

Kentucky Death Penalty Summit

Findings from recent Kentucky and National polling

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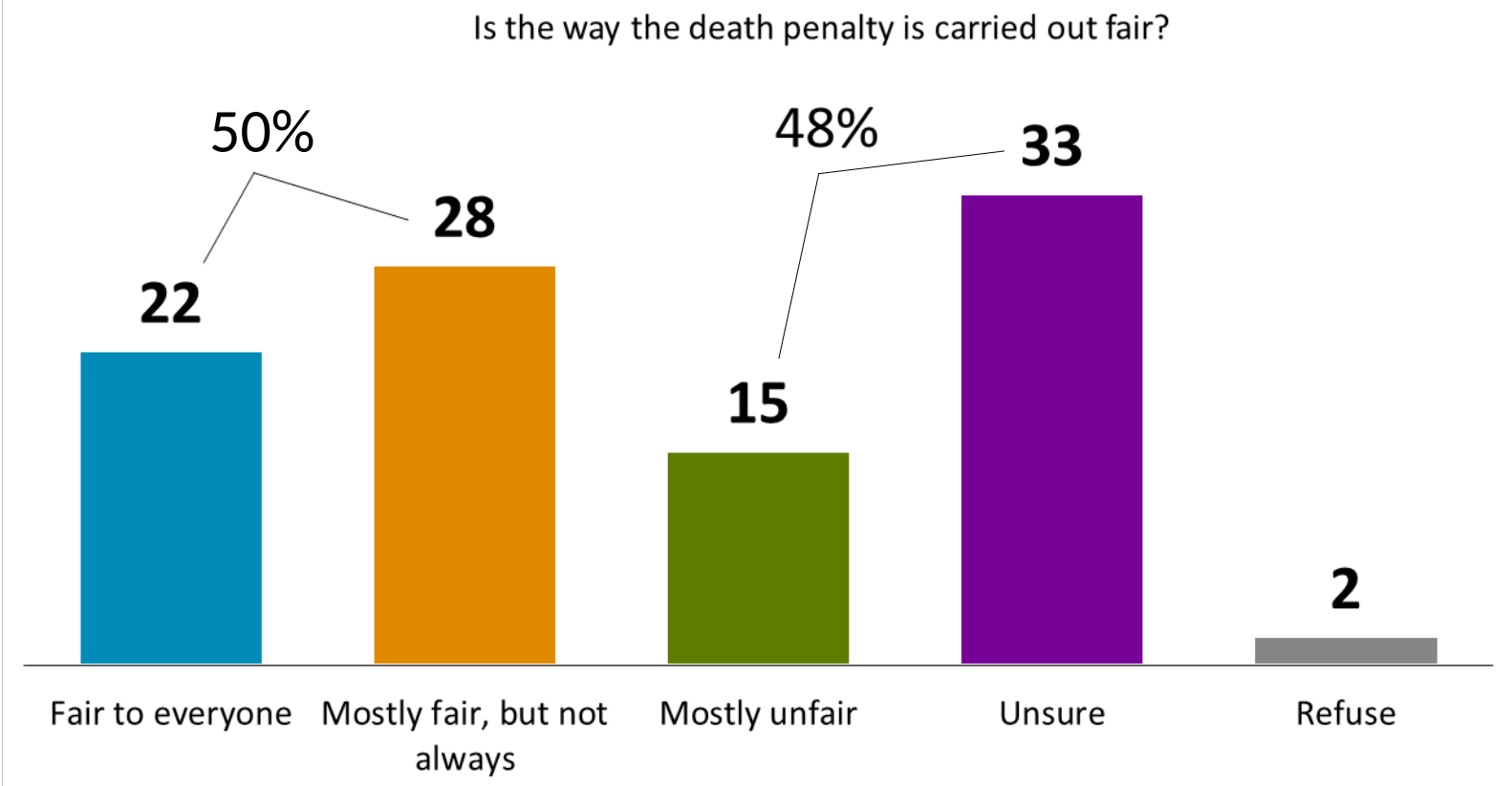
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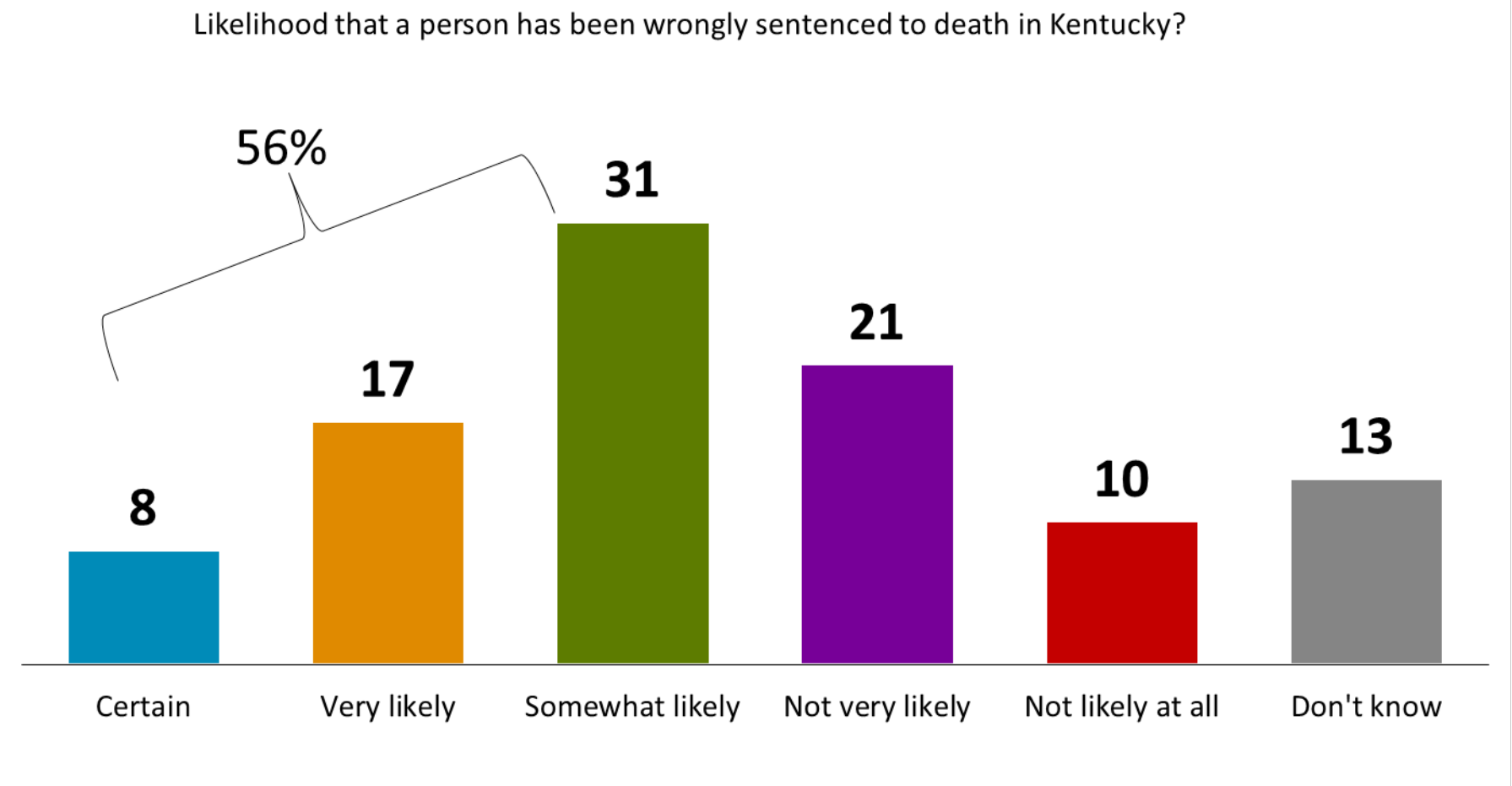
Executive Summary

- Kentuckians, by a margin of 62% to 32%, support a temporary halt to executions until the system is fixed. After hearing a number of reasons in support of a temporary halt, support grows to a 38 point margin.
 - Support for a temporary halt is widespread. Majorities of men and women, Democrats and Republicans, young and old, and voters living in all parts of the state support a temporary halt.
 - The strongest base supporters of a halt to executions are Democrats, urban voters, and younger women.
- Top messages in favor of a temporary halt include an endorsement from a group of experts who unanimously recommend a halt until identified problems are fixed and one focused on the practice of destroying DNA evidence.
- Both nationally and in the South, nearly 40% of voters support a punishment of life with no possibility of parole and a restitution requirement, given four different options. Just one-third support the death penalty.
- Top messages among conservatives and voters in the South include a message of unfairness and making restitution. Restitution also resonates with evangelicals and churchgoers. However, these messages are stronger among voters in other regions and moderates and liberals. More research could explore how to improve messaging specifically for conservative voters.

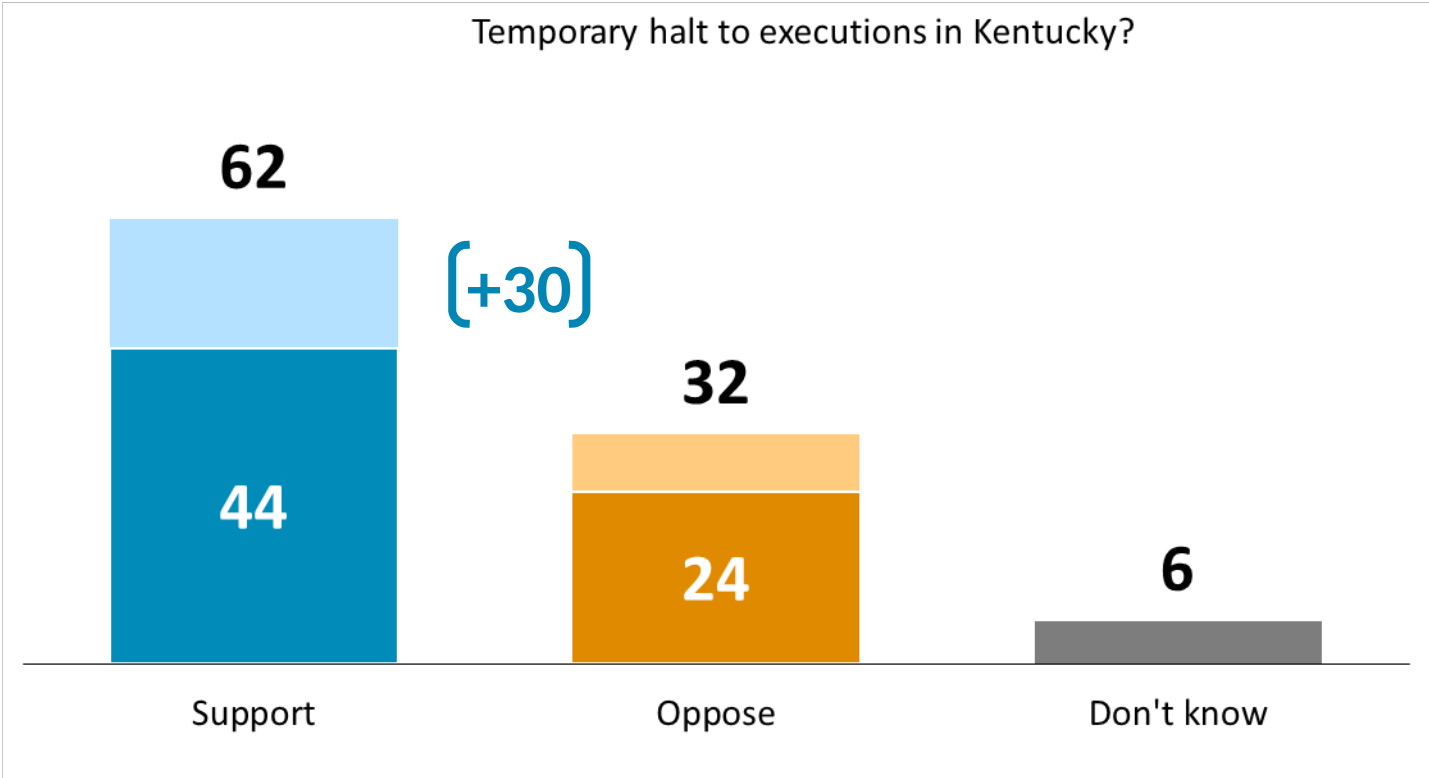
Kentuckians are divided on whether the death penalty is carried out fairly or not. Half say it is at least mostly fair, while another 48% say it's mostly unfair, or they are not sure.



Over half (56%) of Kentucky voters believe it is at least somewhat likely that a person in Kentucky has been wrongly sentenced to death in the last ten years. Another 13% say they are not sure, while just 10% say it is not likely at all.

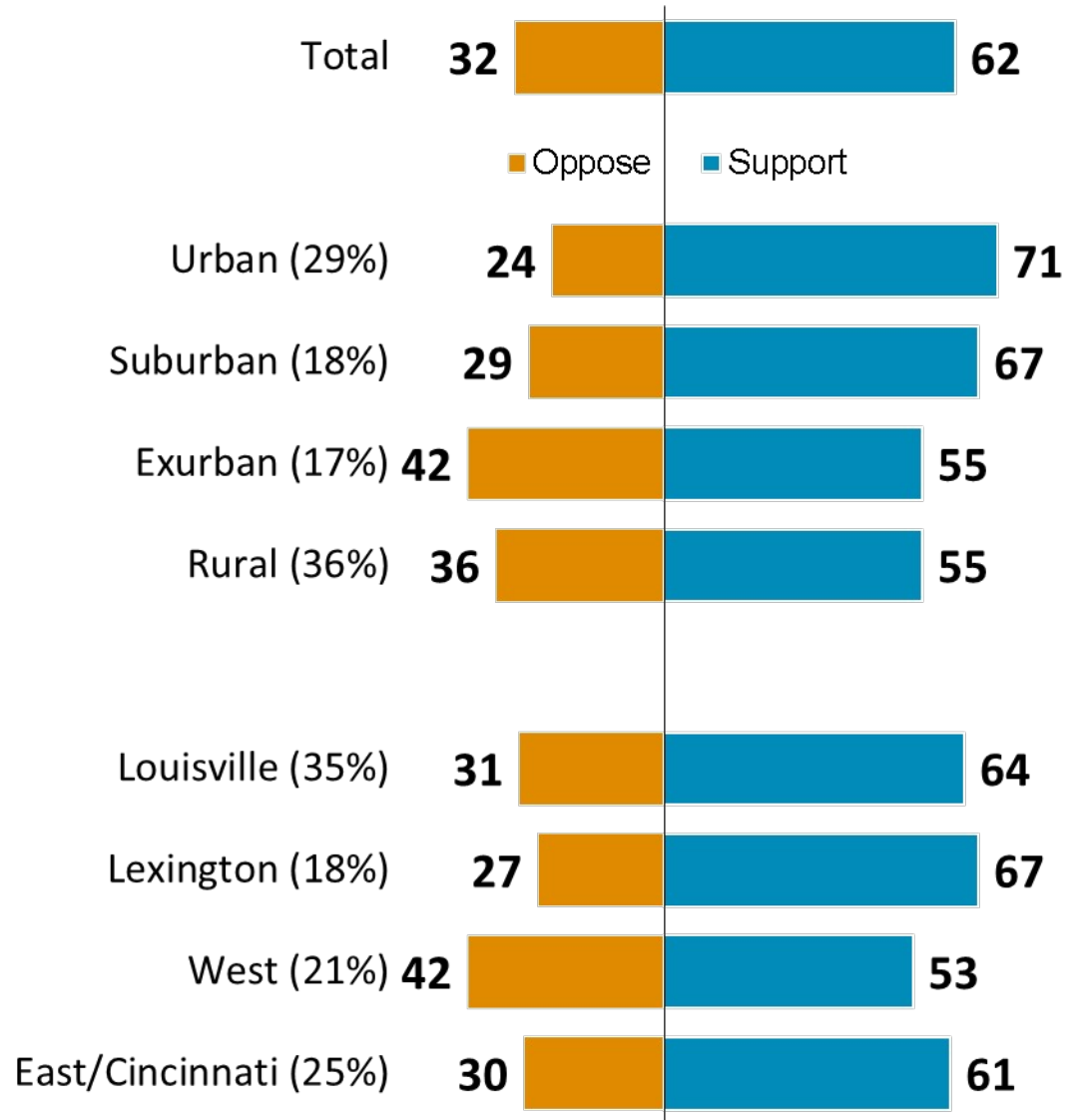


Kentuckians, by nearly a 2 to 1 margin, support a temporary halt to executions in Kentucky, including 44% who **strongly** support a temporary halt.



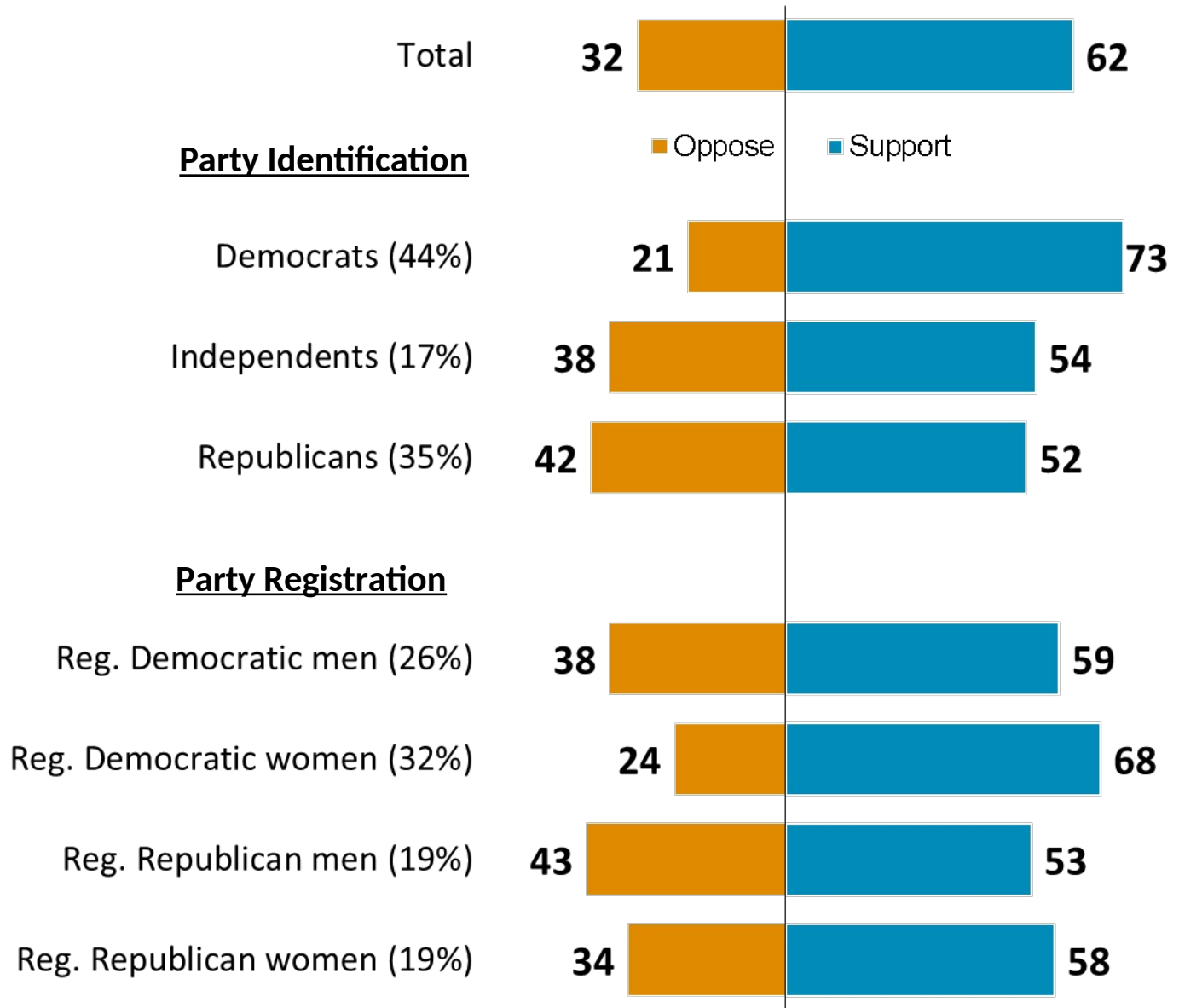
Voters across Kentucky support a temporary halt to executions. A halt is supported by voters from all parts of the state, including rural and urban areas.

Temporary Halt to Executions

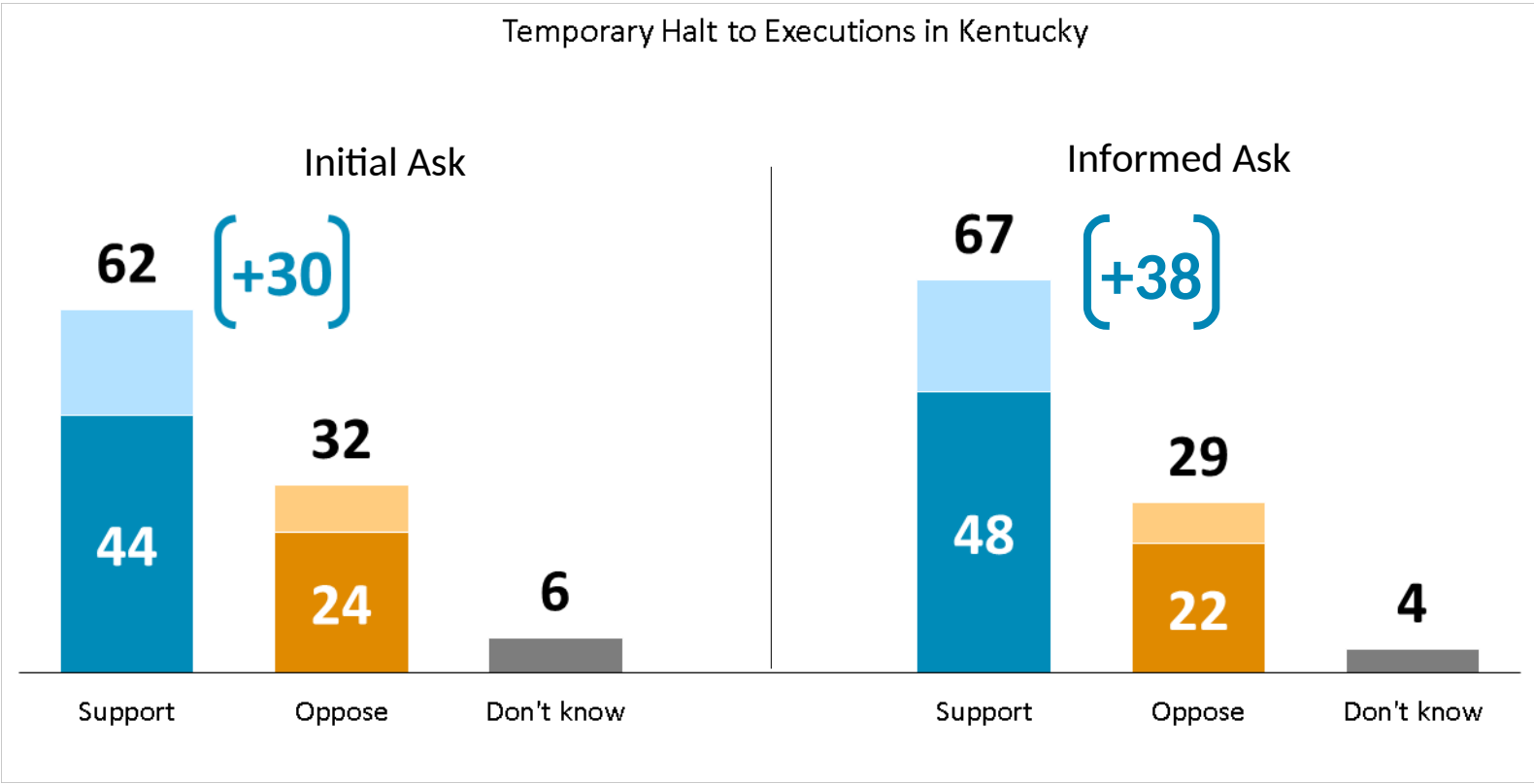


Temporary Halt to Executions

Voters from all partisan stripes, both registered and self-identified, support a halt.



Support for a temporary halt to executions increases by 5 points after voters are given information about the problems that need to be resolved. Opposition drops to fewer than 3 in 10.



Do you support or oppose a temporary halt to executions in Kentucky so that the system can be more closely examined and identified problems can be fixed?

The two most convincing reasons for a halt to executions are the unanimous recommendations of the ABA group of experts, and the fact that potentially exonerating DNA evidence can be destroyed.

Statements about temporarily halting executions	Very Convincing	Total Convincing
<p>UNANIMOUS SUPPORT w/ ABA* The American Bar Association put together a group of experts to study the death penalty in Kentucky. The group includes both members who oppose the death penalty and those who support the death penalty. After studying the facts, the group unanimously recommended temporarily halting executions until the problems they have identified are fixed.</p>	50	74
<p>DESTROYED DNA In Kentucky, evidence used to convict someone of a crime can be destroyed while that person is still in prison. This destroyed evidence has prevented DNA analysis from potentially exonerating innocent people on death row.</p>	50	74

*Asked of half the sample.

The most convincing reasons to support a temporary halt are fairly consistent across urban, suburban and rural voters. Voters consistently are convinced by the unanimous opinion of experts and destroyed DNA.

Statement (% VERY CONVINCING)	Urban	Suburban	Exurban	Rural
UNANIMOUS SUPPORT w/ ABA*	49	61	53	45
DETROYED DNA	51	57	41	51

Statement (% VERY CONVINCING)	Democrats	Independents	Republicans	Reg. Dems	Reg. Reps
UNANIMOUS SUPPORT w/ ABA*	60	60	35	52	45
DETROYED DNA	54	49	46	53	47

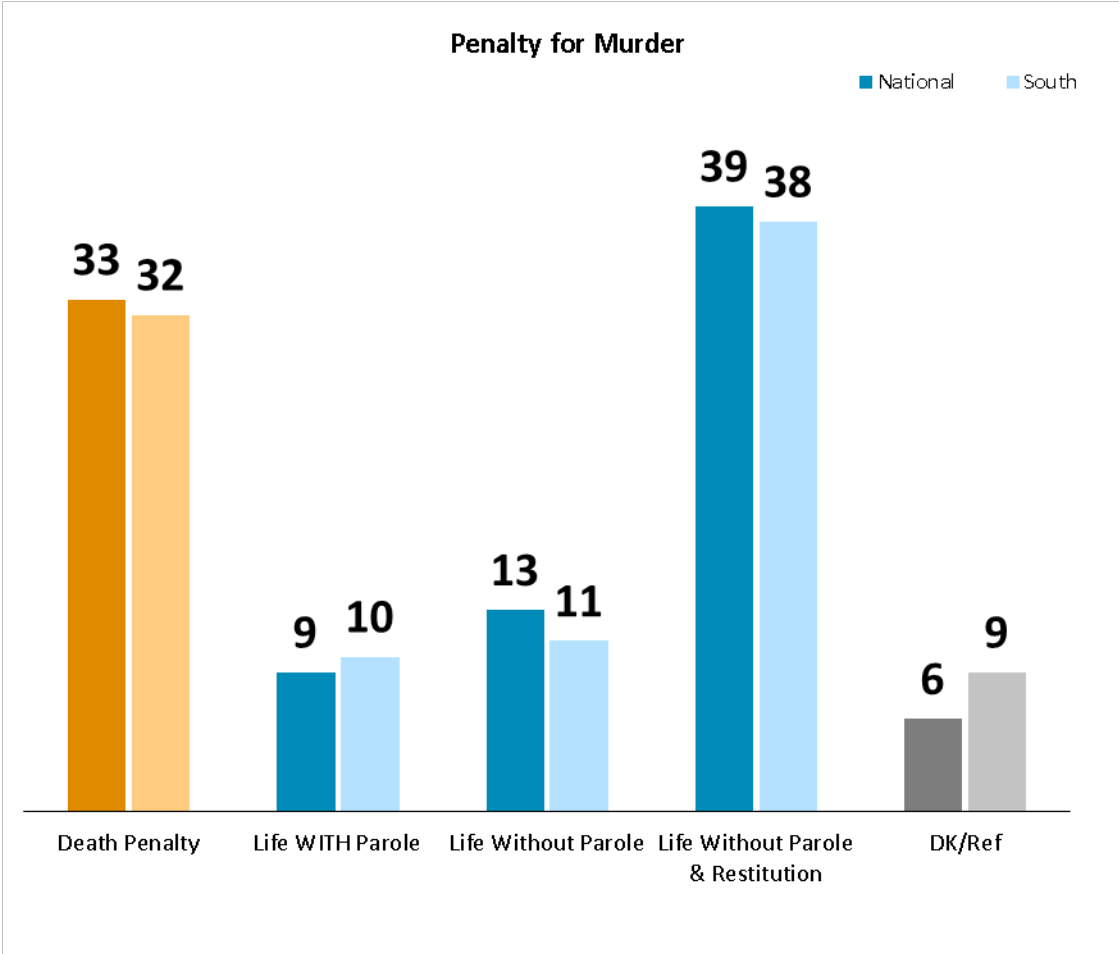
*Asked of half the sample.

One-third of voters both nationally and in the South support the death penalty when given four options, compared to nearly 40% who support life in prison with no possibility of parole and a requirement to make restitution.

I'm going to read four statements. Listen carefully, then please tell me which of them—number 1, 2, 3, or 4—is closest to your own view:

READ/DO NOT RANDOMIZE:

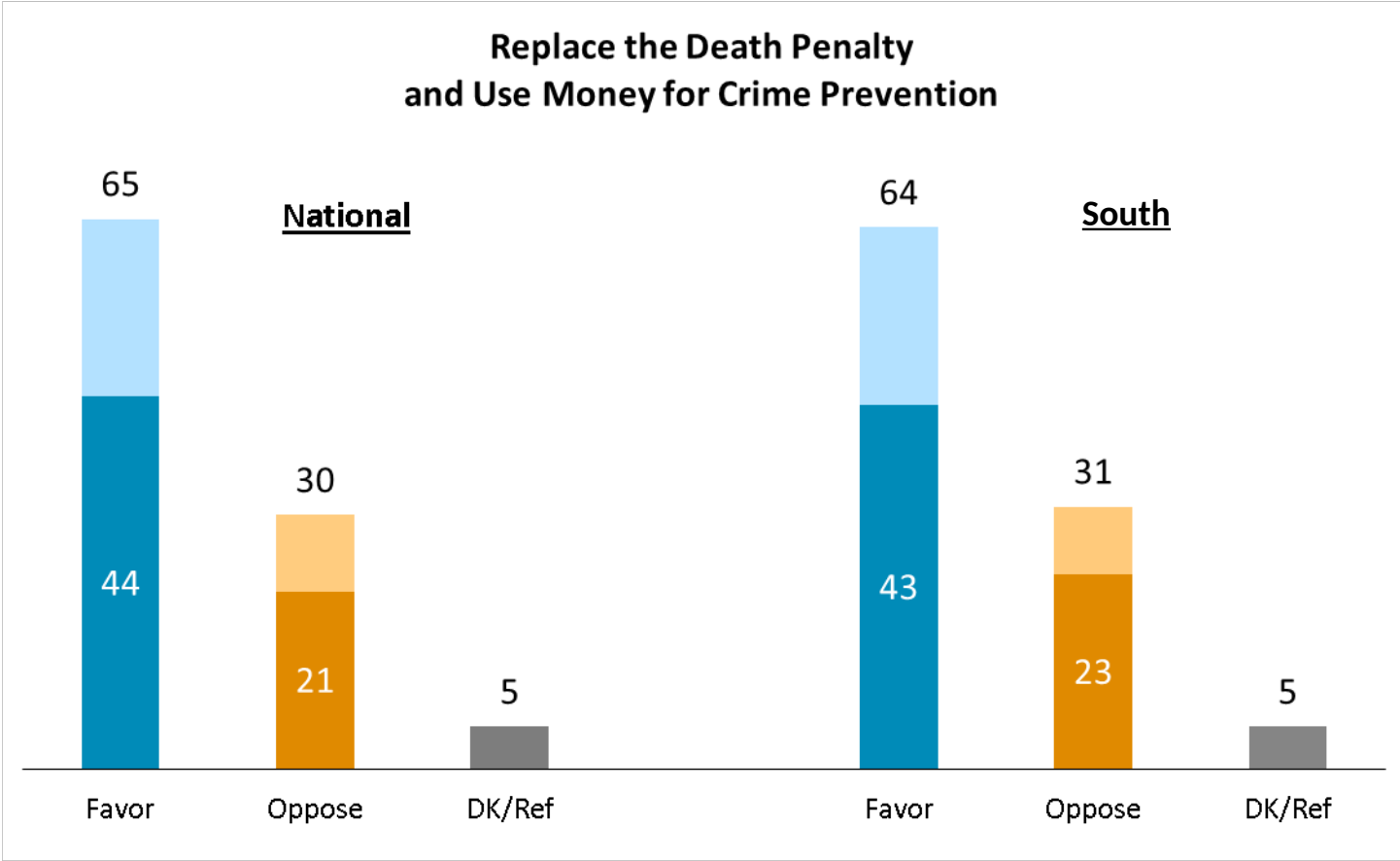
1. The penalty for murder should be the death penalty
2. The penalty for murder should be life in prison with the possibility of parole
3. The penalty for murder should be life in prison with no possibility of parole
4. The penalty for murder should be life in prison with no possibility of parole, and a requirement to work to make restitution for the victim's family



Facts about the costs of death penalty cases raise more doubts in the South than nationally, though voters in the South have a harder time believing that one case can cost as much as \$3 million. These voters are also less likely to believe that 80% of executions take place in the South.

Facts	National: Totally Believable	National: Serious Doubts	South: Totally Believable	South: Serious Doubts
Prosecuting and defending one death penalty case can cost as much as \$3 million.	32	27	28	33
Prosecuting and defending one death penalty case can cost as much as \$3 million dollars. But because only 1 in 10 cases results in an actual execution, the true cost to the state per execution is about \$30 million dollars, far more than the cost of a lifetime of incarceration.	25	31	26	35
Since 1973, 138 people have been released from death row after being exonerated of their crimes.	31	22	31	22
Over the past 30 years, states in the South have accounted for 80 percent of all executions and have the highest murder rate. States in the Northeast have accounted for less than 1 percent of all executions and have the lowest murder rate.	19	22	16	22
From sentencing to execution, the average appeal time of a death penalty case is 12 years, while a person who receives life without parole starts serving the sentence immediately.	32	16	28	17

After hearing a series of facts, including some of the cost and effectiveness issues with the death penalty, they favor replacing it with LWOP and using the money for other things. This formulation is potentially powerful, but it will require a large educational effort.



Would you favor or oppose replacing the death penalty with a penalty of life in prison with no possibility of parole if the money saved were used to fund crime prevention measures? [IF FAVOR/OPPOSE ASK:] Is that strongly favor/oppose or somewhat favor/oppose?

The top message overall is the “Unfairness” message that speaks to disparities in the system. Next is the version of the “Victims’ Families” message that includes restitution. “Innocence” rounds out the top three. All of these themes will be important going forward.

Message	Very Convincing	Total Convincing
Unfairness - Our criminal justice system should treat all people equally, regardless of how much money they make, where they live, or the color of their skin. In reality, the death penalty is applied unevenly and unfairly, even for similar crimes. Some people are sentenced to die because they couldn’t afford a better lawyer, or because they live in a county that seeks the death penalty a lot. A system that is so arbitrary should not be allowed to choose who lives and who dies.	37	69
Victims’ Families w/Restitution - Many victims’ family members say every time there is a court hearing, a conviction, or an appeal, the focus is on the defendant, but the family still has to go through their pain again and again. It’s very, very hard for the families. It reopens the wounds each time. When we condemn people to life without parole instead, family members will not be subjected to years of court hearings, and they can turn to the process of healing. If we replaced the death penalty with a sentence of life without parole with labor and restitution, we could use the money to help provide counseling services to victims’ families.	33	69
Innocence - The death penalty risks executing the innocent. Many innocent people have been sent to our nation’s death rows before new evidence freed them and some innocent people may have been executed. It is unacceptable to execute innocent people, and in a system run by human beings that’s inevitable. Executing innocent people is a risk we can completely avoid by using sentences of life with no possibility of parole.	33	71

Now, I'm going to read you some statements people have made in support of replacing the death penalty with a sentence of life in prison with no possibility of parole. Please tell me whether each statement I read is a VERY convincing, SOMEWHAT convincing, NOT TOO convincing, or not AT ALL convincing reason to replace the death penalty with a sentence of life in prison with no possibility of parole. If you are not sure how you feel about a particular item, please say so.

The “Cost” and “Moral” messages are important for different reasons. “Cost” is important for state level action, especially in lobbying efforts. Meanwhile, the “Moral” message that emphasizes faith works well among Latinos and Catholic voters.

Message	Very Convincing	Total Convincing
<p>Cost w/Restitution - By the time the costs of all the trials and appeals are taken into account, the death penalty costs more than imprisoning a criminal for life. The death penalty is a huge government program that has bogged down law enforcement and wasted millions of dollars that could be used for many other purposes. States are cutting back on police forces, shutting libraries and schools, and public hospitals are closing emergency rooms, and yet we are spending millions of dollars on a death penalty system when lifetime imprisonment with no parole would cost less. Keep these criminals in prison for life and have them work and pay restitution to the victims’ families.</p>	32	69
<p>Victims’ Families - Many victims’ family members say every time there is a court hearing, a conviction, or an appeal, the focus is on the defendant, but the family still has to go through their pain again and again. It's very, very hard for the families. It reopens the wounds each time. When we condemn people to life without parole instead, family members will not be subjected to years of court hearings, and they can turn to the process of healing.</p>	32	68
<p>Moral w/Faith - Human life is the most precious thing in the world, and we need to respect it. The death penalty offers the tragic illusion that we can defend life by taking life. In reality, the death penalty diminishes all of us. Every life has value, and sometimes even the worst criminals can change and become better people after years in prison. Our faiths teach us that “thou shalt not kill” and that vengeance is God’s and God’s alone. Killing is wrong, no matter who does it.</p>	30	59

Now, I'm going to read you some statements people have made in support of replacing the death penalty with a sentence of life in prison with no possibility of parole. Please tell me whether each statement I read is a VERY convincing, SOMEWHAT convincing, NOT TOO convincing, or not AT ALL convincing reason to replace the death penalty with a sentence of life in prison with no possibility of parole. If you are not sure how you feel about a particular item, please say so.

The restitution element is most important among more conservative audiences.

% Very Convincing		Democrat (37%)
A77.UNFAIRNESS		43%
B78.UNFAIRNESS W/RACE		41%
B76.MORAL W/FAITH		41%
B69.COST W/RESTITUTION		40%

		Indep. (27%)
A77.UNFAIRNESS		39%
A70.VICTIMS' FAMILIES W/RESTITUTION		34%
A68.COST		33%
72.INNOCENCE		32%

		Republican (31%)
A70.VICTIMS' FAMILIES W/RESTITUTION		29%
72.INNOCENCE		28%
B69.COST W/RESTITUTION		27%
A77.UNFAIRNESS		27%

“Unfairness” is the highest rated message in all regions. “Cost” is the next most important in both the South and West.

Overall, messaging is more successful in the Northeast and Midwest than in the South.

% Very Convincing		Northeast (19%)
A77.UNFAIRNESS		37%
B71.VICTIMS' FAMILIES		37%
72.INNOCENCE		36%
A70.VICTIMS' FAMILIES W/RESTITUTION		34%

		Midwest (24%)
A77.UNFAIRNESS		42%
72.INNOCENCE		36%
A70.VICTIMS' FAMILIES W/RESTITUTION		35%
B69.COST W/RESTITUTION		35%

		South (37%)
A77.UNFAIRNESS		34%
B69.COST W/RESTITUTION		33%
A70.VICTIMS' FAMILIES W/RESTITUTION		32%
72.INNOCENCE		31%

		West (20%)
A77.UNFAIRNESS		34%
A68.COST		34%
A70.VICTIMS' FAMILIES W/RESTITUTION		33%
72.INNOCENCE		31%

Liberal voters are willing to accept the “Unfairness” argument both with and without explicit mentions of race, but race hurts the message among moderates and conservatives.

More research is needed to explore messaging that resonates better with conservatives.

% Very Convincing		Liberal (24%)
A77.UNFAIRNESS		46%
B78.UNFAIRNESS W/RACE		43%
A68.COST		40%
B74.NOT A DETERRENT		40%

		Moderate (30%)
A77.UNFAIRNESS		37%
A70.VICTIMS' FAMILIES W/RESTITUTION		36%
72.INNOCENCE		34%
B69.COST W/RESTITUTION		33%

		Conservative (40%)
A77.UNFAIRNESS		30%
A70.VICTIMS' FAMILIES W/RESTITUTION		30%
72.INNOCENCE		30%
B76.MORAL W/FAITH		27%

Conservative women are more receptive to messaging than men, and they react positively to “Innocence” and a message that mentions faith.

% Very Convincing	Conservative (40%)
A77.UNFAIRNESS	30%
A70.VICTIMS' FAMILIES W/RESTITUTION	30%
72.INNOCENCE	30%
B76.MORAL W/FAITH	27%

	Conservative men (20%)
A70.VICTIMS' FAMILIES W/RESTITUTION	30%
A77.UNFAIRNESS	28%
72.INNOCENCE	26%
A68.COST	25%

	Conservative women (20%)
72.INNOCENCE	33%
B76.MORAL W/FAITH	32%
B71.VICTIMS' FAMILIES	32%
A77.UNFAIRNESS	32%

Among evangelical voters, the faith-based message is not among the top four. With these more conservative voters, the restitution element is important.

% Very Convincing		Born-again/evangelical (26%)
A77.UNFAIRNESS		37%
A70.VICTIMS' FAMILIES W/RESTITUTION		35%
B69.COST W/RESTITUTION		34%
72.INNOCENCE		33%
		White born-again/evang (18%)
A70.VICTIMS' FAMILIES W/RESTITUTION		33%
A77.UNFAIRNESS		32%
72.INNOCENCE		32%
B69.COST W/RESTITUTION		30%
		Freq Church Attend (59%)
B69.COST W/RESTITUTION		34%
A70.VICTIMS' FAMILIES W/RESTITUTION		34%
A77.UNFAIRNESS		33%
72.INNOCENCE		32%
		Infreq Church Attend (38%)
A77.UNFAIRNESS		43%
72.INNOCENCE		36%
A70.VICTIMS' FAMILIES W/RESTITUTION		34%
B76.MORAL W/FAITH		33%

Methodology: Kentucky and National Polling

- Lake Research Partners designed and administered a survey in Kentucky that was conducted by telephone using professional interviewers between November 30 – December 4, 2011. The survey reached a total of 405 likely voters in Kentucky, using a voter file sample. The margin of error is $\pm 4.9\%$.
- Lake Research Partners designed and administered a national survey that was conducted by telephone using professional interviewers May 10-16 and 23-26, 2010. The sample was stratified geographically by region based on the proportion of voters in each region. The margin of error is $\pm 2.5\%$.