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Moratorium on the Death Penalty in Kentucky

Findings from a Survey of 405 Likely 2012
General Election Voters in Kentucky

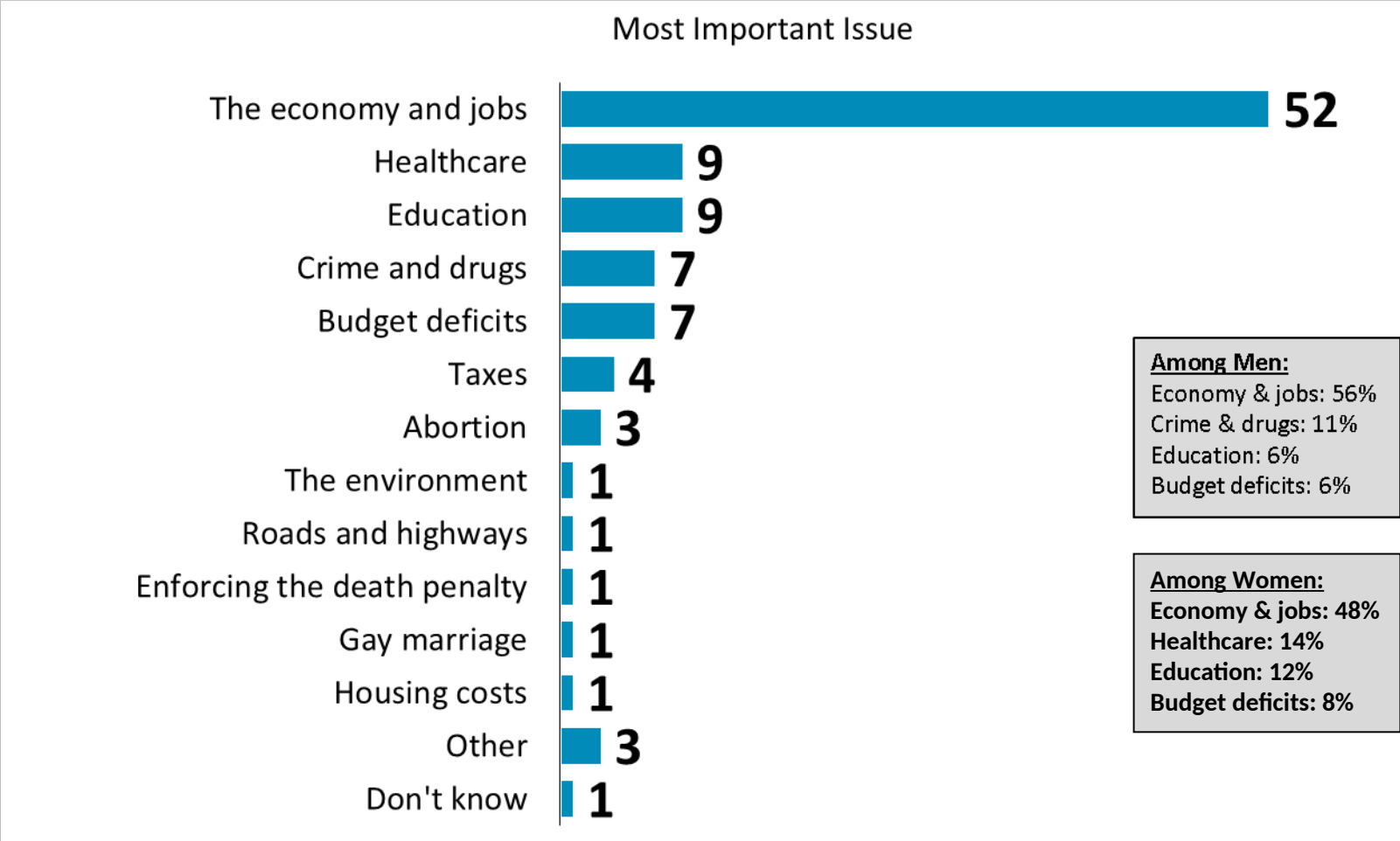
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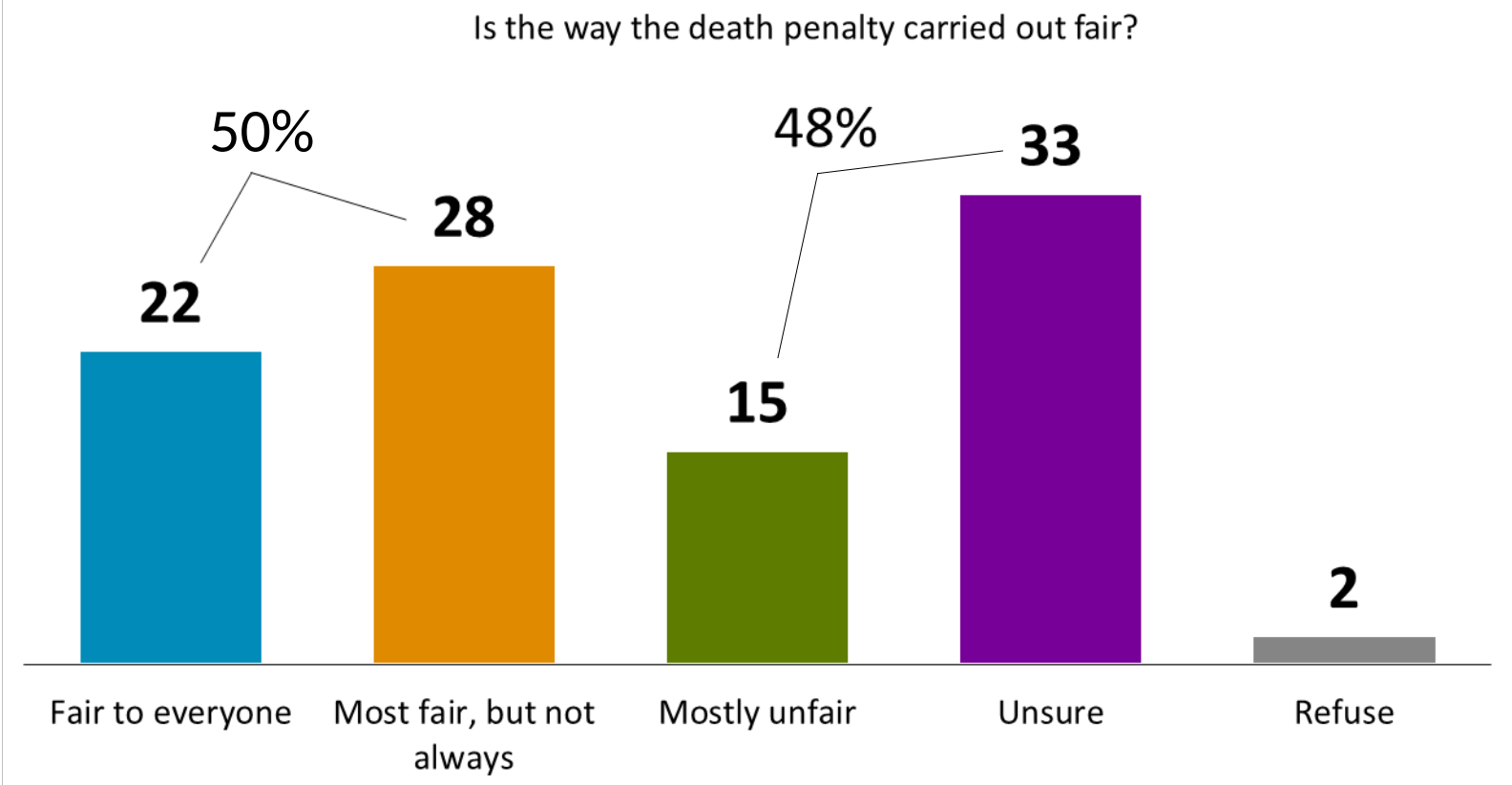
Executive Summary

- 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.
- Voters in Kentucky see a number of problems with the death penalty system in Kentucky, starting with the fact that more than half (56%) believe it is likely that someone in Kentucky has been wrongly sentenced to death in the last ten years.

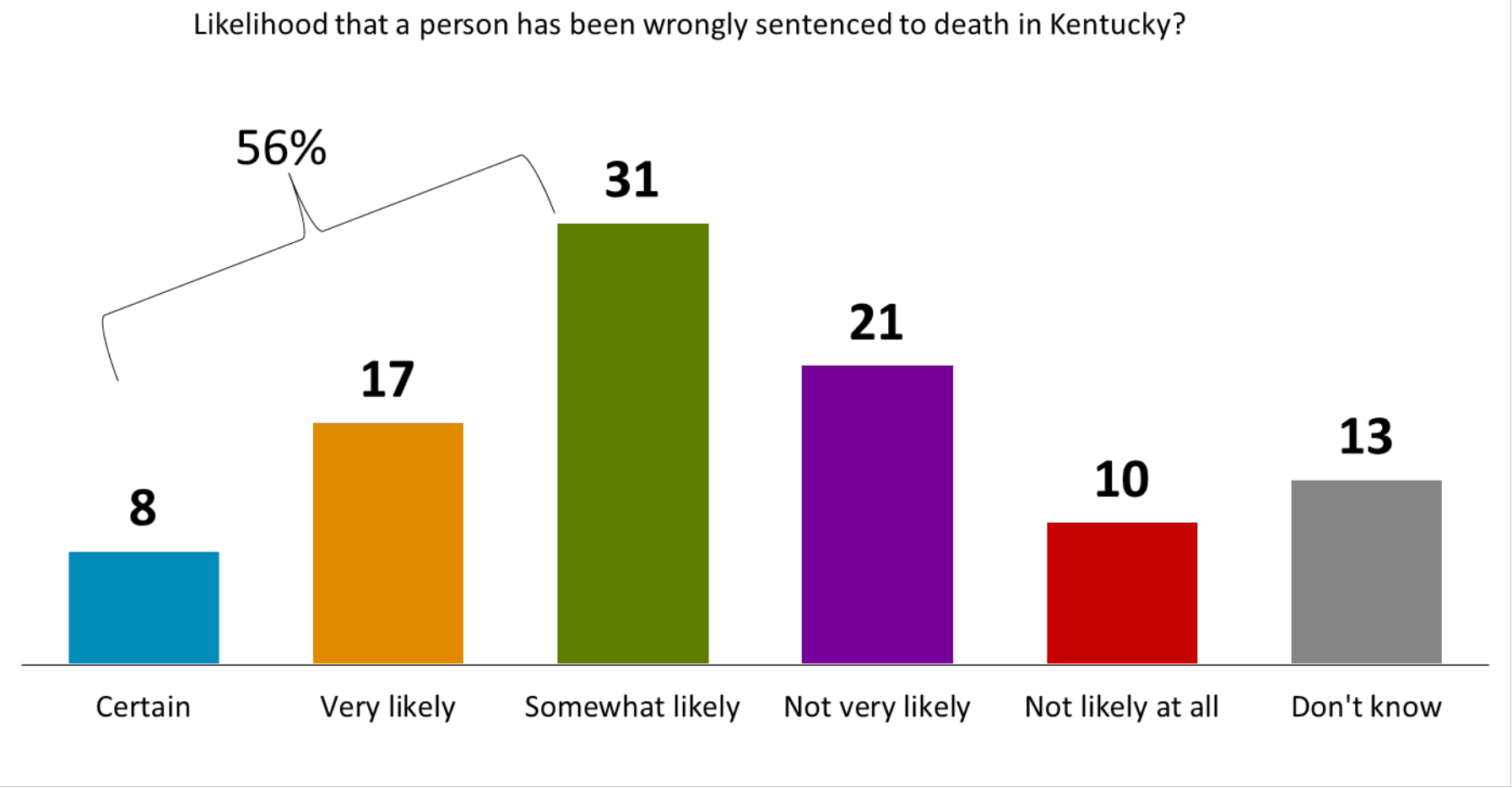
The economy and jobs is overwhelmingly the most important issue that voters would like that state legislature to work on, followed by healthcare and education. Just 1% say enforcing the death penalty is the most important issue.



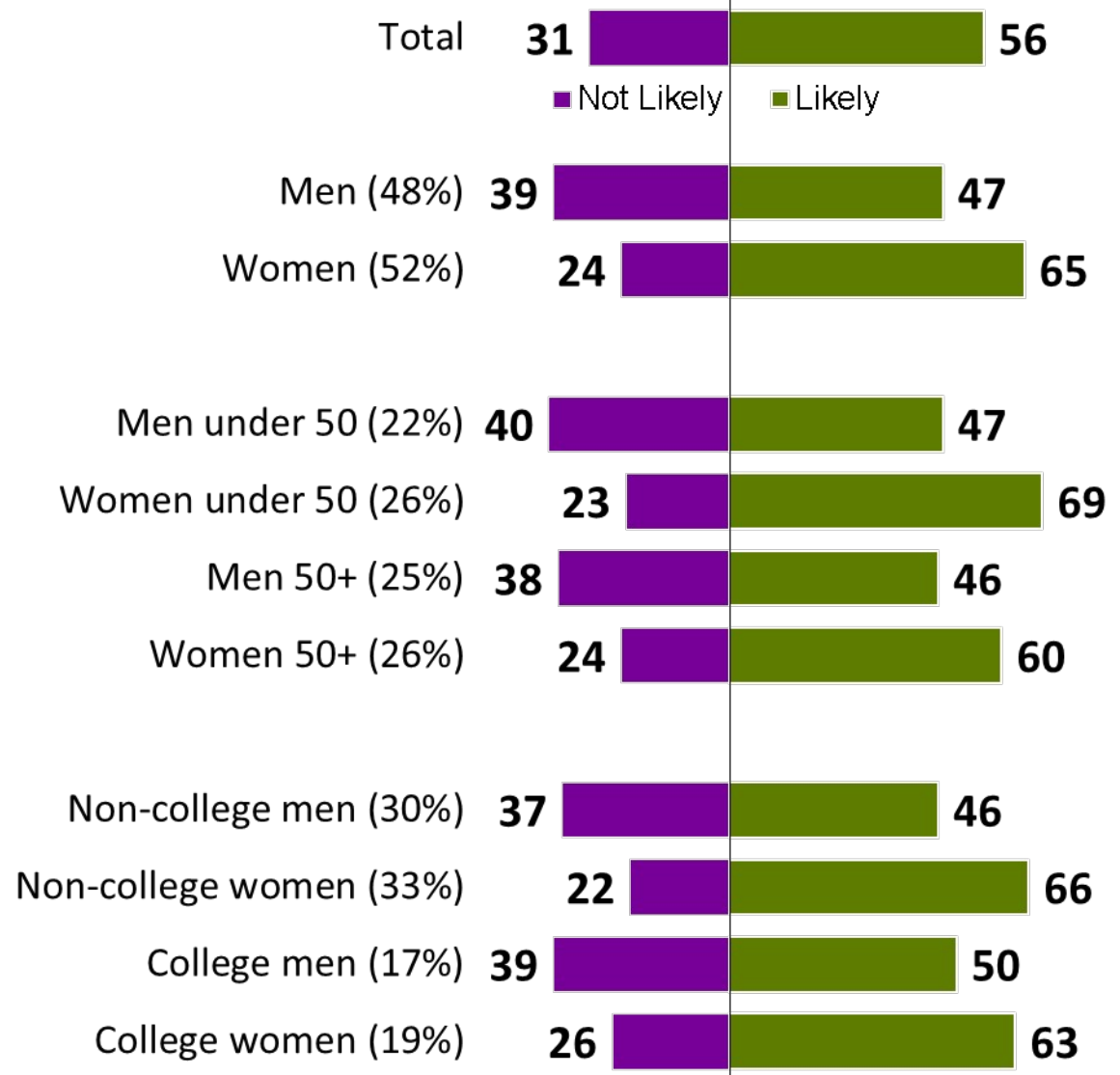
Kentuckians are divided on whether the death penalty is carried out fairly or not. Half say it is at least mostly fair, while another 48% say it's mostly unfair or they are not sure.



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.



Likelihood of someone being wrongly sentenced to death

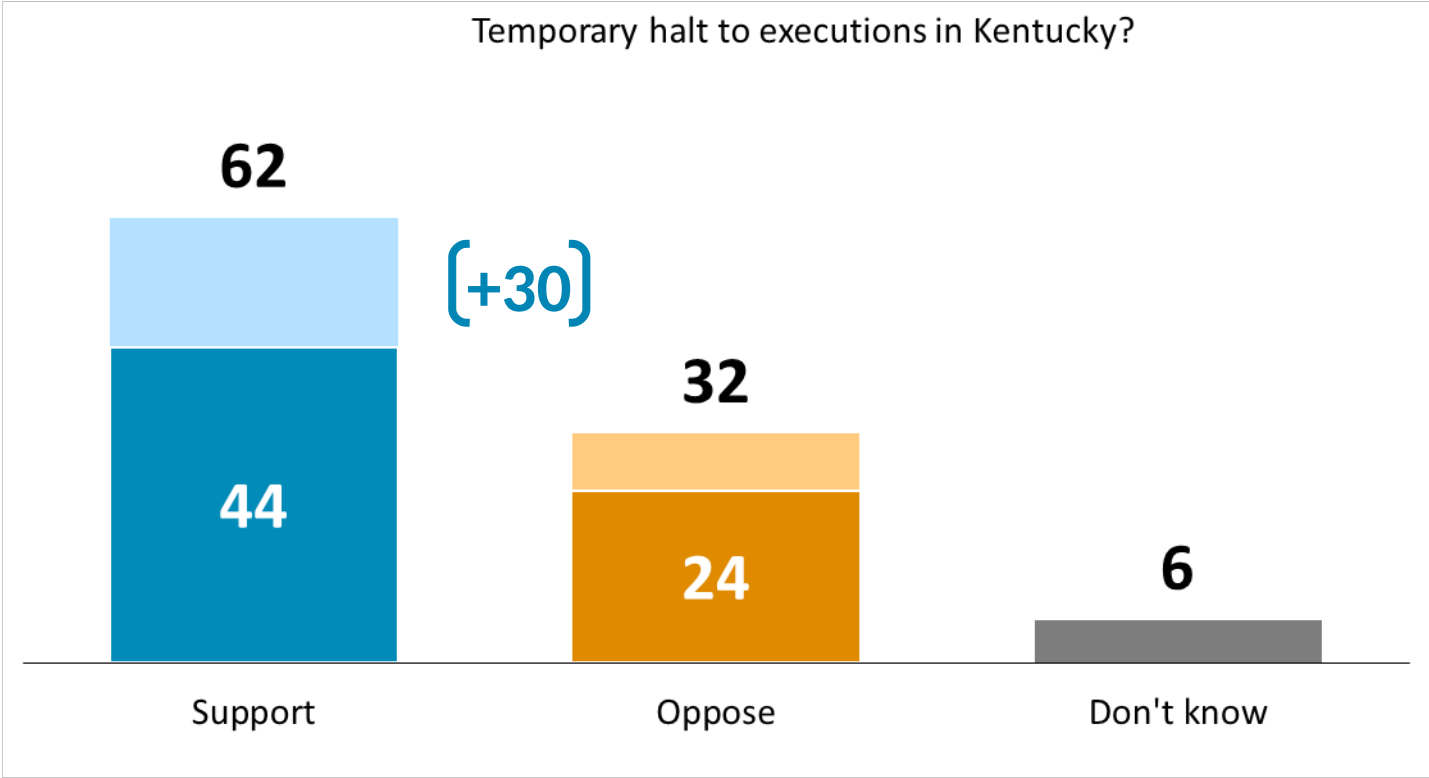


Women, especially younger women and non-college women believe it is likely that someone in Kentucky has been wrongly sentenced to death by wide margins. A plurality of men agree.

Moratorium on the Death Penalty in Kentucky

More than 6 in 10 Kentucky voters support a temporary halt to executions in Kentucky.

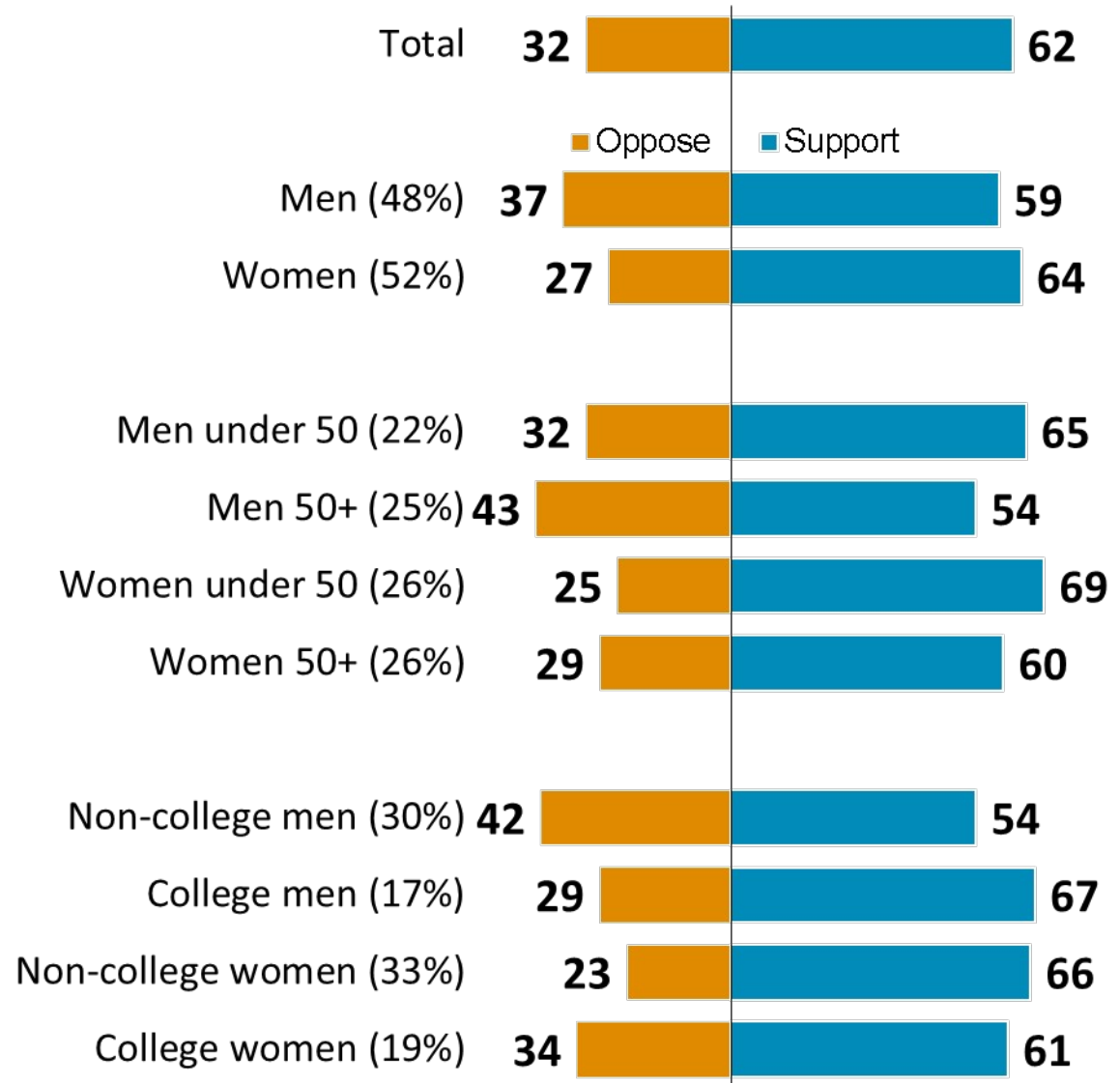
Kentuckians, by nearly a 2 to 1 margin, support a temporary halt to executions in Kentucky, including 44% who **strongly** support a temporary halt.



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?

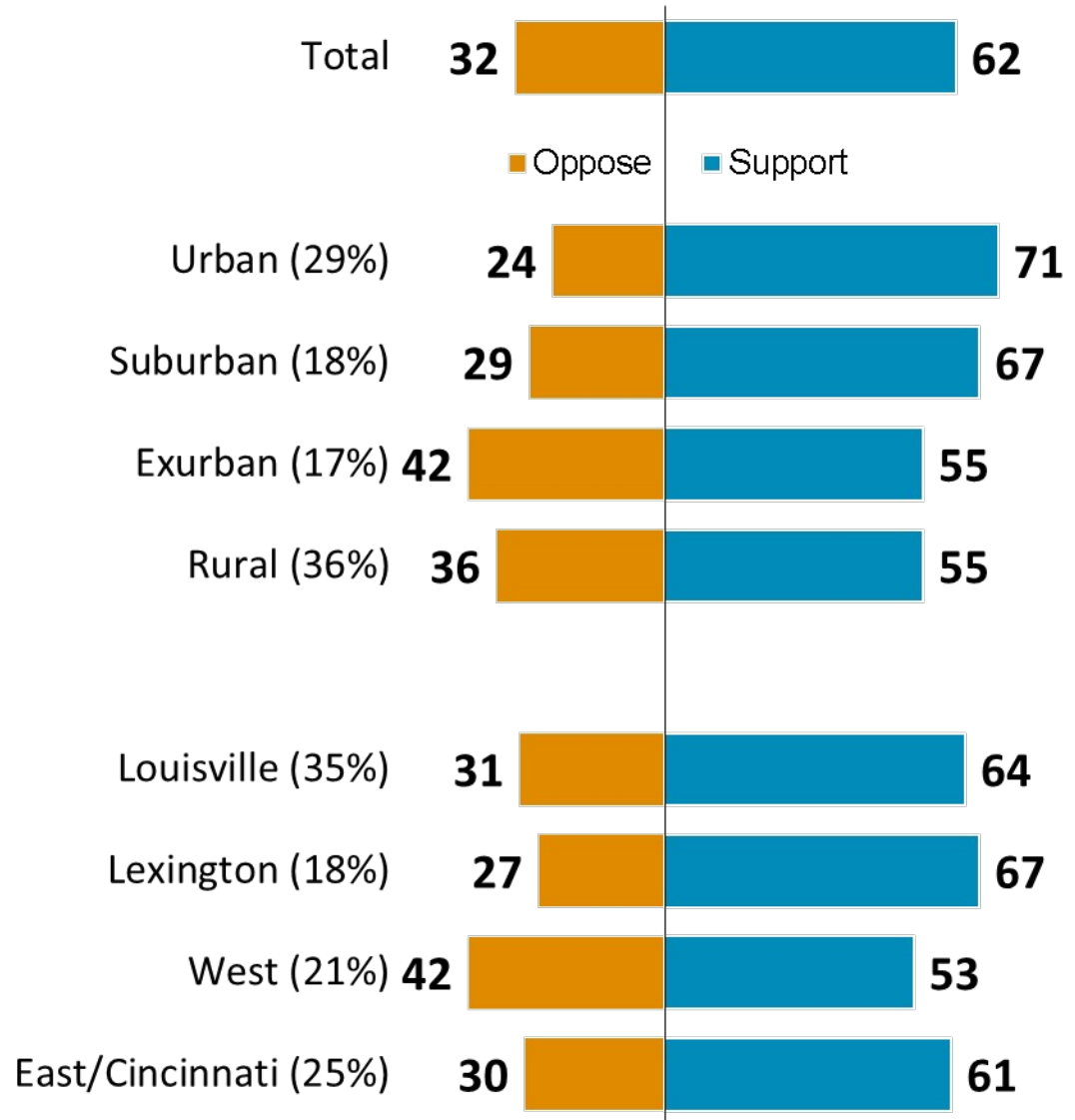
Voters across demographic groups support a temporary halt to executions. Regardless of their age, gender or education level, majorities of Kentucky voters all support a halt.

Temporary Halt to Executions



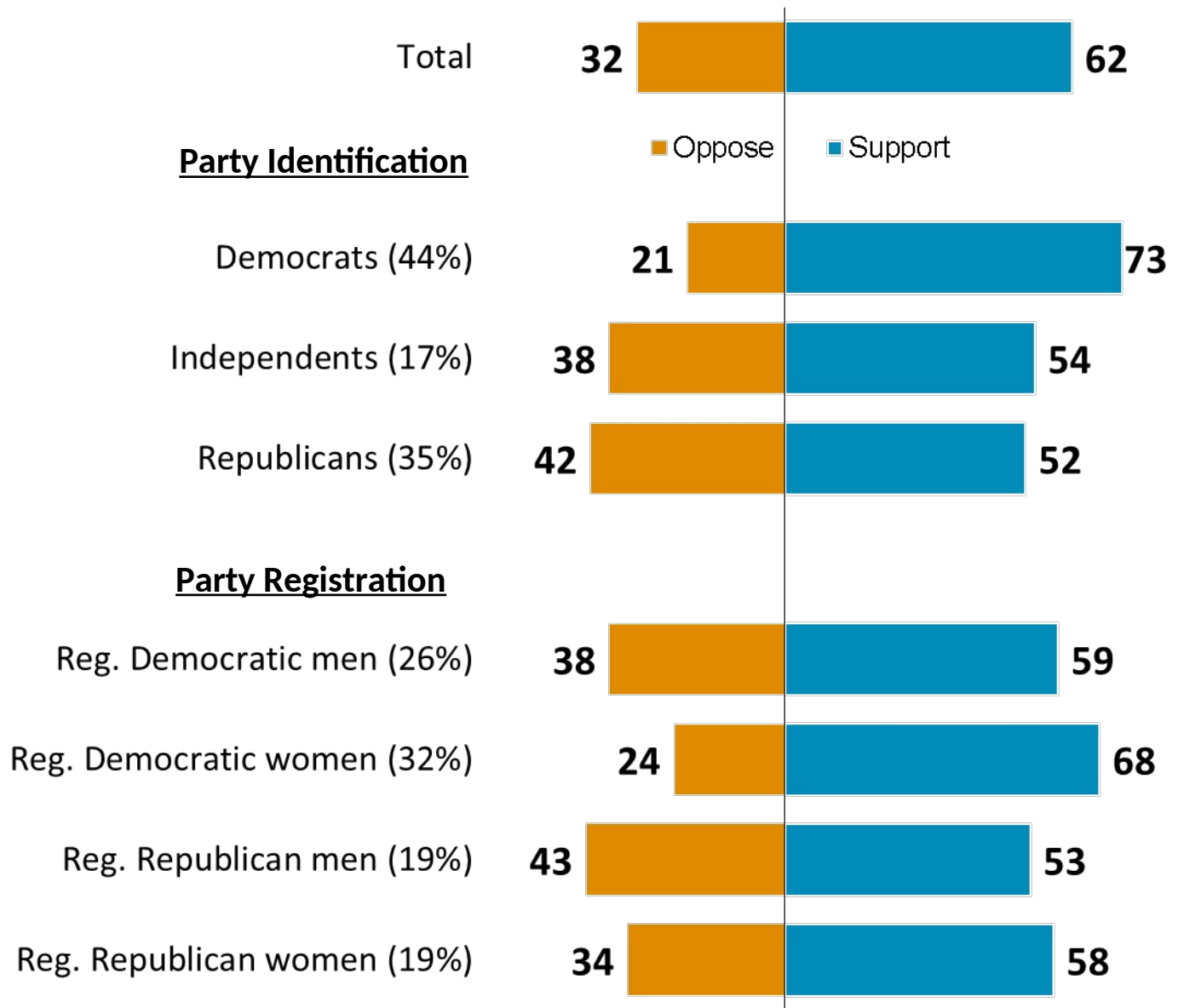
Voters across Kentucky support a temporary halt to executions. A halt is supported by voters from all parts of the state, including rural and urban areas.

Temporary Halt to Executions

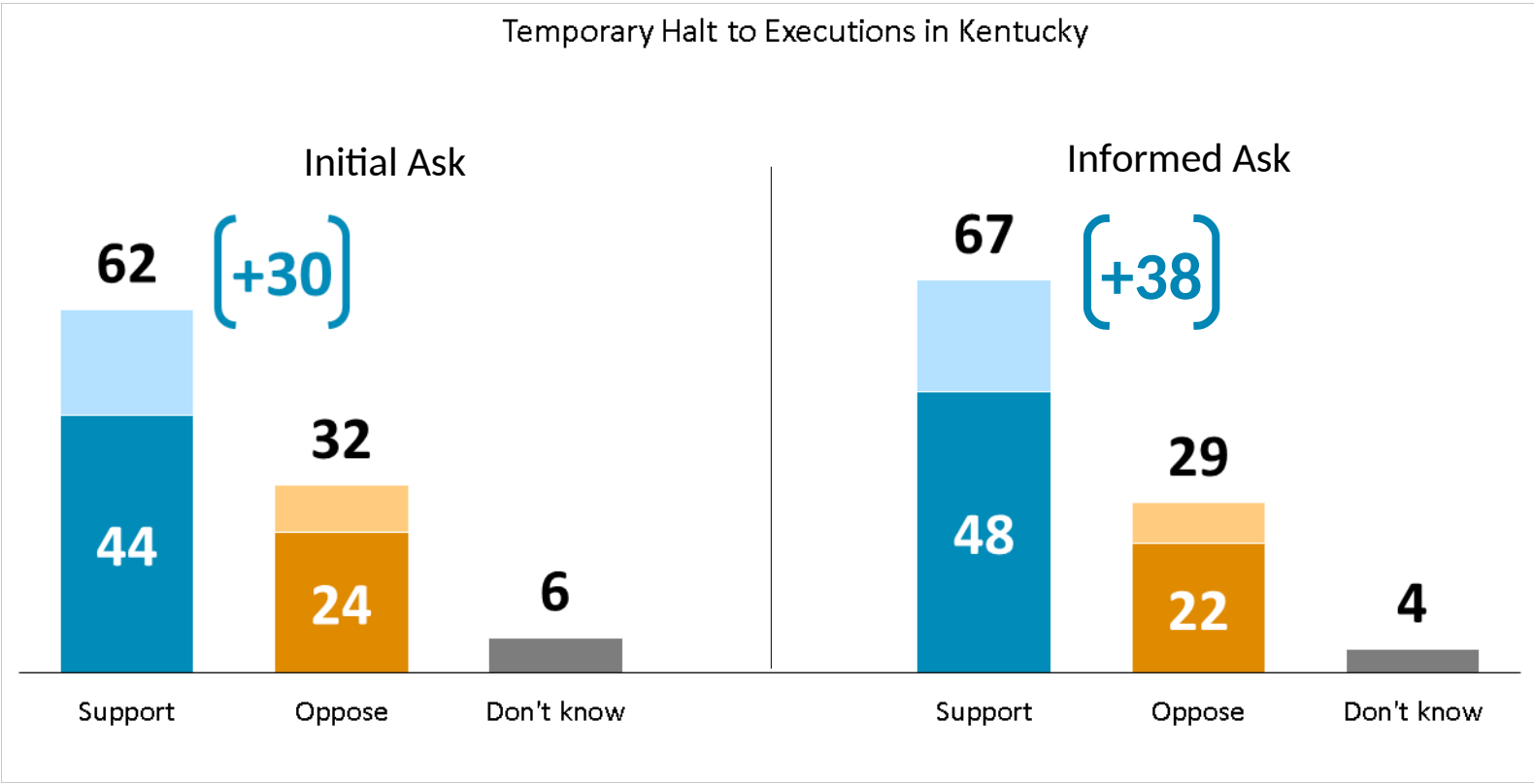


Temporary Halt to Executions

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

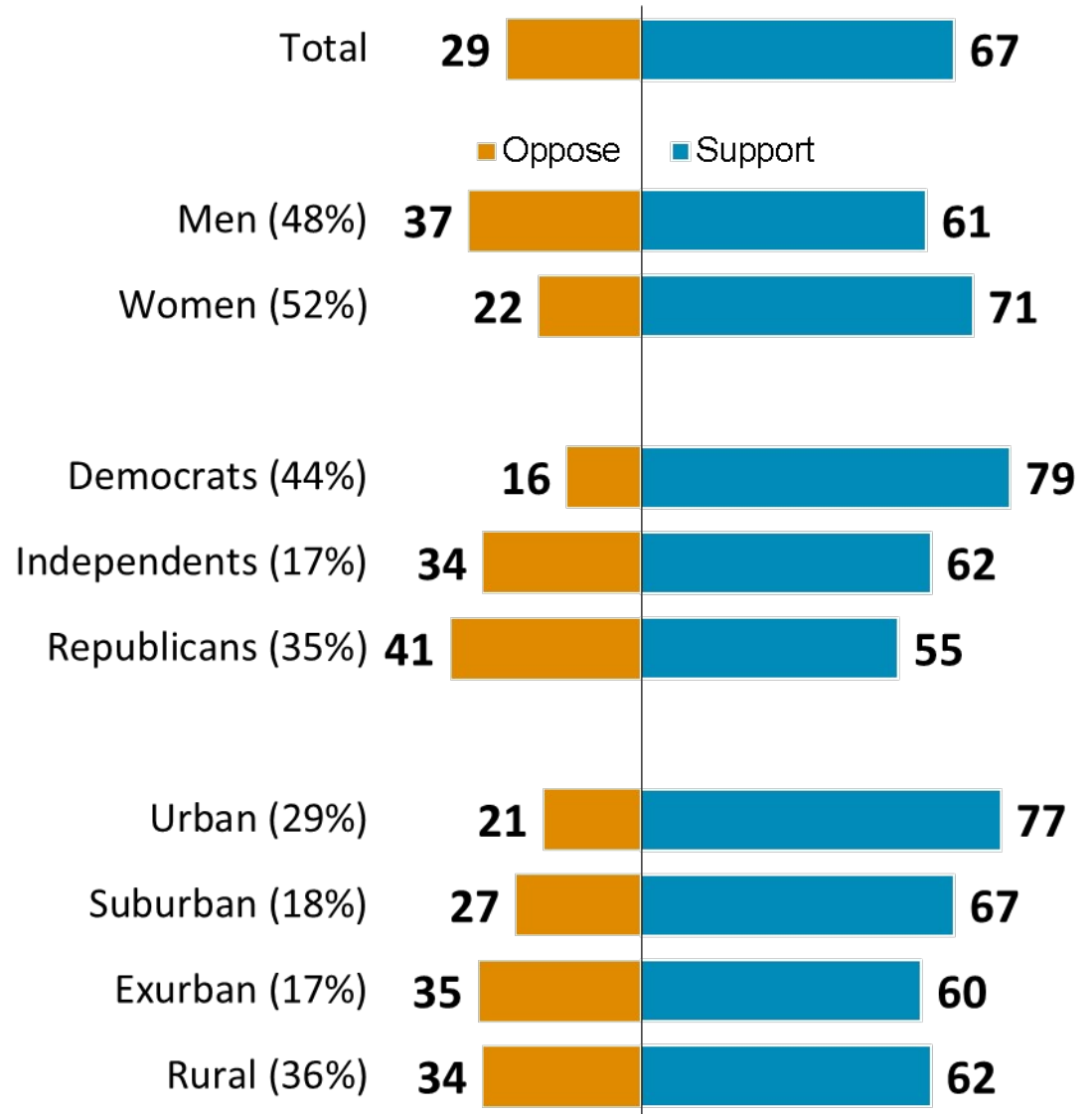


Support for a temporary halt to executions increases by 5 points after voters are given information about the problems that need to be resolved. Opposition drops to fewer than 3 in 10.



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?

Temporary Halt to Executions: Informed Ask



After hearing reasons why a temporary halt to executions is needed, support goes up across the board. Nearly 80% of Democrats support the halt, along with 62% of independents and 55% of Republicans.

The two most convincing reason 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>	<p>50</p>	<p>74</p>
<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>	<p>50</p>	<p>74</p>

*Asked of half the sample.

2nd Tier of Messaging

Statements about temporarily halting executions	Very Convincing	Total Convincing
<p>ERROR RATE Of the last 78 people sentenced to death in Kentucky, 50 have had their sentence overturned due to problems with evidence or constitutional issues. That’s an error rate of 60 percent, way too high for such a final decision. We need to take a temporary break to fix the errors and problems in our death penalty system before proceeding with any more executions.</p>	45	74
<p>LEGAL EXPERTS* Many legal experts, including several who support the death penalty, have recommended temporarily halting executions in Kentucky because of the many errors and problems in the system. They say we must ensure our justice system is fair and accurate before continuing to execute people.</p>	44	67
<p>DON’T UNDERSTAND SENTENCING GUIDELINES People on juries in death penalty cases have the awesome responsibility of determining whether another person will live or die. But research on jurors in Kentucky death penalty cases revealed that many jurors did not understand the sentencing guidelines when they sentenced a criminal to death.</p>	40	66

*Asked of half the sample.

3rd Tier of Messaging

Statements about temporarily halting executions	Very Convincing	Total Convincing
<p>DISBARRED DEFENSE LAWYERS Those facing the death penalty in Kentucky are not getting the defense that our justice system demands. In fact, ten of the 78 people sentenced to death since 1976 had defense lawyers that were later disbarred.</p>	<p>36</p>	<p>60</p>
<p>SEVERE MENTAL HANDICAPS For 20 years, Kentucky has prohibited the execution of people with mental retardation. However, Kentucky law still permits the execution of people with other severe mental handicaps.</p>	<p>34</p>	<p>59</p>
<p>PUBLIC DEFENDERS Public defenders in Kentucky death penalty cases are among the lowest paid in the country, making it difficult to attract lawyers with the necessary qualifications to ensure defendants receive an adequate defense.</p>	<p>33</p>	<p>57</p>

The ABA's expert conclusion in favor of a temporary halt is among the most convincing reasons to support a temporary halt across gender and age. The fact that DNA evidence can be destroyed is most convincing to older men and younger women.

Statement (% VERY CONVINCING)	Men under 50	Men 50+	Women under 50	Women 50+
UNANIMOUS SUPPORT w/ ABA*	49	43	57	51
DESTROYED DNA	44	45	60	51
ERROR RATE	48	41	42	48
LEGAL EXPERTS*	48	26	50	54
DON'T UNDERSTAND SENTENCING GUIDELINES	38	29	47	45
DISBARRED DEFENSE LAWYERS	34	30	41	38
SEVERE MENTAL HANDICAPS	27	33	43	33
PUBLIC DEFENDERS	30	28	38	34

*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, destroyed DNA and an alarming error rate in death penalty convictions.

Statement (% VERY CONVINCING)	Urban	Suburban	Exurban	Rural
UNANIMOUS SUPPORT w/ ABA*	49	61	53	45
DETROYED DNA	51	57	41	51
ERROR RATE	44	54	42	43
LEGAL EXPERTS*	40	51	32	51
DON'T UNDERSTAND SENTENCING GUIDELINES	41	36	38	42
DISBARRED DEFENSE LAWYERS	33	37	37	38
SEVERE MENTAL HANDICAPS	34	37	38	31
PUBLIC DEFENDERS	32	42	29	31

* Asked of half the sample.

Using a reference to the ABA is most effective with Democrats and independents, while Republicans respond strongly to the statement about destroyed DNA evidence.

Statement (% VERY CONVINCING)	Democrats	Independents	Republicans	Reg. Dems	Reg. Reps
UNANIMOUS SUPPORT w/ ABA*	60	60	35	52	45
DESTROYED DNA	54	49	46	53	47
ERROR RATE	53	45	37	46	42
LEGAL EXPERTS*	58	35	37	44	44
DON'T UNDERSTAND SENTENCING GUIDELINES	48	49	28	41	36
DISBARRED DEFENSE LAWYERS	44	38	28	37	31
SEVERE MENTAL HANDICAPS	40	32	29	36	28
PUBLIC DEFENDERS	41	40	21	33	29

* Asked of half the sample.

COMPARISON OF THE OVERALL ELECTORATE WITH PERSUADABLE VOTERS

Profile of Persuadables*:

- 36% men, 64% women
- 42% Dem, 20% Ind, 37% Rep
- 57% Reg. Dem, 40% Reg. Rep
- 69% non-college, 31% college
- 28% urban, 14% suburban, 16% exurban, 42% rural

Profile of Electorate:

- 48% men, 52% women
- 44% Dem, 17% Ind, 35% Rep
- 57% Reg Dem, 37% Reg. Rep
- 63% non-college, 36% college
- 29% urban, 18% suburban, 17% exurban, 36% rural

*Persuadables are respondents who are either undecided or moved toward support.

Methodology

- Lake Research Partners designed and administered this 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 $\pm 4.9\%$.



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