



Kentucky Justice & Safety Research Bulletin

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RESEARCH TOPIC

This bulletin examines changes in the attitudes of Kentucky residents toward the death penalty. Over the period 1989 to 1999, the level of opposition to the death penalty in Kentucky has risen. In 1999, 28.3 percent of the respondents were either strongly (17.3%) or somewhat (11%) against the death penalty. Also, the percentage of respondents who were unsure about the use of capital punishment declined from 16.3 to 12.5 percent. By 1999, support for the death penalty had declined by ten percentage points (59.2%).

RESEARCH ISSUES

This study presents data from three different surveys conducted on capital punishment attitudes in Kentucky. Comparisons are made to national polls to determine if any differences exist between the thoughts of Kentuckians and the rest of the country concerning the death penalty. Particular attention is given to the attitudes of respondents concerning the sentence of life without parole as an alternative to the death penalty.

RESEARCH FINDINGS

The results of three surveys of Kentucky residents concerning the death penalty reveal that widespread support for capital punishment no longer exists. Not only has the level of support declined over this time period, it fell almost 30 percentage points in the 1999 survey when life without possibility of parole was offered as a sentencing option (from 66 to 35.7%). Although the pattern of responses fits that from national surveys on the death penalty, the opinions of the Kentucky respondents were much more pronounced, declaring more support for life without parole than that expressed nationally. These results indicate that the majority of Kentucky residents no longer express strong support for capital punishment.

ATTITUDES TOWARD THE DEATH PENALTY IN KENTUCKY:

A Comparison of Survey Results - 1989, 1997, 1999

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INTRODUCTION

Americans have consistently expressed support for the death penalty. Public opinion polls show that support for capital punishment declined through the 1950s to a low of 42 percent in 1966 and continued to increase steadily from 1966 to 1982, remaining high and stable in the range of 70-75 percent.¹ In fact, a majority of Americans have never opposed capital punishment in a national poll.²

Bohm states that public opinion toward capital punishment accounts for its continued use in the United States and offers four reasons why:

1. It probably sways legislators to vote in favor of death penalty statutes and against their repeal.
2. It may influence some prosecutors to seek the death penalty for political rather than legal purposes in cases they might ordinarily plea bargain.
3. It may dissuade some governors from vetoing death penalty legislation, supporting abolition or commuting death sentences.
4. It can be cited by justices of both state and the United States Supreme Courts as a measure of "evolving standards of decency" regarding what constitutes "cruel and unusual punishment" in state constitutions and under the Eighth Amendment of the United States Constitution.³

In this manner, public opinion toward capital punishment affects the motives of key actors in the administration of the death penalty.

However, the literature on death penalty attitudes shows that the level of support changes under certain conditions. Several studies acknowledged a drop in the support for capital punishment when alternative sentences were presented as alternatives to execution.⁴ It has also been demonstrated that people approve of capital punishment only under certain circumstances and for complex reasons.⁵ Longmire determined that 73 percent of the respondents were inconstant in their support of the death penalty. Only 40 percent of the death penalty supporters consistently maintained their opinions.⁶ A survey of Hillsborough County (Florida) residents determined that willingness to apply the death penalty varied substantially according to the

type of homicide and the circumstances of the offense.⁷

It also appears that, if alternatives to capital punishment are presented, the American public will support them. Different polls conducted in recent years in California, Florida, Georgia, Kentucky, Minnesota, Nebraska, New York, Oklahoma, Virginia, and West Virginia all concluded that people prefer various alternative sentences to the death penalty--especially a sentence of life without parole.⁸

This study presents data from three different surveys conducted on capital punishment attitudes in Kentucky. Comparisons are made to national polls to determine if any differences exist between the thoughts of Kentuckians and the rest of the country concerning the death penalty.

SURVEY DATA AND METHODS

The Survey Research Unit of the Urban Studies Institute at the University of Louisville conducted each of the surveys. In October of 1989, data were collected from a probability sample of 811 Kentucky households (margin of error = + 2.5%). The 1997 survey was conducted in July and had an N of 709 (margin of error = + 2.5%). The 1999 survey was conducted in December and had an N of 909 (margin of error = + 4.8%).

Table 1 compares demographic characteristics across the three surveys. They are comparable. In order to compare attitudinal differences by race, an additional sample was generated in each survey. The survey results were then weighted to control for this factor and to insure that the results would be valid.

Table 1. Demographics Across All Three Capital Punishment Surveys in Kentucky

Demographic	1989	1997	1999
Sex: Male	49.1%	48.9%	49.3%
Female	50.1%	51.1%	50.7%
Race: Minority	7.5%	6.8%	8.6%
White	92.5%	93.2%	91.4%
Age: 50 & Older	41.5%	38.4%	42.5%
<50	58.5%	61.6%	58.5%

The same questions were used in each of the surveys. The median length of a survey session ranged from 7.35 to 10.28 minutes over the three surveys. In each survey, the respondents were selected from a stratified sampling frame based upon random digit dialing. The surveys were conducted via computer assisted telephone interviewing system (CATI). Calls were made during the morning, afternoon, evening, and weekend hours to reach eligible respondents. This system allows for the predetermination of question ordering and valid data entry codes to facilitate consistency and accuracy of the data collection process. The CATI system produced a raw data file that was checked and edited for completeness and accuracy.

Professionally trained interviewers and supervisors of the University of Louisville's Survey Research Center administered the questionnaires. All of the interviews were conducted from the survey research lab. The lab employs a telephone monitoring system to verify and insure the quality of data collection

procedures.

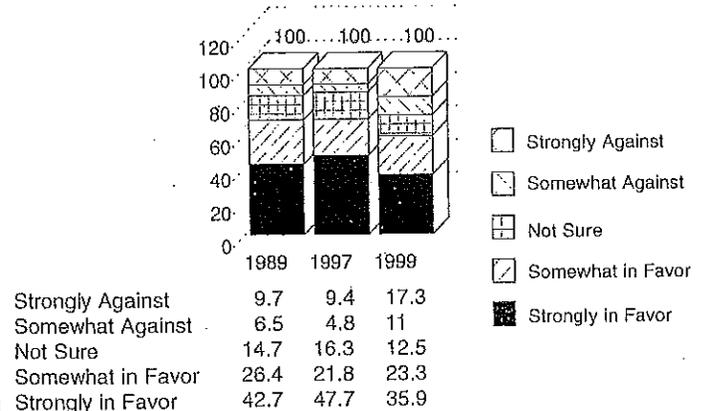
Each year, the samples were stratified by area codes in the state of Kentucky. In the 1997 survey, the sample was also stratified by congressional district.

DEATH PENALTY SURVEY RESULTS

Comparison of 1989, 1997 and 1999 Results

Figure 1 summarizes the responses to the standard question "In general, would you say that you are strongly against, somewhat against, strongly in favor of, somewhat in favor of the use of the death penalty for persons convicted of murder or are you not sure?". The level of opposition to the death penalty has risen over the years. In 1999, 28.3 percent of the respondents were either strongly (17.3%) or somewhat (11%) against the death penalty. Also, the percentage of respondents who were unsure about the use of capital punishment declined from 16.3 to 12.5 percent. By 1999, support for the death penalty had declined by ten percentage points (59.2%). The percentage of respondents who were strongly in favor of capital punishment went down 6.8 percent between 1997 (42.7%) and 1999 (35.9%). At the same time, the percentage of respondents who were somewhat in favor of the death penalty decreased 3.1 percent between 1989 (26.4%) and 1999 (23.3%).

Figure 1. Death Penalty Survey Results Attitudes of Kentuckians 1989, 1997, 1999



These changes in attitude indicate that Kentucky citizens are moving away from strong support for capital punishment. Stated support has weakened and opposition has increased over this time period. Figure 2 collapses the responses into three categories, making these differences more apparent.

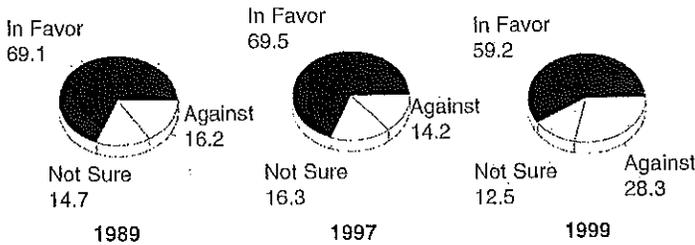
In Figure 3, it is apparent that the attitudes of the Kentucky respondents over this time period are comparable to national trends in capital punishment opinion. Nationwide, support for capital punishment is dropping (4% between 1989 and 1999) while uncertainty and opposition has increased slightly.

Comparison: Life Without Parole or the Death Penalty

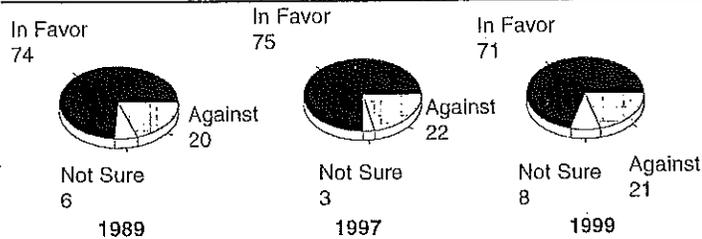
In each survey, support for capital punishment dropped dramatically when respondents were given the choice of sentencing a person convicted of murder to life without parole.

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**Figure 2. Death Penalty Survey Results
Kentucky: 1989, 1997, 1999**



**Figure 3. Death Penalty Survey Results
US: 1989, 1997, 1999**



When life without parole was an option, the percentage of respondents who supported the death penalty fell to the mid-thirties. In the 1999 survey, a majority of the respondents (53.9%) preferred life without parole to the death penalty in murder cases. This increase apparently came from respondents who were unsure about either penalty. The percentage of respondents who were unsure about life without parole or the death penalty fell to just over 15 percent in 1999, following a peak of almost 24 percent in 1997. (See Figure 4.)

Figure 4. Comparison: Life Without Parole or Death Penalty Attitudes of Kentuckians, 1989, 97, 99

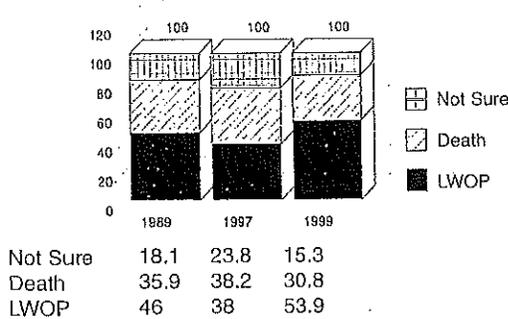


Table 2 presents just how death penalty opinions shifted when life without parole was a possibility. In the 1999 survey, the majority of respondents who initially indicated strong support for capital punishment continued their support when life without parole was introduced. Over 68 percent of the strong death penalty supporters remained steadfast but about 23 percent of these respondents did shift to life without parole as a penalty. Sixty-two percent of the respondents who first stated that they were "somewhat in favor" of capital punishment moved their allegiance to life without parole. Just less than half of the uncer-

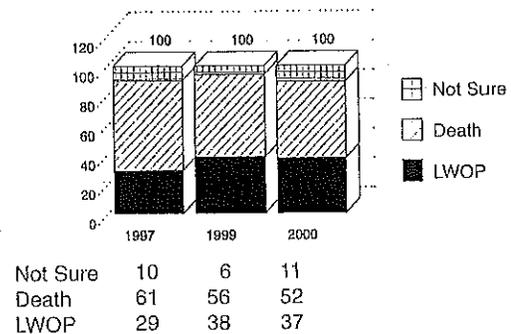
tain respondents indicated that they would prefer a sentence of life without parole to the death penalty for convicted murderers. As expected, the majority of respondents who expressed levels of opposition to capital punishment (approximately 83 and 95%) supported the sentence of life without parole. In their entirety, almost 53 percent of the 1999 survey respondents voiced support for life without parole over capital punishment. Overall, it is clear that the availability of a sentence of life without parole for murder changed the opinions of most respondents from the 1999 survey. It may be that the number of death sentences in Kentucky will be reduced now that life without parole is a possible sentence for convicted murderers.

Table 2. Crosstabulation - Support for Life Without Parole in Murder Cases by Support for the Death Penalty Kentucky, 1999

SUPPORT FOR:	SUPPORT FOR THE DEATH PENALTY IN MURDER CASES					TOTAL
	Strongly in Favor	Somewhat in Favor	Not Sure	Somewhat Opposed	Strongly Opposed	
Life Without Parole	22.9%	62.0%	49.3%	82.5%	94.8%	52.8%
The Death Penalty	68.6%	15.7%	13.8%	5.3%	0.7%	35.8%
Not Sure	8.5%	22.3%	36.9%	12.2%	4.5%	11.4%

Although the pattern of responses from Kentucky residents followed those found in national surveys, the differences between support for life without parole and the death penalty were much more pronounced in Kentucky. Support for capital punishment declined nationally when life without parole was given as an alternative, but a majority of the respondents still favored death as a penalty. However, between 1997 and 2000, the national level of support for the death penalty declined almost 10 percentage points when life without parole was a possible sentence (see Figure 5).

Figure 5. Comparison: Life Without Parole or Death Penalty U.S. Survey Results 1997, 1999, 2000



CONCLUSION

The results of three surveys of Kentucky residents concerning the death penalty reveal that widespread support for capital punishment no longer exists. Not only has the level of support declined over this time period, it fell almost 30 percentage

points in the 1999 survey when life without possibility of parole was offered as a sentencing option (from 66 to 35.7%).

Although the pattern of responses fits that from national surveys on the death penalty, the opinions of the Kentucky respondents were much more pronounced, declaring more support for life without parole than that expressed nationally. These results indicate that the majority of Kentucky residents no longer express strong support for capital punishment.

This shift in opinion should not go unnoticed by the governor, the legislature, and all levels of decision-makers throughout the criminal justice system. Kentucky has adopted a sentence of life without parole. These research findings indicate that it could become the dominant sentence in murder cases throughout the commonwealth. If juries respond in the same fashion that the survey respondents did, the death penalty will become a thing of the past in Kentucky.

NOTES

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⁴ G.F. Vito, T.J. Keil, and V. Andreescu, "Kentuckians' Changes in Attitudes Toward the

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⁸ Vito, Keil and Andreescu, "Kentuckians' Changes in Attitudes." Dieter, "Sentencing for Life," pp. 117-118.

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