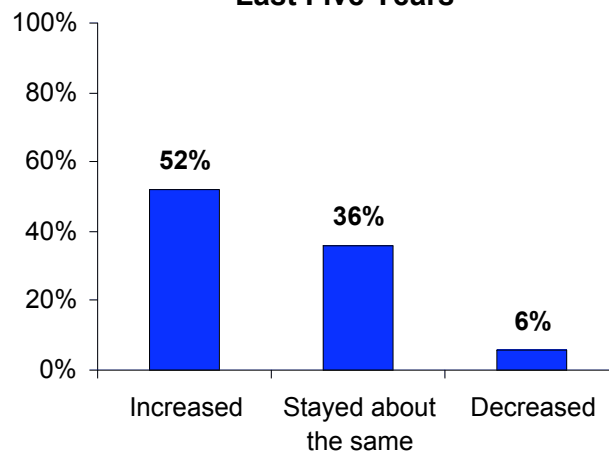
Table 4
Support for a Suspension Increases After
People Hear Arguments



II. A Climate of Fear and Mistrust

There is a climate of fear in North Carolina. A total of 52 percent believes that violent crime is on the rise while only 6 percent said it has decreased over the past five years. (See Table 5.)

Table 5
Perceptions about Violent Crime In
Last Five Years



From the focus group:

“In the last five years, there have been people being abducted from the Walgreen or CVS. There’ve been drive-by shootings. You’ve got a guy being murdered at the hotel. [Violent crime] has been more frequent.” Woman.

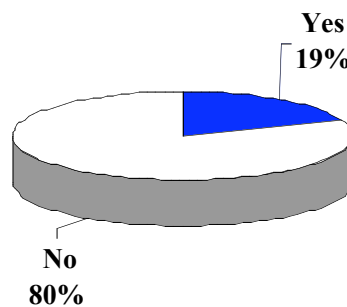
“It’s really sad when you look at the news. Like a recap of what they talk about, the top stories. Like every morning I see it – someone murdered here, somebody shot there.” Man.

“The neighborhood I grew up in – you could leave your door unlocked or your garage door open or let your kids run around. You can’t do that anymore.” Man.

“I used to leave my door unlocked. When I’m home now, I go in and lock my door because the houses across the street – nobody stays in them. And the police have been over there two or three times. One [of those houses], the door is out... That’s what scares me.” Man.

Fear is further evidenced by the fact that less than one family in five has been victimized by a crime in the past five years, while about one in ten was victimized by a violent crime. (See Tables 6 and 7.)

**Table 6
Whether Family Member Was Crime
Victim In Last Five Years**



**Table 7
Type of Crime**



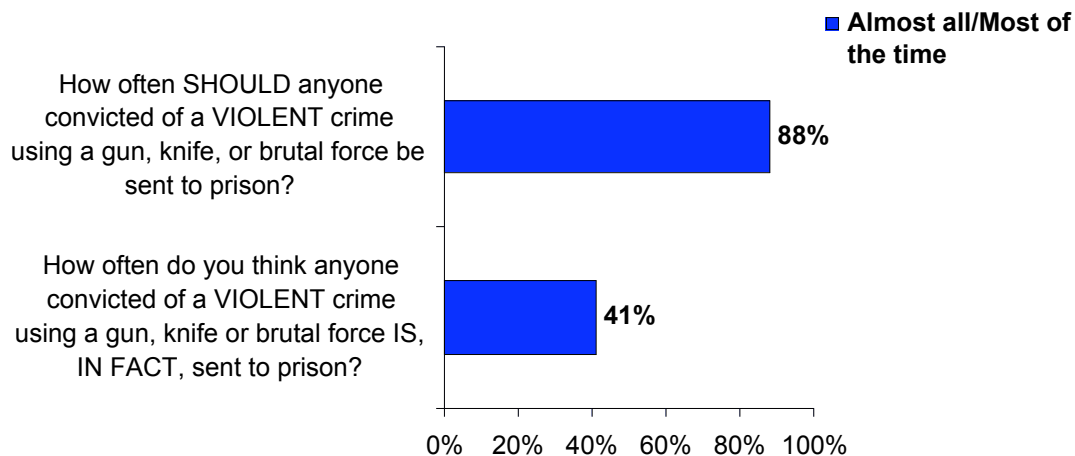
People from the Asheville area were most likely to have been a crime victim, and most likely to say the crime was violent while those over 60 and Republicans were least likely to have been victimized. (See Table 8.)

**Table 8
Crime Victims
(Key Demographic Subgroups)**

	<u>Family Member Was Crime Victim</u> %	<u>Family Member Was Violent Crime Victim</u> %
Statewide Total	19	9
Men	21	9
Women	18	8
White	18	8
Black	22	11
Hispanic	23	13
18-29	26	16
30-45	26	11
46-60	16	6
61+	7	1
Some high school or less	16	11
High school grad	21	10
Some college	19	7
College grad	21	8
Democrats	20	8
Republicans	12	6
Independents	24	12
Charlotte	20	8
Triangle area	16	5
Triad area	23	9
Asheville	29	19
Eastern N.C.	19	8
Other Piedmont	16	11

Beyond their fear of crime, the people of North Carolina mistrust the criminal justice system in one fundamental respect. When asked what should happen to someone who commits a violent crime using a gun or knife, 88 percent said he should be sent to prison almost all or most of the time. But only 41 percent said this is what the state is doing. (See Table 9.)

Table 9
What Should Be Done/What Is Done with Those Who Commit a Violent Crime



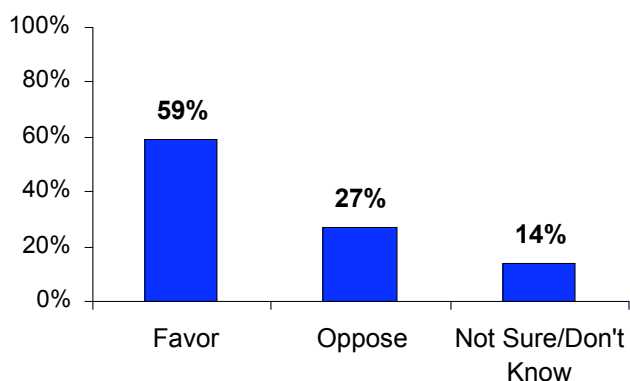
From the focus group:

“You hear stuff on the news everyday about somebody [who] murdered someone and they’re going to court and their lawyer’s trying to get out of the situation. [And they may succeed.] It just depends on what day it is and what the mental state [of the judge] is.” Man.

III. The Death Penalty

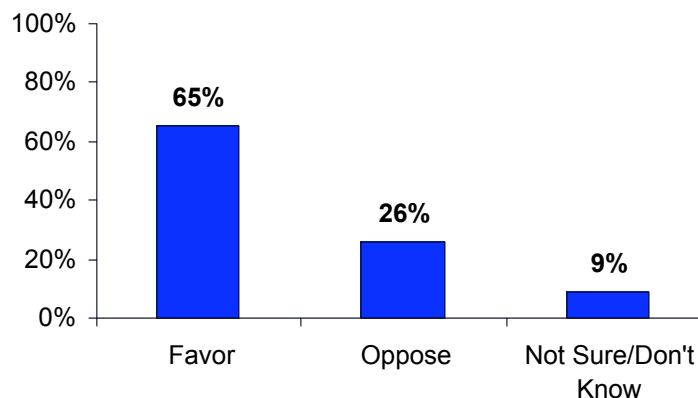
By a margin of 59 to 27 percent, people in North Carolina favor the death penalty. This result is comparable to attitudes in the nation as a whole when measured in May 2002. (See Tables 10 and 11.)

Table 10
Favor/Oppose Death Penalty for
Those Convicted of Murder



Q: Do you favor or oppose the death penalty for persons convicted of murder?

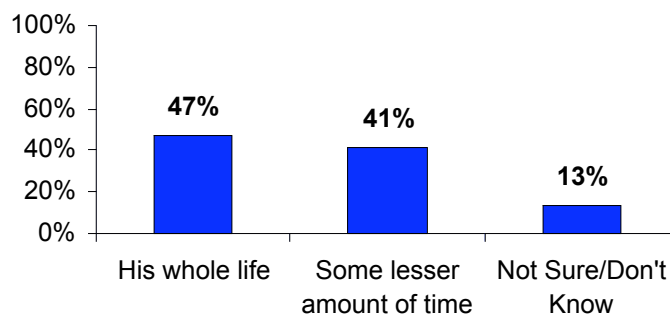
Table 11
Favor/Oppose Death Penalty for
Those Convicted of Murder
(National Results, ABC News, May 2002)



Q: Do you favor or oppose the death penalty for persons convicted of murder?

People in North Carolina are badly misinformed about current policy in their state. In North Carolina, someone receiving a sentence of “life without parole” must spend his entire life in prison and is never eligible for parole. However, the public does not believe this is the case. When they were asked how much prison time someone actually serves if he receives a sentence of “life without parole,” only a minority, 47 percent, said he would actually spend his whole life in prison, while 41 percent said he would spend a lesser amount of time and 13 percent were not sure. (See Table 12.)

Table 12
How Long Those Sentenced to "Life without Parole" Will Spend in Prison



From the focus group:

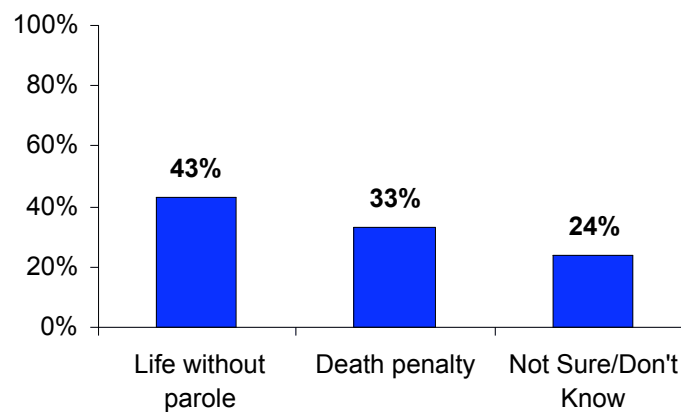
“There’s a pretty good chance [that someone sentenced to life without parole will come out.]” Man.

“[When] they say ‘no chance of parole,’ as far as I’m concerned, there should be no chance of parole.” Man.

“I think that if a person is sentenced to life, they should do life. I don’t care what kind of good behavior [they exhibit]. I don’t care if [they] were St. Mary herself.” Woman.

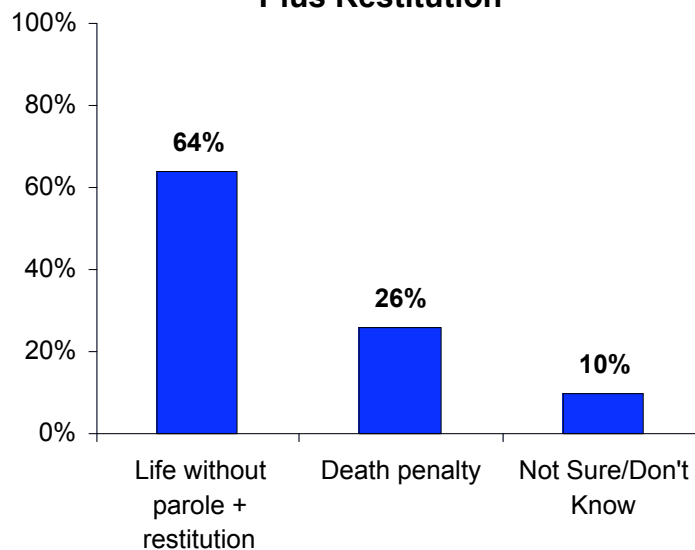
However, when given a choice between executing murderers or sentencing them to prison with absolutely no chance of parole – which is what such a sentence now involves in North Carolina – 33 percent favor the death penalty while 43 percent favor life without parole and 24 percent aren't sure. (See Table 13.)

Table 13
Preferred Sentence for Murderers If
Given Option of Death Penalty or
"Life Without Parole"



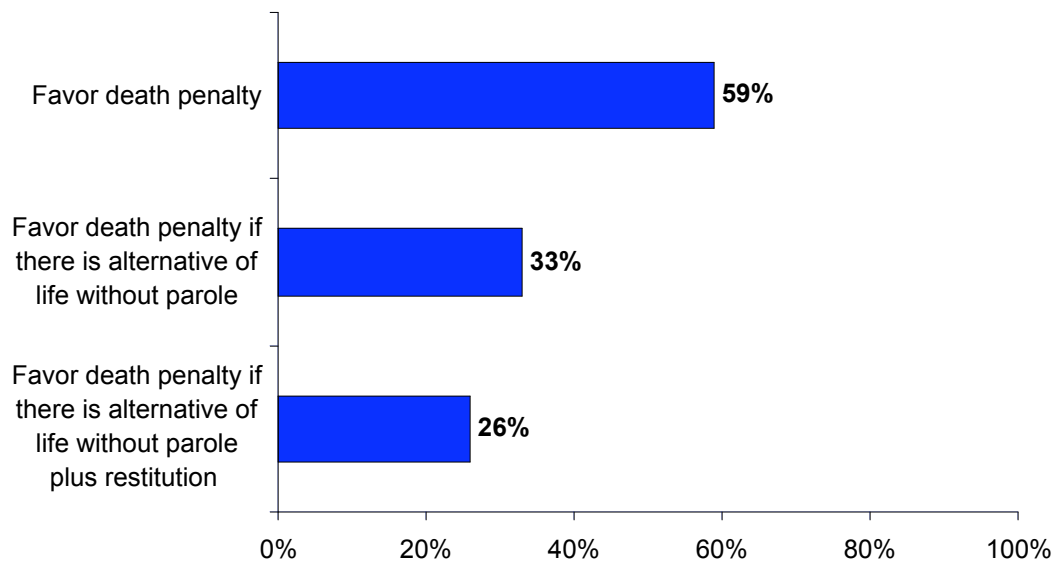
When given a choice between sentencing murderers to death or to “life without parole” plus the requirement that while in prison, such inmates must work and make financial restitution to a fund for victims’ families, support for executions drops further. *When the people of North Carolina have this option, only 26 percent support the death penalty while 64 percent favor life in prison plus restitution. (See Table 14.)*

Table 14
Preferred Sentence for Murderers If
Given Option of Death Penalty or "Life
Plus Restitution"



Taken together, the results show that while 59 percent now favor the death penalty, only 33 percent are in favor if they have the option of life in prison with no possibility of parole, and only 26 percent are in favor if they have the option of life without parole plus restitution. (See Table 15.)

Table 15
Support for Death Penalty When People
Have Options



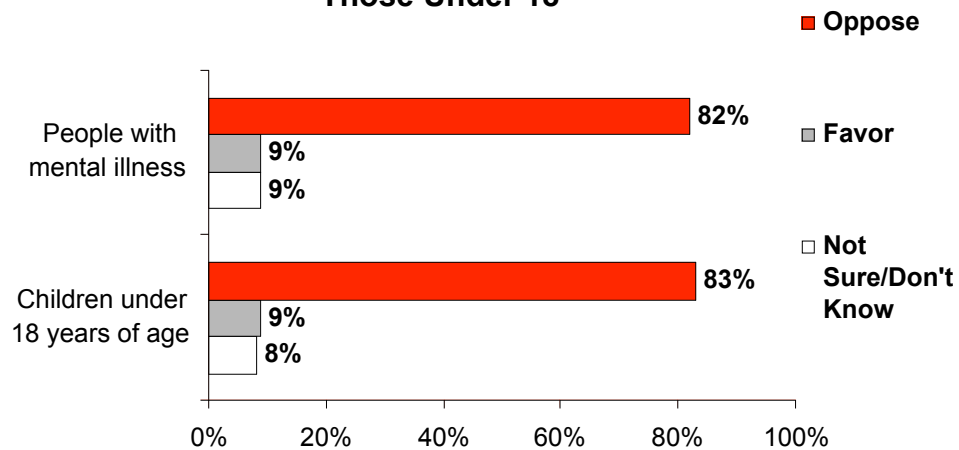
Support for executing murderers drops in every demographic group when people have the option of life without parole plus restitution, including among those who most strongly support it, such as men, Republicans, and those in the Triad area. (See Table 16.)

Table 16
Support for the Death Penalty With/Without Option of
“Life without Parole” Plus Restitution

	Favor Death Penalty %	Favor DP When Given Option of DP or “Life + Restitution” %	Difference %
<u>Statewide</u>	59	26	-33
Men	66	33	-33
Women	52	19	-33
White	68	33	-35
Black	32	5	-27
Hispanic	51	22	-29
18-29	60	28	-32
30-45	60	33	-27
46-60	60	24	-36
61+	56	16	-40
Some high school or less	49	13	-36
High school grad	60	25	-35
Some college/trade school	59	28	-31
College grad	63	31	-32
Democrats	47	16	-31
Republicans	71	39	-32
Independents	64	25	-39
Charlotte	63	30	-33
Triangle area	53	22	-31
Triad area	67	33	-34
Asheville and west	65	28	-37
Eastern North Carolina	55	26	-29
Other Piedmont	53	18	-35
Crime victims	61	27	-34
Violent crime victims	61	31	-30

When people were given the option of “life without parole,” fewer than one in ten favors the death penalty for the mentally ill or those under 18. (See Table 17.)

Table 17
Views about Death Penalty for Mentally Ill and
Those Under 18



In a focus group in Greenville, nearly everyone said that the wishes of a victim's family should *not* be a factor in determining whether a murderer should be executed. Instead, they felt that there should be one set of rules that govern all death penalty situations.

From the focus group:

"I don't think the victim's family has the right to say 'no, don't kill [the murderer]' or 'yes, go ahead and kill them.' I think they have a right to voice their opinion like they're doing now... And I would think that...[support for executions sometimes] does come from the family and friends... But I think [the law about whether to execute someone] should be one way or the other. It should be whatever the law put in place, one way or the other." Man.

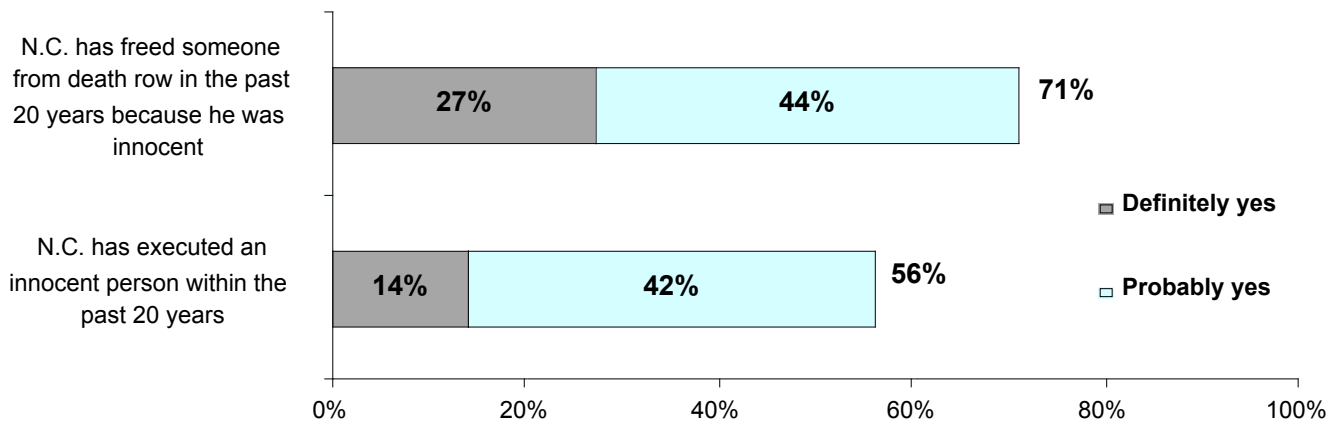
"I know it does help some families get closure... But I think [the law] should be set. I don't think you should have different [rules] for different murderers... It should be set." Woman.

"I don't think you can use other people's beliefs as a way to determine what [to do when deciding whether to use the death penalty]. There's no law in place if you're going [to use other people's beliefs to make that determination]... I mean, if we're the jury, we're sitting around here. It's our job to look at the evidence and make a decision. But [we can't decide] based on what everybody is telling us." Man.

IV. Fairness

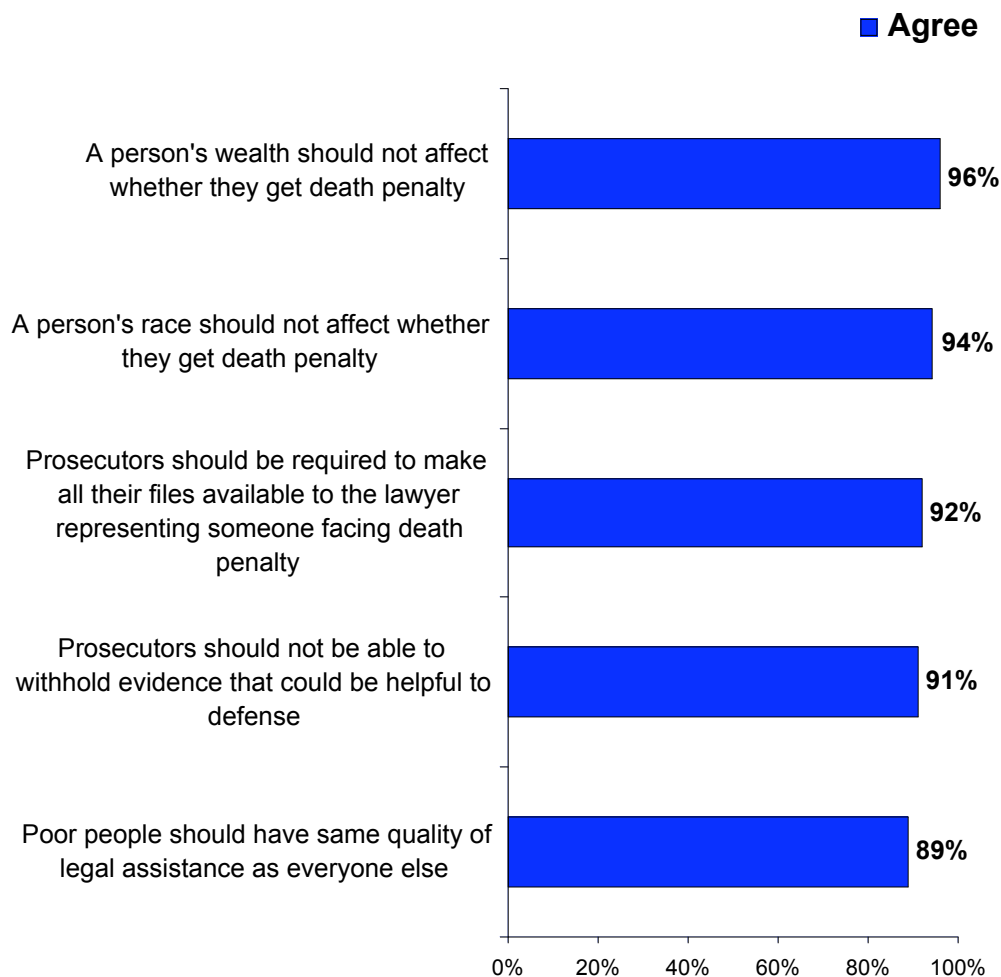
Support for suspending the executions of those on death row stems in part from the public's belief that the system is unfair. A huge majority, 71 percent, said the state has probably or definitely freed someone from death row because he was found to be innocent, a statement that is factually correct. Additionally, a 56 percent majority said that within the past 20 years, North Carolina has probably or definitely executed an innocent person. (See Table 18.)

Table 18
Beliefs about Whether State Has Freed Death Row Inmate or Executed an Innocent Person



The people of North Carolina have high ideals for the state's criminal justice system, saying neither wealth nor race should influence whether someone gets the death penalty. They also endorse two basic parameters for prosecutorial conduct and feel that poor people facing the death penalty should get the same quality of legal assistance as everyone else. (See Table 19.)

Table 19
Fundamental Beliefs About Fairness and Equality



In a focus group in Greenville, people were asked whether a murderer's wealth or race should be a factor in determining whether he is executed. They forcefully said neither should play a role.

From the focus group:

Equal justice:

"Society looks at people different. If you're white, got a lot of money, they look at you [differently]. You might commit a crime but..." Man.

"Or people look at it just the opposite. They're saying, 'oh, this guy is rich, getting away with it forever. Let's hang him.' I think that happens a lot too." Man.

"You're supposed to have equal rights for everybody – it doesn't matter if you're poor, rich, or whatever." Man.

"If you're able to pay a lawyer, they can turn things... Sometimes a lawyer can do a lot of talking and it just switches things around." Woman.

"It's true juries are getting better, more equal actually and not a lot of jockeying. But it's [still] a question of numbers. How many people are put [on a jury] who are minority and poor?" Man.

"I don't think it should [depend on] who has the most money. If you're guilty of a crime, I think you're guilty of a crime." Woman.

"My brother and a friend of his were put up for murder in Baltimore... My brother had [a prominent local attorney representing him]. He got off with three years. The other guy didn't have a lawyer. He's in [prison] for life." Woman.

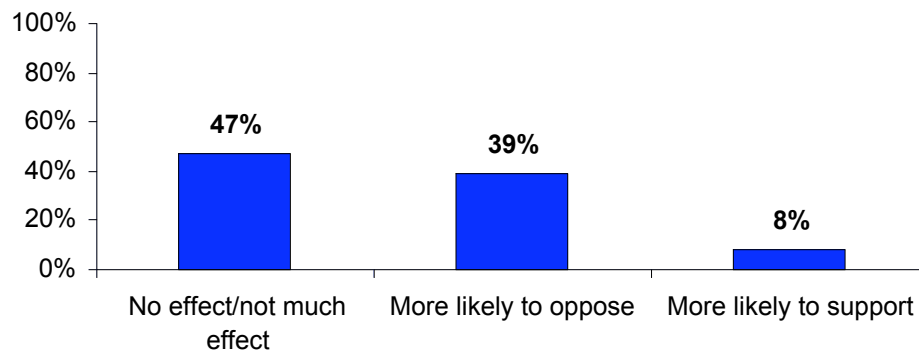
Prosecutorial misconduct: In the focus group, the moderator told the group about a recent case in which a North Carolina prosecutor withheld evidence from the defense.

"The prosecutor should be punished for [withholding evident] because if this guy had died, it would have been [the prosecutor's fault]." Woman.

"That prosecutor should be disbarred and put in jail for contempt of court." Woman.

People were asked about a recent case in which a prosecutor withheld from the defense evidence pointing to the defendant's innocence. A sizable minority, 39 percent, said that learning this had happened made them less likely to support the death penalty while 47 percent said it did not affect their thinking. (See Table 20.)

Table 20
Whether Learning about Prosecutorial
Misconduct Influences People's Views About
Death Penalty



Q: As you may have heard, a death row inmate was recently freed in North Carolina, becoming the nation's 113th death row inmate to be found innocent, and the 4th in North Carolina. Evidence pointing to his innocence was withheld by the prosecutor, and at his retrial, a jury found him NOT guilty. Does this make you more likely to support the death penalty, more likely to oppose the death penalty, or does it not have much effect on your opinion one way or the other?

V. Political Implications

People were asked if they would be more or less likely to support a candidate for the state legislature who **FAVORED** a temporary suspension of executing people on death row. A large majority, 59 percent, said a candidate's position would have little or no effect on their vote. About one in four, 24 percent, would be *more* likely to support such a candidate while half as many, 12 percent, would be *less* likely. (See Table 21.)

When the question was reversed, the results were comparable; 11 percent would be *more* likely to support a state legislature candidate who **OPPOSED** a suspension while 29 percent would be *less* likely. Again, a large majority, 57 percent, said a candidate's position would make little or no difference. (See Table 22.)

Table 21
Impact on Vote for Candidate for the State Legislature
Who FAVORS Temporary Suspension on Executions

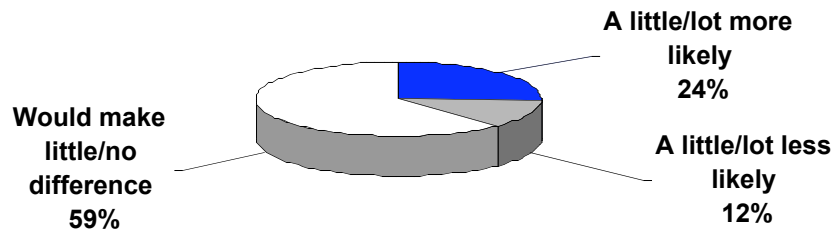
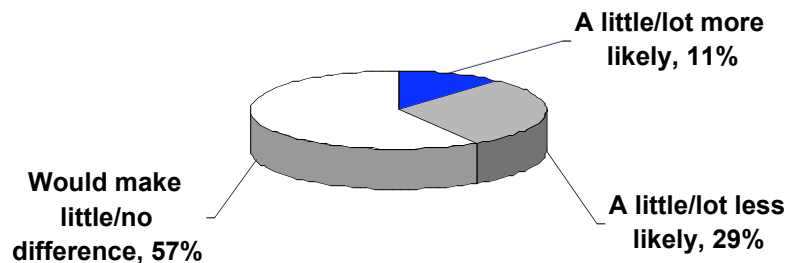


Table 22
Impact on Vote for Candidate for the State Legislature
Who OPPOSES Temporary Suspension on Executions



Majorities in every demographic subgroup said a candidate's position on the issue of a temporary suspension would have little effect on their vote. (See Table 23.)

Table 23
Impact on Vote for Candidate Who FAVORS a Suspension on Executions
(Key Demographic Subgroups)

	<u>More Likely To Support</u> %	<u>Less Likely To Support</u> %	<u>Makes Little/ No Difference</u> %
Statewide Total	24	12	59
Men	24	14	56
Women	23	10	61
White	24	12	59
Black	24	10	61
Hispanic	18	25	48
18-29	23	13	63
30-45	27	10	57
46-60	25	13	58
61+	18	13	58
Some high school or less	21	12	56
High school grad	19	12	66
Some college or trade school	23	12	57
College grad	29	12	56
Democrats	25	10	60
Republicans	18	16	59
Independents	28	9	59
Charlotte	32	7	59
Triangle area	27	11	57
Triad area	19	20	60
Asheville and west	23	16	56
Eastern North Carolina	22	9	60
Other Piedmont	20	8	64

When the question was reversed, majorities in every subgroup said a candidate's position on this issue would have little effect on their vote. (See Table 24.)

Table 24
Impact on Vote for Candidate Who OPPOSES a Suspension on Executions
(Key Demographic Subgroups)

	<u>More Likely To Support</u> %	<u>Less Likely To Support</u> %	<u>Makes Little/ No Difference</u> %
Statewide Total	11	29	57
Men	12	28	56
Women	9	30	57
White	9	30	58
Black	9	30	57
Hispanic	25	22	53
18-29	16	27	56
30-45	8	31	58
46-60	11	30	57
61+	7	28	56
Some high school or less	8	31	55
High school grad	11	25	59
Some college or trade school	8	32	57
College grad	12	29	57
Democrats	8	31	56
Republicans	13	27	58
Independents	7	33	58
Charlotte	8	32	59
Triangle area	13	28	55
Triad area	18	27	53
Asheville and west	5	31	63
Eastern North Carolina	7	33	57
Other Piedmont	4	29	57

Those wishing to communicate with the public about these issues should understand that large numbers of North Carolina citizens do not clearly understand two key terms related to this issue: “moratorium” and “DNA.”

From the focus group:

In the March 24, 2004 focus group in Greenville with 12 people who had less than a college education, people were asked if they had a clear understanding, some understanding, or did not know the meaning of two key terms central to a debate about this issue: the terms were *moratorium* and *DNA*.

Only about 3 or 4 of 12 had even some understanding of either term. A woman from Greenville said to the moderator, “You keep using the word ‘moratorium.’ Would you please tell us what it means?”

Those wishing to communicate with the public about this issue should keep in mind that even this small sampling suggests that large numbers of people throughout the state do not know what these terms mean, and probably do not have a clear understanding of some other key terms related to this issue including, perhaps, restitution and the difference between probation and parole.

VI. Key Demographic Subgroups

While women were more likely than men to say that crime had increased in the previous five years, they were less likely to support the death penalty. (See Table 25.)

**Table 25
Differences Related to Gender**

	<u>Men</u> %	<u>Women</u> %
Violent crime has increased in North Carolina in past five years	44	60
Favor death penalty for persons convicted of murder	66	52

College graduates were least likely to say that crime has increased in the previous five years. (See Table 26.)

**Table 26
Differences Related to Education**

	<u>Some high school or less</u> %	<u>High school grad</u> %	<u>Some coll./trade</u> %	<u>College grad</u> %
Violent crime has increased in North Carolina in past five years	65	67	52	35

While blacks/African-Americans were more likely than whites to say crime has increased over the past five years, they were less likely to support the death penalty. However, a consensus-level majority of both white and black citizens support a temporary suspension on executing those on death row. (See Table 27.)

**Table 27
Differences Related to Race/Ethnicity**

	<u>White</u> %	<u>Black</u> %
Violent crime has increased in North Carolina in past five years	50	71
Favor death penalty for persons convicted of murder	68	32
Favor death penalty when given the option of life without parole plus restitution	33	5
<hr/>		
Favor a temporary suspension on executions	62	66

Compared to younger citizens, those over 60 were most likely to say crime has increased over the past five years; however, they were least likely to have been victims of violent crime. (See Table 28.)

**Table 28
Differences Related to Age**

	<u>18-29</u> %	<u>30-45</u> %	<u>46-60</u> %	<u>61+</u> %
Violent crime has increased in N.C. in past five years	48	50	52	62
Individual or family member was crime victim	26	26	16	7
Individual or family member was violent crime victim	16	11	6	1

Republicans were least likely to say that crime had increased in the previous five years while Democrats were most likely to say that it had increased. At the same time, Democrats were least likely to favor the death penalty, while Republicans were most likely to favor it. A majority of all three groups favored a temporary suspension on executions. (See Table 29.)

Table 29
Differences Related to Political Self-Identification

	<u>Republican</u> %	<u>Democrat</u> %	<u>Independent</u> %
Violent crime increased in N.C. in past five years	40	63	52
Favor death penalty for persons convicted of murder	71	47	64
Favor death penalty given option of life without parole plus restitution	39	16	25
Favor a temporary suspension on executions	55	69	66

N.B. Instead of registration, we asked political self-identification. Q: “Regardless of how you may be registered to vote, what do you usually consider yourself – a Republican, a Democrat, or an Independent?”

VII. Methodology and Sample Demographics

Methodology: For this survey, Doble Research engaged Braun Research of Princeton, New Jersey who conducted telephone interviews with 818 randomly sampled North Carolina adults, yielding a margin of sampling error of plus or minus 3.4 percentage points. Calls were completed from April 13 to April 21, 2004.

Interviews were conducted in the evenings and on weekends using a random digit dialing (RDD) computer assisted telephone interviewing system. To qualify for the interview, respondents had to be at least 18, citizens of the United States, and residents of the State of North Carolina for at least six months.

For the verification component of the study, senior fieldwork managers from Braun Research monitored 5 percent of the interviews as calls were being made. Additionally, Braun randomly re-contacted by telephone 10 percent of the North Carolina households that completed an interview. No re-contacted respondents reported being unfamiliar with the interview conducted between April 13 and April 21.

The sample was weighted according to age, gender, and race. Statistical weights were designed from current year population estimates for the State of North Carolina based on the statistical database facilities of Claritas, the leading analytical database provider of Census-based statistical demographic data.

The response rates for the survey were 25.4 percent of each 1,000 phone numbers randomly generated (of which an average of 752 numbers were usable), and 35.57 percent of those who qualified for the interview.

Table 30
Sample Demographics

<u>Demographic Categories</u>	<u>Weighted</u> %	<u>Un-weighted</u> %
<i>Gender</i>		
Men	48	52
Women	52	48
<i>Education</i>		
Some high school/less	13	14
High school grad	27	27
Some college/trade school	28	26
College grad/more	31	28
Refused	1	6
<i>Ethnicity</i>		
White	70	68
Black	21	21
Hispanic	5	1
Asian	2	1
Other	1	2
Refused	1	8
<i>Age</i>		
18-29	22	13
30-45	30	25
46-60	28	29
61 and over	19	27
Refused	1	7
<i>Region</i>		
Charlotte area	16	16
Triangle area (Raleigh, Durham, Cary, Chapel Hill)	19	17
Triad area (Greensboro, High Point, Winston-Salem)	16	14
Asheville and west	7	6
Eastern North Carolina	20	18
Other Piedmont	12	8
Other	9	14
Refused	2	7
<i>Party Self-Identification *</i>		
Republican	31	28
Democrat	37	37
Independent	26	23
Other (vol.)	1	1
Not sure/don't know	6	11

* "Regardless of how you may be registered to vote, what do you usually consider yourself – a Republican, a Democrat, or an Independent?"

Questionnaire

Q1 – In order to qualify for the survey you must be a US citizen. Are you a United States citizen?

100% Yes

-- No IF NO CITIZEN IN HOUSEHOLD, TERMINATE

Q2 – Have you been a resident of North Carolina for at least six months?

100% Yes

-- No TERMINATE

Q3 – Did you vote in the last presidential election?

68% Yes

32% No

Q4 – Compared to five years ago, do you think VIOLENT crime in North Carolina has increased, decreased, or stayed about the same?

52% Increased

36% Stayed about the same

6% Decreased

6% Not Sure/Don't Know

Q5 – Over the past five years, has anyone in your immediate family been the victim of a crime

19% Yes

ASK QUESTION 6

80% No

SKIP TO QUESTION 7

1% Not Sure/Don't Know

SKIP TO QUESTION 7

Q6 – (ASK ONLY IF “YES” ON #5 ABOVE) Was it a violent crime involving force or a weapon, or a nonviolent crime?

9% A violent crime

11% A nonviolent crime

-- Not Sure/Don't Know

Q7 – Do you favor or oppose the death penalty for persons convicted of murder?

59% Favor

27% Oppose

14% Not Sure/Don't Know

Q8 – If someone receives a “life sentence without parole” in North Carolina, will he spend his whole life in prison or some lesser amount of time?

47% His whole life

41% Some lesser amount of time

13% Not Sure/Don't Know

Q9 – What do you think should be the penalty for murder – the death penalty or life in prison with absolutely no possibility of parole?

33% The death penalty -- ASK QUESTIONS 10-12

43% Life in prison without parole -- SKIP TO QUESTION 13

24% Not sure/don't know

-- ASK QUESTIONS 10-12

Q10 – If you were absolutely certain that a life sentence without parole actually meant the person convicted will be in prison his whole life and would be required to work in prison and make financial restitution to a fund for victims' families, would you still favor the death penalty or life in prison without any possibility of parole?

26% I'd still favor the death penalty

64% I'd favor life in prison without parole

10% Not sure/don't know

Q11 – Do you favor or oppose the death penalty for children under 18 years of age at the time of the crime?

9% Favor

83% Oppose

8% Not Sure/Don't Know

Q12 – Do you favor or oppose the death penalty for people with mental illness?

9% Favor

82% Oppose

9% Not Sure/Don't Know

Q13 – Do you think that North Carolina has executed an innocent person within the past 20 years? Would you say: (READ LIST)

14% Definitely yes

42% Probably yes

21% Probably no

4% Definitely no

18% Not Sure/Don't Know -- DO NOT READ

Q14 – Do you think that North Carolina has freed someone from death row in the past 20 years because he was innocent? Would you say: (READ LIST)

27% Definitely yes

44% Probably yes

12% Probably no

2% Definitely no

15% Not Sure/Don't Know -- DO NOT READ

Q15 – Should poor people facing the death penalty have the same quality of legal assistance as everyone else?

89% Yes

8% No

3% Not sure/Don't know

Q16 – Should prosecutors be able to withhold evidence that could be helpful to the defense?

7% Yes

91% No

3% Not sure/Don't know

Q17 – Should prosecutors be required to make all their files available to the lawyer representing someone facing the death penalty?

92% Yes
 4% No
 4% Not sure/Don't know

Q18 – Should a person's race play a role in whether they get the death penalty?

4% Yes
 94% No
 2% Not sure/Don't know

Q19 – Should a person's wealth play a role in whether they get the death penalty?

3% Yes
 96% No
 2% Not sure/Don't know

Q20 – No matter how you feel about the death penalty, would you favor or oppose a temporary, two-year suspension on executing people on death row while questions about the system's fairness are studied?

63% Favor
 28% Oppose
 9% Not sure/Don't know

I'll read you some true statements. For each one, tell me if it's a strong or weak argument for a temporary, two-year suspension on executing people on death row while questions about the system's fairness are studied. (INTERVIEWER: THESE STATEMENTS, 21 – 26, ARE ALL TRUE AND SO IF RESPONDENT ASKS IF THIS IS TRUE, YOU MAY SAY "Yes, it's a true statement.")

Q21 – Four North Carolina death row inmates were recently found to be innocent – is that a strong or weak argument for a temporary suspension on executing people on death row? (IF 'STRONG,' ASK: "Would you say 'very strong or fairly strong?'" IF 'WEAK,' ASK: "Would you say 'very weak or fairly weak'?")

Q22 – Some prosecutors seek the death penalty far more than others – is that a strong argument for a temporary suspension on executions or a weak argument? (IF 'STRONG,' ASK: "Would you say 'very strong or fairly strong?'" IF 'WEAK,' ASK: "Would you say 'very weak or fairly weak'?")

Q23 – In North Carolina over two-thirds of death penalty cases were overturned by higher courts because of flaws in the way they were investigated or tried. Is that a strong argument for a temporary suspension on executions or a weak argument? (IF

Very Strong	Fairly Strong	Fairly Weak	Very Weak	Not Sure
54%	24%	10%	5%	7%
24%	22%	28%	17%	9%
46%	21%	14%	11%	8%

suspension on executions or a weak argument? (IF 'STRONG,' ASK: "Would you say 'very strong or fairly strong?'" IF 'WEAK,' ASK: "Would you say 'very weak' or fairly weak'?")

Q24 – For every eight people executed in North Carolina, one person on death row was found to be innocent – is that a strong argument for a temporary suspension on executions or a weak argument? (IF 'STRONG,' ASK: "Would you say 'very strong or fairly strong?'" IF 'WEAK,' ASK: "Would you say 'very weak or fairly weak'?")

Q25 – Sometimes, the only eyewitness was an inmate who got a reduced sentence for testifying – is that a strong argument for a temporary suspension on executions or a weak argument? (IF 'STRONG,' ASK: "Would you say 'very strong' or 'fairly strong?'" IF 'WEAK,' ASK: "Would you say 'very weak' or fairly weak'?")

Q26 – Some confessions were forced or coerced by police – is that a strong argument for a temporary suspension on executions or a weak argument? (IF 'STRONG,' ASK: "Would you say 'very strong or fairly strong?'" IF 'WEAK,' ASK: "Would you say 'very weak or fairly weak'?")

49%	20%	15%	9%	7%
26%	19%	26%	22%	7%
48%	22%	13%	13%	5%

Q27 – Let's shift gears a bit and talk about violent crime. If it were up to you, how often SHOULD anyone convicted of a VIOLENT crime using a gun, knife, or brutal force be sent to prison? (READ LIST)

71% Almost all the time
17% Most of the time
6% About half the time
1% Less than half the time
5% Not sure/Don't know

Q28 – In North Carolina today, how often do you think anyone convicted of a VIOLENT crime using a gun, knife or brutal force IS, IN FACT, sent to prison? (READ LIST)

15% Almost all the time
26% Most of the time
33% About half the time
19% Less than half the time
7% Not sure/Don't know DO NOT READ

Here are some more true statements. For each one, tell me if it's a strong or weak argument for a temporary, two-year suspension on executing people on death row while questions about the system's fairness are studied. (INTERVIEWER: THESE STATEMENTS, 29 – 34, ARE ALL

TRUE AND SO IF RESPONDENT ASKS IF THIS IS TRUE, YOU MAY SAY “Yes, it’s a true statement.”)

Q29 – New evidence including DNA tests has proven that a number of death row inmates are innocent – is that a strong argument for a temporary suspension on executions or a weak argument? (IF ‘STRONG,’ ASK: “Would you say ‘very strong or fairly strong?’” IF ‘WEAK,’ ASK: “Would you say ‘very weak or fairly weak?’”)

Q30 – In some death row cases, it has been proven that prosecutors withheld evidence proving an inmate’s innocence – is that a strong argument for a temporary suspension on executions or a weak argument? (IF ‘STRONG,’ ASK: “Would you say ‘very strong or fairly strong?’” IF ‘WEAK,’ ASK: “Would you say ‘very weak’ or fairly weak?’”)

Q31 – Only one percent of all convicted murderers are sentenced to death – is that a strong argument for a temporary suspension on executions or a weak argument? (IF ‘STRONG,’ ASK: “Would you say ‘very strong or fairly strong?’” IF ‘WEAK,’ ASK: “Would you say ‘very weak’ or fairly weak?’”)

Q32 – Many death row inmates had court-appointed lawyers who were disciplined, convicted of crimes, drunk or on drugs during the trial – is that a strong argument for a temporary suspension on executions or a weak argument? (IF ‘STRONG,’ ASK: “Would you say ‘very strong or fairly strong?’” IF ‘WEAK,’ ASK: “Would you say ‘very weak’ or fairly weak?’”)

Q33 – A recent university study found that in North Carolina, people are more likely to get the death penalty for murdering a white person than for murdering a black person – is that a strong argument for a temporary suspension on executions or a weak argument? (IF ‘STRONG,’ ASK: “Would you say ‘very strong or fairly strong?’” IF ‘WEAK,’ ASK: “Would you say ‘very weak or fairly weak?’”)

Q34 – Nine former North Carolina Supreme Court Justices favor a temporary suspension – is that a strong argument for a temporary suspension on executions or a weak argument? (IF ‘STRONG,’

Very Strong	Fairly Strong	Fairly Weak	Very Weak	Not Sure
69%	17%	8%	4%	3%
63%	20%	10%	4%	4%
26%	18%	27%	21%	8%
46%	19%	16%	14%	5%
49%	13%	17%	15%	5%
36%	22%	20%	15%	8%

ASK: "Would you say 'very strong or fairly strong?'" IF 'WEAK,' ASK: "Would you say 'very weak' or 'fairly weak?'"

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Q35 – Now, let's talk about the death penalty. As you may have heard, a death row inmate was recently freed in North Carolina, becoming the nation's 113th death row inmate to be found innocent, and the 4th in North Carolina. Evidence pointing to his innocence was withheld by the prosecutor, and at his retrial, a jury found him NOT guilty. Does this make you more likely to support the death penalty, more likely to oppose the death penalty, or does it not have much effect on your opinion one way or the other?

8% More likely to support
 39% More likely to oppose
 47% No/not much effect
 6% Not Sure/Don't Know -- DO NOT READ

Q36 – Having heard some arguments and no matter how you feel about the death penalty, would you favor or oppose a temporary, two-year suspension on executing people on death row while questions about the system's fairness are studied?

67% Favor
 25% Oppose
 8% Not Sure/Don't Know

Q37 – If a candidate for the state legislature *FAVORED* a temporary suspension on executions, would that make you more or less likely to vote for him, or would it make no difference? (IF 'more likely,' ASK: "Would you say 'a lot more likely' or 'a little more likely.' IF 'less likely,' ASK: "Would you say 'a lot less likely' or 'a little less likely?'"

14% A lot more likely
 10% A little more likely
 6% A little less likely
 6% A lot less likely
 59% Would make little/no difference
 6% Not Sure/Don't Know -- DO NOT READ

Q38 – If a candidate for the state legislature *OPPOSED* a temporary suspension on executions, would that make you more or less likely to vote for him, or would it make no difference? (IF 'more likely,' ASK: "Would you say 'a lot more likely' or 'a little more likely.' IF 'less likely,' ASK: "Would you say 'a lot less likely' or 'a little less likely?'"

6% A lot more likely
 5% A little more likely
 12% A little less likely
 17% A lot less likely
 57% Would make little/no difference
 4% Not Sure/Don't Know -- DO NOT READ

Q39 – What is the last year of school you completed? (READ LIST)

1% Less than 6th grade
 2% 6th-8th grade
 10% Some high school
 27% High school graduate

28% Some college/trade school
31% College graduate or more
1% Refused -- DO NOT READ

Q40 – Sex (DO NOT ASK)

48% Male
52% Female

Q41 – Where do you live? (READ LIST)

16% Charlotte area
19% Triangle area (Raleigh, Durham, Cary, Chapel Hill)
16% Triad area (Greensboro, High Point, Winston-Salem)
7% Asheville and west
20% Eastern North Carolina
12% Other Piedmont
9% Other (DON'T READ)
2% Refused (DON'T READ)

Q42 – Are you...(READ LIST)

70% White or Caucasian
21% Black or African-American
5% Hispanic or Latino
2% Asian-American
1% Other
1% Refused (DON'T READ)

Q43 – How old are you? (READ LIST)

22% 18-29
30% 30-45
28% 46-60
19% 61 or over
1% Refused (DON'T READ)

Q44 – Regardless of how you're registered to vote, what do you usually consider yourself- a Republican, a Democrat, or an Independent?

31% Republican
37% Democrat
26% Independent
1% Some other party (vol.) -- DON'T READ
6% Not Sure/Don't Know -- DON'T READ

Q45 – Regardless of how you may be registered to vote, are you more likely to vote for the Republican or Democratic candidate for the State Legislature?

32% Republican
37% Democrat
7% Independent
1% Some other party (vol.) -- DON'T READ
23% Not Sure/Don't Know -- DON'T READ

About Doble Research Associates

*Public Opinion: A Map, Not a Snapshot . . .*TM

The formation of public opinion about complex issues is a dynamic process, a work in progress not a finished product. Doble Research is a nonpartisan, public interest consulting firm that maps out people's thinking by identifying what they think before learning more about an issue, then laying out how their thinking evolves as they consider other points of view and have time to deliberate. We give clients a blueprint of *how* and *why* people feel as they do – *a map, not a snapshot.*TM

Clients and Partner Organizations:

Foundations

The Center for Crime, Communities and Culture (Open Society Institute/The Soros Foundation)
The Chiesman Foundation
The Community Life Foundation of Owensboro KY
The Public Life Foundation of Owensboro (PLFO)
The Englewood Community Foundation
The Fetzer Institute
The Walter and Elise Haas Fund
The Hager Educational Foundation
The William and Flora Hewlett Foundation
The Kellogg Foundation
The Kettering Foundation
The Charles Stewart Mott Foundation
The Peninsula Community Foundation
The Pew Charitable Trust
The Seva Foundation

Government Agencies

The Board of Pardons and Parole, State of Georgia
The Department of Corrections, Cedar Rapids, Iowa
The Department of Corrections, State of Indiana
The Department of Corrections, State of Vermont
The Environmental Protection Agency
The Governor's Family Council, State of Delaware
The National Institute of Corrections (NIC)
The National Institute of Justice (NIJ)
The National Parks Service, Nebraska
Vermont Commission on Public Healthcare Values and Priorities
The State of Vermont Department of Corrections

Public Service Organizations

The American Judicature Society
Audubon Area Community Services, Owensboro, Kentucky
The Buckeye Association for School Administrators
The Center for Community Corrections
The Center for Effective Public Policy
The Center for Sex Offender Management (CSOM)
The Cleveland Summit on Education
The Council of Governors' Policy Advisors
The Council of State Governments, Eastern Regional Office
The Crime & Justice Institute, Boston Massachusetts

The Educational and Social Science Consortium
The General Federation of Women's Clubs (GFWC)
The Harwood Institute
International Research & Exchanges, Ukraine
The National Collegiate Honors Council (NCHC)
The National Conference of State Legislatures
The National Academy of Social Insurance
National Environmental Policy Institute (NEPI)
The National Issues Forums Institute (NIFI)
The Oklahoma State-Centered Project
The Pennsylvania Prison Society
The Points of Light Foundation
Public Agenda
The South Carolina State-Centered Project
The Southern Growth Policies Board
The Southern Regional Council
The Study Circle Resources Center (SCRC)
The Upper Room
Weavings, A Journal of the Christian Spiritual Life
The West Virginia Center for Civic Life
The Western Governors' Association

States

The State of Indiana
The State of New Hampshire
The State of North Carolina (Sentencing Commission)
The State of Oregon
The State of South Carolina

Colleges and Universities

The College of DuPage
The Institute on Criminal Justice, University of Minnesota
The Mershon Center at Ohio State University
The University of California at Davis
The University of Delaware

Corporations

Clark, Martire & Bartolomeo, Inc.
Simon and Schuster, Prentice Hall Division
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