JUST THE FACTS: A DESCRIPTIVE ANALYSIS OF INMATE ATTITUDES TOWARD CAPITAL PUNISHMENT

NORMA WILCOX
TRACEY STEELE
Wright State University

Surveys from 309 inmates at a close-security prison in southwest Ohio revealed that the death penalty attitudes of prison inmates are as considered as they are diverse. Results indicated that 43% supported the death penalty but that support softened considerably when alternatives such as "true" life were offered. Based on their personal experiences, much of the opposition to capital punishment (53%) stemmed from the inmates' beliefs that executions do not deter violent crime. However, that opposition dropped to 34% when the respondents were asked if the death penalty should apply to the physical and sexual abuse of children.

Keywords: *inmates; attitudes; capital punishment; deterrence*

The American public's fascination with the death penalty has given rise to many empirical studies. Perhaps because of its perceived severity and finality or perhaps because of its power to express collective outrage, Americans remain engaged in the debate about the ultimate abrogation of a criminal career. However, curiously few members of the media or the academy have examined the population to which the question is most directly relevant—prison inmates. Who can speak more meaningfully to the effects of punishment than the punished? Who better than criminals can speak about what will deter crime? Although public opinion polls are useful for tracking shifts in penal preferences, they generally cannot speak to more than the public's *perception* of how well the death penalty is accomplishing the goal of crime reduction.

We would like to thank the following people for their assistance: Anthony Brigano, Richard Cain, Dr. Richard Jent, Steve Vane Dine, the Ohio Department of Rehabilitation and Correction, Shannon Daniel, Heather Harper, Jeanne Ballantine, Mary Ellen Batiuk, Ellen Murray, David Orenstein, Pamela Wilcox, and the men who shared their experiences with us.

THE PRISON JOURNAL, Vol. 83 No. 4, December 2003 464-482
DOI: 10.1177/0032885503260181
© 2003 Sage Publications

The most recent study of inmate death penalty attitudes was conducted by Dennis Stevens in 1992. Stevens found that the attitudes of the incarcerated, like those of the general public, were largely supportive of capital punishment. Since that time, public attitudes have grown more conservative. State and federal legislatures have reacted accordingly, passing tougher and more restrictive penalties for law violations. What has been the effect of these measures on inmate attitudes about the death penalty? Have their attitudes also grown more conservative, or has their opposition to the death penalty risen in response to ascending penal conservatism? In light of these and other unanswered questions, the goal of this study is to provide a broad and in-depth examination of prisoner attitudes about capital punishment.

REVIEW OF THE LITERATURE

THE HISTORY OF THE DEATH PENALTY

Historically, one of the most strikingly obdurate forms of social control has been capital punishment—taking the life of the accused offender. Its ancient heritage can be traced back through England, Greece, and ancient Babylon to the Code of Hammurabi, which listed 25 different capital crimes. These crimes included disobedience to parents, adultery, blasphemy, violations of the Sabbath, incest, and witchcraft (Loeb, 1978, p. 13).

The death penalty has been part of the culture of the United States since its inception (Bedau, 1997). Although all the colonies invoked the death penalty for specific crimes against the state, the person, and property, individual jurisdictions crafted their own laws regarding sentences of death (Loeb, 1978; Masur, 1989). For example, the Massachusetts Bay Colony's death penalty resembled Mosaic Law, whereas the Quaker colonies of the mid-Atlantic only imposed the death penalty for treason and murder (Loeb, 1978, p. 25).

After the Revolutionary War, the newly independent states grounded their beliefs in rugged individualism and republican ideals, wherein public executions served as important symbolic demonstrations of the power, legitimacy, and the authority of the state. As Masur observes,

> What is certain is that "hanging day" embodied political, theological and cultural assumptions that mattered dearly to social elites in the early republic . . . the execution exhibited the authority of the state, it sought to bolster order and encourage conformity to a republican code of social values. (pp. 26-27)

However, support for the death penalty began to wane in the wake of an emerging abolitionist movement (Bedau, 1997; Lifton & Mitchell, 2002). The abolitionists introduced a series of social and legal reforms that separated murder into first and second degrees, ended public executions, granted juries the right to make binding recommendations in capital cases, limited the number of capital crimes, and rescinded the death penalty in three states (Bedau, 1997).

After a devastating Civil War, a surge in crime, disorder, and social instability once again tipped public sentiments in favor of capital punishment. As lynching became a common practice for protecting an uncertain social order, some abolitionist states (Maine and Colorado) reinstituted capital punishment as a mechanism for controlling vigilantism (Loeb, 1978, p. 29). The abolitionist movement resurfaced by 1900 and several western states abolished the death penalty. However, the chaos of Prohibition and the Great Depression hardened public attitudes toward crime, and executions rose from 135 in 1930 to 199 by 1935 (Bedau, 1997, pp. 9-11).

Death penalty attitudes softened again in the mid-1950s with the highly publicized executions of the Rosenbergs (a Russian husband-wife spy team) and the celebrated case of Caryl Chessman, who won the empathy of the public by serving as his own lawyer (Lifton & Mitchell, 2002, p. 38). Aided by the United Nations's open debate on the "right of the state to kill," groups such as the Quakers' Society of Friends and the American League to Abolish Capital Punishment resumed their crusades to ban the death penalty. In 1967 the U.S. Supreme Court declared a moratorium on executions while it debated the constitutionality of the death penalty (Bedau, 1997).

The year 1967 saw a dramatic rise in support for the death penalty that continued until 1994 when public support peaked at 80% (Gallup Poll News Service, 2000). Robert Bohm (1992) and others speculate that rising crime rates, urban riots, student sit-ins, antiwar demonstrations, changing sexual mores, demands for racial equality, and a general social unrest turned the tide in favor of greater support for the death penalty.

By the 1990s, high levels of support for the death penalty and "get-tough" attitudes culminated in the passage of The Violent Crime Control and Law Enforcement Act of 1994, which designated approximately 60 different capital crimes, including terrorist homicide, large-scale drug trafficking, and fatal carjackings (Federal Death Penalty Act of 1994, pp. 1959-1982). After the 1995 bombing of the Murrah Building in Oklahoma, the 1996 Anti-Terrorism and Effective Death Penalty Act restricted both state and federal prisoners' review opportunities, limited evidentiary hearings, and restricted federal habeas corpus petitions to one filing (Doyle, 1996).

TABLE 1: U.S. Death Penalty Opinion (1953-2001)

Survey Date	*% For*	*% Against*	*No Opinion*
October 2001	68	26	6
May 2001	65	27	8
June 2000	66	26	8
February 1999	71	22	7
September 1994	80	16	4
September 1988	79	16	5
January 1981	66	25	9
April 1976	66	26	8
October 1971	49	40	11
January 1965	45	43	12
March 1960	53	36	11
November 1953	68	25	7

SOURCE: Selected data from Gallup polls (Gallup Poll News Service Survey = GO133064 in the Gallup Poll Public Opinion 2001, pp. 51-52).

However, support for the death penalty began decreasing in the latter years of the 20th century (see Table 1). Even in the wake of the terrorist attacks on the World Trade Center on September 11, 2001, support for the death penalty rose only 3% to 68.3% (Gallup Poll News Service, 2001b). Reasons for such dramatic declines have been linked to falling violent crime rates as well as concerns over wrongful executions. It appears that despite the events of September 11th, the American public remains skeptical about the use of the death penalty, particularly compared to decades of the recent past.

Although these polls inform us of shifts in public sentiments about crime and identify important issues that may contextualize death penalty opinion, they tell us nothing about the actual efficacy of the death penalty for decreasing crime or attaining social justice. The present analysis takes this issue as its point of departure by focusing on inmates as key informants regarding the effectiveness of punishment; they are the population in the best situational circumstances to evaluate how well sanctions such as capital punishment may affect the commission of crimes.

PUBLIC DEATH PENALTY OPINION

Public opinion polls clearly demonstrate the depth and complexity of attitudes toward capital punishment. These insights should inform research on the opinions of inmates as well. For example, Harris (1986) argues that an overreliance on single-item indicators of death penalty support (e.g., "Do you support or oppose the death penalty?") masks the complexity of individual death penalty opinion. For example, in a California poll, support for the

death penalty dropped from 82% to 26% when respondents were offered the option of life without parole plus restitution to the victim's family rather than the typical support-or-oppose dichotomy (Bowers, 1990). In polls conducted in 2000, 66% of the public reported support for the death penalty, but when asked to choose between the death penalty and life without parole, only 52% choose the death penalty (Gallup Poll News Service, 2000). When asked if they supported the death penalty "without reservation," only 28% of the sample concurred. Clearly, the availability of options is an important consideration for any in-depth analysis of death penalty attitudes.

The type of offense committed is another important variable affecting death penalty opinion. For example, Ellsworth and Ross (1983) found that the death penalty is favored more frequently for murder than for nonlethal crimes. Likewise, Fox, Radelet, and Bonsteel (1990) found that death penalty support for a serial murderer is higher than for a battered wife who killed her abusive husband.

Crimes that capture public attention also appear to be related to death penalty support. For example, during World War II, a 1942 Gallup Poll reported that 85% of a nationwide sample indicated that the death penalty was an appropriate punishment for spies (Gallup, 1972, p. 342). Similarly, Ellsworth and Gross (1994) speculate that support for harsh sanctions for rape, child sexual abuse, and drug trafficking may be related to increased media exposure and public opinion. More recently, the bombings of the World Trade Center and the Murrah Federal Building in Oklahoma City have saturated the press, increasing public intolerance for domestic and international terrorism.

Pollsters have also examined whether members of specific groups such as juveniles, women, and the mentally impaired should be protected from death penalty consideration. These polls reveal that support for the exclusion of children has greatly eroded in recent years, with a majority of citizens and lawmakers now supporting the execution of those 17 years or older (Durham, 1994; Whitehead, 1998).[1] Support for the exclusion of the mentally impaired has been longstanding (Durham, 1994; Whitehead, 1998). In fact, in June of 2002 the U.S. Supreme Court declared the execution of persons with mental retardation a violation of the Eighth Amendment (Death Penalty Information Center, 2002, pp. 1-6).

Execution attitudes are also shaped by a number of demographic variables. Hispanics and Whites tend to support the death penalty whereas African Americans tend to oppose it (Bohm, 1992; Young, 1991). African American opposition seems to stem from a perception that the criminal justice system treats people of color unfairly (Young, 1991), whereas White support derives from a favorable attitude toward the system and a belief in deterrence

(Young, 1991). Research also shows that males tend to support the death penalty more than females (Bohm, 1992; Stack, 1999) and that older respondents report higher levels than the young (Fox et al., 1990; Lester, 1998). Those with greater incomes are more supportive than those with lower earnings (Grasmick, Cockhran, Bursik, & Kimpel, 1993; Lester, 1998). Finally, education may decrease support for the death penalty (Bohm, 1992; Lester, 1998).

An examination of political orientation reveals that liberals generally oppose capital sanctions (Durham, Elrod, & Kinkade, 1996; Grasmick et al., 1993), whereas conservatives and Republicans typically support them (Bohm, 1992; Lester, 1998). In regard to religion, the Catholic Church officially opposes the death penalty, yet 70% of Catholics surveyed indicated they did not find it morally wrong (Drinan, 1999). Young (1992) found a correlation between religious fundamentalism and support for the death penalty but concluded that it is not fundamentalism per se but rather fundamentalism embedded in biblical literalism that is linked to execution advocacy.

The research above demonstrates clearly that death penalty support is highly affected by factors such as respondent demographics, question phrasing, and punishment alternatives, yet few studies have explored the beliefs of specific strategic American subpopulations whose opinions are more informed about issues of crime and punishment than the general public. As Bohm (1991) has noted, "What little we know about American death penalty opinion is based on responses of people who know very little about it" (p. 136).

DEATH PENALTY OPINION AMONG EXPERTS AND OTHER GROUPS

In a survey of the presidents of the American Society of Criminology, the Academy of Criminal Justice Sciences, and the Law and Society Association, Radelet and Akers (1996) found that 80% of these experts they surveyed felt that the death penalty was not an effective deterrent to crime. The authors noted that their results agreed with a 1995 survey of police chiefs, who were also highly critical of the idea that executions deterred violent crime. Both groups of experts averred that death penalty advocacy is primarily a symbolic tool used by politicians to show that they are tough on crime. Their skepticism about the ability of the sanction to deter crime is illuminating given their interaction with criminals. However, although important, such insights are still one step removed from the criminal process. What is missing in most empirical work on death penalty opinion is research that focuses on offenders themselves.

One exception to this omission is the work of Sebba and Nathan (1984, p. 232), who found that a group of prisoners included in their study was more *opposed* to the death penalty than other groups composing the sample. A second exception is the work of Stevens (1992, pp. 275-276), whose study is the only extant empirically based inquiry to focus on inmate death penalty opinion. Stevens found that his inmate samples were more supportive of the death penalty than opposed to it (63% support in two Illinois samples and 53% in two Carolina samples) and that there was *no* difference in the levels of support between violent and nonviolent participants. Further respondent comments indicated that the specter of execution was insufficient to deter violent criminals from engaging in further violence once they were released from prison.

However, both of these studies suffer from serious methodological shortcomings. Sebba and Nathan (1984) failed to provide sufficient explanation regarding the selection of their sample. Moreover, their research focused on general perceptions of punishment severity rather than inmate death penalty attitudes. Although Stevens's (1992) central research question *was* inmate death penalty opinion, he used convenience samples of men enrolled in college classes he taught at two maximum- and two minimum-security prisons. At the maximum-security sites in Illinois, inmate essays and interviews provided the substance for his data. In the minimum-security sites, the data were secured from a closed-ended survey. These two data sets were then merged, severely limiting the study's usefulness. Though these results provide a good Likert-based overview of inmate death penalty opinion, they do not address any of the complexities of death penalty preferences or possible rationales behind these men's preferences.

This study seeks to extend previous research in order to obtain a greater understanding of inmate attitudes toward the death penalty. This is not to say that inmates have the final word on the subject, but their opinions should offer unique insights into issues of crime, criminal motivation, and punishment. Therefore, it is imperative that their voices be heard.

DATA AND METHODS

Data for this project were collected in the late summer and early fall of 1999.[2] The survey sample was randomly selected from the official list of 1,323 inmates[3] housed in a close-security prison in southwestern Ohio.[4] To obtain our sample, six-digit numbers were drawn from a random numbers table and then matched against the inmates' six-digit institutional numbers. The men were informed of the purpose of the research and assured that their

TABLE 2: Age and Race Composition of Research Sample, Survey Institution, State of Ohio, and U.S. Inmate Populations

Variable	*Study Sample*	*Inmate Population (Institution[a])*	*Inmate Population (Ohio[b])*	*Inmate Population (Total U.S.[c])*
Race/ethnicity (%)				
White	49.8	48.8	47.4	33.0
Non-White	50.2	53.2	52.6	67.0
Mean age (years)	33.9	33.7	33.6	31.6[d]

a. Personal conversation with Steve Van Dine, Chief, Ohio Department of Rehabilitation and Correction, 2002.
b. Personal conversation with Steve Van Dine, Chief, Ohio Department of Rehabilitation and Correction, 2002.
c. U.S. Bureau of Justice, Office of Justice Programs (2002) Criminal Offender Statistics
d. Calculated from Bureau of Justice Statistics (2000).

participation was confidential and voluntary. Random draws of inmates were repeated until the target sample of 300 participants was reached. This resulted in a total of 314 completed surveys. Five surveys were eliminated because of numerous incomplete responses, resulting in a final sample of 309.

The men completing the survey came from a variety of backgrounds. Educationally, 85.7% had attained a general equivalency diploma, high school diploma, technical or trade school training, or some college, whereas only 14.3% had less than a high school education. They ranged in age from 19 to 63, with a mean age of 33.9 years. Nearly half (49.8%) of the sample was non-White, whereas 50.2% were White. Their preinstitutional median income was $23,492. As a rule, the respondents grew up in a large city (39.6%), in intact nuclear families (60.6%), and had fathered at least one child (67.1%). The majority of the sample were single (83.3%) because of divorce, widowhood, or never having married. Overall, these men were less educated, younger, poorer, and less likely to be White when compared with nonincarcerated Americans.[5] However, as shown in Table 2, in relation to their incarcerated brethren, the demographics of this sample are quite comparable.[6]

The survey instrument was an 11-page, 100-item questionnaire that inquired about a variety of topics relating to the death penalty, social issues, the inmate's criminal history, and basic demographic information. Both closed-ended and open-ended questions were included.

The central variable in this analysis, death penalty opinion, was constructed from a single survey item that asked, "In general, do you support or

TABLE 3: Distribution of Inmate Death Penalty Opinion

Response	n	*%*
Strongly oppose	120	38.8
Somewhat oppose	44	14.2
Ambivalent	11	3.6
Somewhat support	100	32.4
Strongly support	34	11.0
Total	309	100.0

oppose the death penalty?" Four categories were provided for responses: *strongly oppose*, *somewhat oppose*, *somewhat support*, and *strongly support*. Because some respondents either checked both or placed a check between the two moderate categories, after the surveys were completed we constructed a fifth "ambivalent" category, which we placed as the midrange value between *somewhat support* and *somewhat oppose.*

Alternatives to the death penalty were offered to the respondents in two different forms: life with the possibility of parole, and life without the possibility of parole plus restitution to the victim's family. Respondents were also asked if women, juveniles, the elderly, the mentally ill, and the developmentally challenged should be exempt from the death penalty. The responses to these and other survey items relating to inmate death penalty preferences are described below.

RESULTS AND DISCUSSION

Tabulation of the data indicates that opposition to the death penalty was more prevalent than support. Table 3 reveals that 120, or nearly 40%, of the inmates were strongly opposed to the death penalty. Still another 44 (14.2%) were somewhat opposed this sanction. Thirty-four (11 %) of the respondents strongly supported its use. One hundred (32.4%) reported being somewhat in favor. Eleven inmates (3.6%) were neutral or were strongly ambivalent. Collapsed into dichotomous measures of support and opposition, the responses indicate that a total of 53% of the inmates opposed the death penalty whereas 43.4% supported it. As in the previous example, 3.6% were neutral. None of these differences, however, was statistically significant.

The demographic variables of age, education, income, and race were not statistically related to death penalty opinion despite the fact that older and African American respondents were less likely to support capital punishment than White and younger respondents. Though religious beliefs and spe-

cific scriptures were used to justify the stance of both those who opposed and those who supported state executions (e.g., "An eye for an eye" and "Vengeance is mine, sayeth the Lord"), inmates who reported that faith was important to their lives were significantly less likely to support the death penalty than those who did not ($p = .017$).

Though the respondents' death penalty opinions were quite diverse, it also appears that they were closely held and enduring, in that 85% reported that their response was the way they had "always felt" about the death penalty. Of the 48 men who reported that they had *not* always felt this way, half reported being strongly opposed. Their opposition derived from a variety of sources: having escaped the death penalty themselves, reading books about the death penalty, religious transformations, the experience of incarceration, the perceived corruptness of the criminal justice system, and wrongful death penalty convictions. As one respondent explained, "I used to believe in it, but too many innocent people are being falsely accused and it is becoming more evident that our country's courts are filled with corrupt prosecutors and lawyers."

The results of this analysis also indicate that the men were less supportive (43%) of the death penalty than the men in Stevens's inmate samples (53% and 63%) and the general public (66%). How can these differences be explained? Perhaps the most salient difference, noted previously, is that inmates are more likely to be younger, poorer, and members of an ethnic minority when compared to the general public (Bureau of Justice Statistics, 1995). Therefore, the higher levels of opposition among these men may stem from the fact that the groups most likely to oppose capital punishment (e.g. poor, uneducated) are overrepresented among the incarcerated. Even more curious is why the present results differ from those of Stevens's inmate samples.

Since the publication of Stevens's research, years of public and political pressure to "get tough on crime" have resulted in the widespread enactment of tougher penal reforms. As a result, the rate of Americans falling under jurisdiction of state and federal correctional authorities increased dramatically, with 292 citizens per 100,000 incarcerated in 1990 and 475 per 100,000 imprisoned only 9 years later—an increase of 63% (Maguire & Pastore, 2001, pp. 508-509). Between 1990 and 1998, the average time served increased from 22 to 28 months (Bureau of Justice Statistics, 2000, p. 1). Ohio echoed this trend with incarceration rates jumping from 289 per 100,000 in 1990 to 406 per 100,000 in 1999 (Maguire & Pastore, 2001, pp. 508-509).

A consequence of these sentence-restructuring initiatives was the creation of sentencing disparities. Several of the men reported being frustrated and

TABLE 4: Support for Alternatives to the Death Penalty

	Inmate Death Penalty Opinion		*Would Prefer "True" Life to Death Penalty*		*Restitution Would Decrease Support for Death Penalty*	
Category	n	*%*	n	*% of Category*	n	*% of Category*
Strongly oppose	120	38.8	74	69.2	8	8.5
Somewhat oppose	44	14.2	24	61.5	15	35.7
Ambivalent	11	3.6	4	40.0	1	1.1
Somewhat support	100	32.4	23	28.4	18	22.0
Strongly support	34	11.0	7	22.6	6	19.4
Missing	0		(41)		(51)	

angered by the fact that they had committed the same crimes as their fellow inmates but because of temporal differences in the commission of these crimes, they were serving longer sentences. Notably, nearly 90% of the men in our sample (88.5%) were incarcerated during this get-tough era.

Given such facts, it is reasonable to speculate that the greater opposition to executions among this sample may reflect a defensive posture of today's inmate toward harsher punishments when compared to the men in Stevens's study. In other words, we would not expect it to be in the best self-interest of felons to support increasingly severe sanctions. However, this does not appear to be the case. Our results indicate that the felons with the most self-interest (those most likely to face execution) were statistically no more likely than other inmates to oppose capital sanctions. Inmate death penalty opposition, then, may inhere less from the motivated self-interest of society's wrongdoers than it does from a grounded experiential assessment of the ineffectiveness of increasingly severe criminal sanctions by those in the best structural circumstances to appreciate their effects.

Consistent with prior research, the data indicate that the presentation of alternatives to execution can have a strong effect on support levels (see Table 4). When asked if the option of "true" life (a life sentence without the possibility of parole) was available, 30 of the 112 inmates responding who supported the death penalty (26.8%) indicated that they would prefer this option. When given the option of requiring an offender to work in prison industries for money that would go to the victims of the family, 24 (21%) of the 113 respondents who supported the death penalty indicated that their advocacy of the death penalty would decrease.[7]

To examine the possibility that factual information about the efficacy of executions for specific outcomes (e.g., deterrence and incapacitation) may

TABLE 5: Information, Deterrence and Death-Penalty Attitudes

	Inmate Death Penalty Opinion		*Would Change Position If Death Penalty Were Shown to Be Effective Deterrent*		*Would Change Position If Life Imprisonment Were an Equal Deterrent*	
Death Penalty Stance	n	*%*	n	*% of category*	n	*% of category*
Strongly oppose	120	38.8	5	5.2	13	13.4
Somewhat oppose	44	14.2	7	18.9	8	21.1
Ambivalent	11	3.6	2	28.6	2	2.5
Somewhat support	100	32.4	11	13.8	13	15.9
Strongly support	34	11.0	3	9.7	8	25.8
Missing	0		(57)		(53)	

have an effect on public opinion, the inmates were asked whether their position on the death penalty would change if they were given information that the death penalty does not deter violent crimes. This type of information would most likely affect those whose capital punishment attitudes hinged on the belief that it does deter violent crime. However, in this sample less than a quarter (24.5%) of the 220 respondents indicated they felt that it was a deterrent. In fact, 77.8% of the men who had committed more than three violent crimes felt it did not deter violent crime. Numerous reasons were given for this perception, including the large number of capital crimes that are unplanned and "just happen," its differential application, the infrequency with which it is used, the length of time between conviction and execution, offender indifference to consequences, and denial. As one respondent noted, "Most people who commit violent crimes either aren't expecting to get caught or are committing them in the heat of the moment. Very few, I'm sure, are thinking about the death penalty when they commit the crime." Another insightful inmate observed, "What stops crime is people understanding and caring about others. Not killing them."

As indicated in Table 5, only 13.8% of those who somewhat supported and just under 10% of those strongly supporting the death penalty indicated that they would change their stance if they were given information that it did not deter crime. Similarly, when asked if their opinion would change if life in prison was proven to be just as effective as a deterrent, only 15.9% of those somewhat and 25.8% of those strongly supporting the death penalty indicated that it would.

TABLE 6: Inmate Death Penalty Support for Specific Crimes

	Inmate Death Penalty Opinion		*Advocate Death Penalty for at Least 1 Specific Offense*[a]		*Advocate Death Penalty for a Crime Against a Child*[a]	
	n	% of *Sample*	n	% of *Category*	n	% of *Category*
Strongly oppose	120	38.8	23	19.2	16	13.3
Somewhat oppose	44	14.2	35	9.5	26	59.1
Ambivalent	11	3.6	7	63.6	7	63.6
Somewhat support	100	32.4	94	94.0	72	72.0
Strongly support	34	11.0	30	88.2	25	73.5
Missing	0		(189)		(146)	

a. Missing values scored as no/0.

For the 50 respondents who strongly believed the death penalty was a deterrent, only one fifth indicated that evidence to the contrary would change their mind. This comports with the work of Lord, Ross, and Lepper (1979), who found that people are reluctant to learn new information about the death penalty when it conflicts with their existing views. It also affirms Bowers's (1990) suggestion that popular support for the death penalty is not hard and firm. In fact, it might more accurately be described as soft and shaky.

Ellsworth and Gross (1994) observe that most death penalty research has focused on the tenuousness of death penalty support and has tended to be neglectful of equally rigorous scrutiny of death penalty opposition. Their critique seems well warranted. As seen in Table 6, nearly 80% of the inmate sample who somewhat opposed and 19% of those strongly opposed executions advocated their use in *some* specific cases. Nearly 58% of the sample felt that a crime against a child merited the death penalty. In fact, 10.8% of those strongly opposed and 54% of those somewhat opposed to the death penalty listed at least one offense against a child for which they felt capital sanctions should apply. Those who had children they still interacted with (40% of the 299 men responding) were twice as likely to support the death penalty for child abuse as those who no longer had contact with their children ($p = .045$).

The inmates' distaste for child abusers is consistent with their attitudes about the execution of children, minors, and young adults. Even after removing those opposed to the death penalty from consideration, 87.9% of the sample indicated that children should be exempted from the death penalty. Most felt this immunity should apply to all children younger than the age of 18. Other categories for which these respondents felt exemptions were war-

ranted included the mentally ill (47.8%), those with low IQs (44.8%), women (6.9%), and the aged (26.5%).

Because states vary in their forms of execution, we asked the inmates to indicate their preferences for executing those convicted of capital offenses; 39.5% listed lethal injection as the preferred method. A firing squad was the first choice for only 4.9% of the sample, followed by gas (3.9%), the electric chair (3.2%), and hanging (2.3%). Others (15%) preferred a method not currently used in the United States. These included decapitation, stoning, death pills, flogging, torture by a victim's family member, and starving offenders to death "on a cave in the middle of town square." Just over 17% of the 257 respondents thought the death penalty should be painful.

Young (1991) found that those who had negative experiences and perceptions of the criminal justice system were less likely to support the death penalty than those who did not. This research offers some confirmation of that finding. Our respondents were typically critical of the criminal justice system. A majority of respondents (89.2%) indicated that they did not feel the system was fair or that it does a good job of identifying criminals (72.3%). Over half (66.2%) disagreed with the notion that justice should be left to the professionals. However, the only criminal justice issue that was significantly related to opposition to the death penalty was the belief that the system fails to adequately punish wrongdoers ($p = .02$).

A final area of interest is the strength and consistency of the inmates' attitudes about the death penalty and other social issues relating to the state's power over life and death such as abortion, assisted suicide, and gun control. Inmates who were opposed to the death penalty were more likely to *oppose* abortion and assisted suicide ($p = .015$, $p = .000$, respectively) and to *support* gun control ($p = .000$) than those who supported the death penalty. The inmates' support for gun control was typically related to the respondents' concerns about guns falling into the hands of children or the mentally unstable. Their opposition to abortion and assisted suicide focused on the sanctity of life and contesting the right of a person or the state to take a life. Thus, in the final analysis it appears that these men were very discerning about the role of the state in matters of life and death and were fairly consistent in taking a pro-life stance.

The results of this work stand in stark contrast to current public opinion that shows moderately high levels of support for capital punishment and to previous work that found that inmates were significantly more likely to support the death penalty than to oppose it (Stevens, 1992). Like Stevens, the present results indicate that inmates do not think that the death penalty is an effective deterrent. In fact, these results paint a picture of a reflective and pragmatic inmate whose experiences have revealed to him the futility of the

death penalty in curbing violent crime, which he views as a negation of the fundamental logic and purpose of its existence.

CONCLUSIONS

With the resumption of executions by the Federal government and the rapid pace with which states are carrying out death sentences, the need to understand attitudes about the death penalty is more imperative than ever. This research makes a significant contribution to this discourse by examining a population that can offer first-hand empirical insights about criminal motivation and the efficacy of sanctions—prison inmates. Our research found that although inmate opposition to the death penalty slightly outweighed support, this difference was not statistically significant. Furthermore, when offered alternatives to the death penalty, levels of support for capital punishment softened considerably. Conversely, when asked about support for the application of the death penalty for specific crimes, such as child abuse, only 34.4% of the sample consistently opposed capital punishment. This finding is notable because most previous research has only focused on the softness of support for the death penalty (Ellsworth & Gross, 1994). The present research indicates that the softness issue is a double-edged sword, eviscerating substance from both ends of the death penalty spectrum, and points to the need for more concerted attention regarding the precariousness of death penalty opposition.

Perhaps even more important than *what* the inmates think are the *reasons* for their beliefs. Their responses suggest that inmate attitudes derive from knowledge gained through personal experiences and insights rather than an affective ideological orientation. Their opposition does not appear to stem from the fear that they themselves will be executed or from profound empathy for their fellow captives who will. Few of these men have taken a life (and most never will), and those who have are no more likely to oppose the death penalty than to support it. Rather, their experiences have convinced them that executions do *not* deter violent crime. They argue that most capital crimes are unplanned and that the criminal justice system is fundamentally flawed, opinions shared by other experts in the field (Radelet & Akers, 1996).

To many, the inmates' cynicism regarding the lack of fairness and effectiveness of the criminal justice system may sound like sour grapes or standard inmate fare, but the survey responses indicate that these attitudes are shaped primarily from informed experience and observation rather than self-indulgent bitterness toward their captors. The inmates see the prison population every day, and it looks remarkably like them—poor, undereducated, and

disenfranchised. Many have experienced a public defense system that is underfunded and understaffed and decry the practice of plea bargaining as being a "charade" and "state-funded blackmail." Such encounters hardly engender faith in the effectiveness or fairness of the criminal justice system. In sum, these inmates occupy a unique position in the criminal justice system from which valid critiques of the system's policies and practices can be made, and which society can ill afford to dismiss.

The inmates' appreciation for justice is demonstrated in their concern for the well-being of children. Particularly compelling was the large number of respondents who opposed the death penalty in principle but supported it when children were harmed. Though many explanations are possible, future analyses may benefit from exploring the possibility that inmate concerns about child abuse are tied to their own childhood histories. More in-depth information about the amount and kind of abuses suffered by inmates may help to shed light on this finding.

Although this research contributes much to the understanding of inmate death penalty opinion, it is not without limitations. These data were collected from a single, close-security male prison in southwestern Ohio. It may be the case that this institution was not representative of inmate opinion from other Ohio penal institutions or regions of the country. In addition, female prisoners may hold different attitudes than male prisoners. Research designs that explore some of these variations would add greatly to our understanding of inmate death penalty preferences.

There are a number of concerns endemic to prison research, the most crucial of which is the reliability of inmate responses, particularly concerning the frequency and severity of their criminal histories. Although research has shown self-reports to be reliable, a reporting bias could have dramatic effects on the results if offenders were not forthcoming in reporting their crimes. Designs that incorporate official inmate offense data might add to the reliability of the findings.

Other systemic concerns involve research logistics posed by institutional constraints: the presence of correctional officers in the hallways during the administration of the survey, small rooms that are not amenable to conducting large social surveys, the prison grapevine that passes on information about the research to successive waves of potential respondents, and the assumptions made by the inmates concerning the motives of the researchers.

Historical events are also relevant considerations in prisoner research. This study was conducted 6 months after the state of Ohio executed its first inmate since the Supreme Court execution moratorium was lifted in 1976. This event could have affected the results of this study, in spite of the assertions by the majority of inmates (85%) that their reported opinion was "the

way I've always felt." Nonetheless, future studies would benefit from longitudinal designs as well as attention to the effects of executions on the incarcerated.

This research has concerned itself with examining and describing the attitudes of inmates regarding the death penalty. Though this research has produced many interesting and important insights about inmate death penalty preferences, a considerable number of issues and questions remain. We hope that in the future more death penalty opinion research will incorporate the contributions of criminal populations and give voice to the unique and informed insights that these men have to offer about issues of crime and justice.

NOTES

1. The terminology used to designate the relative age of the offender can be a critical factor shaping respondent attitudes (e.g., "Would you support the execution of a juvenile" versus "youth," "minor," "teenager," "someone under 18," "someone under 16," "someone under 12," or "someone under 10"?).

2. Approval for this research was obtained from the Ohio Department of Rehabilitation and Correction Human Subjects Research Review Committee and the Wright State University Institutional Review Board.

3. At the request of the prison administration we excluded 88 inmates housed in the prison's residential treatment unit who suffered from a wide range of psychological disorders. This request was based on security concerns and the expectation that they would be unable to give sufficiently meaningful responses.

4. Close-security prisons include all of the characteristics of a medium-security prison with the added features of increased regimentation, greater restriction of movement, and double celling. Prisoners assigned to close-security facilities are considered to be more violent and more likely to attempt escape than those held in medium-security facilities.

5. Statistics from the 2000 U.S. Census indicate that the median age for Americans was 35.3 years. The median age of our sample was 32.5 years. Nationally, 51.1% of the population attained education beyond a high school diploma, whereas in this sample only 49.5% had a post–high school education. The median income for an individual male living in the United States for the year 1999 was $27,275. Our sample's inflation-adjusted annual median income was $23,492. In the year 2000, 14.1% of the American population identified as non-White. Among the inmates in our sample, just over half (50.2%) reported being non-White (U.S. Bureau of the Census, 2001).

6. Comparable data on other variables such as education and income were not available.

7. Responses to this question were likely affected by our omission of the phrase "and life without the possibility of parole" to this question. Other research on restitution as an alternative to execution has included it as an additional proviso to the "true" life option. Our omission means that direct comparison to other research in which both conditions are specified (true life and restitution) is unwarranted.

REFERENCES

Bedau, H. A. (Ed.). (1997). *The death penalty in America: Current controversies*. New York: Oxford University Press.

Bohm, R. M. (1991). American death penalty opinion, 1936-1986: A critical examination of the Gallup polls. In R. Bohm (Ed.), *The death penalty in America: Current research*, pp. 113-145. Cincinnati, OH: Anderson.

Bohm, R. M. (1992). Toward an understanding of death penalty opinion change in the United States: The pivotal years, 1966 and 1967. *Humanity and Society, 16*(4), 524-542.

Bowers, W. J. (1990, May 28). The death penalty's "shaky" support. *The New York Times*, p. 21.

Bureau of Justice Statistics. (1995). *Prisoners in 1994*. Washington, DC: Government Printing Office.

Bureau of Justice Statistics. (2000). *Prisoners in 1999*. Washington, DC: Government Printing Office.

Death Penalty Information Center. (2002). *Mental retardation and the death penalty* (pp. 1-6). Washington, DC: www.deathpenaltyinfo.org.

Doyle, C. (1996). *Antiterrorism and effective death penalty act of 1996: A summary*, 1-41. Criminal Law Division. Retrieved from http://www.fas.org/irp/ers/96-499.htm

Drinan, R. F. (1999). Catholic politicians and the death penalty. *America, 180*(15), 19-20.

Durham, A. M. (1994). *Crisis and reform: Current issues in American punishment*. Boston: Little, Brown.

Durham, A. M., Elrod, H. P., & Kinkade, P. T. (1996). Public support for the death penalty. *Justice Quarterly, 13*(4), 705-730.

Ellsworth, P. C., & Gross, S. R. (1994). Hardening of the attitudes: American views on the death penalty. *Journal of Social Issues, 50*, 90-115.

Ellsworth, P. C., & Ross, L. (1983). Public opinion and capital punishment. *Crime & Delinquency, 29*, 116-130.

Federal Death Penalty Act of 1994, Title 6, & 60001 et. Seq. (1995). Laws and concurrent resolutions during the second session of the One Hundred Third Congress of the United States of America. *United States Statutes at Large 1994 V. 108, Part 3*, 1959-1982, Washington, DC: Government Printing Office.

Fox, J. A., Radelet, M. L., & Bonsteel, J. (1990). Death penalty opinion in the post-Furman years. *New York Review of Law and Social Change, 18*, 499-528.

Gallup, G. H. (1972). *The Gallup Poll: Public opinion 1935-1971. Vol. 1, 1938-1945* (p. 342). New York: Random House.

Gallup Poll News Service. (2000, June 23). *Two-thirds of Americans support the death penalty.* Retrieved July 1, 2001, from http://www.gallup.com/poll/releases/pr000623b.asp

Gallup Poll News Service. (2001a, May 10-14). *Survey conducted by Gallup Poll News Service.*

Gallup Poll News Service. (2001b, October 11-14). *Survey conducted by Gallup Poll News Service.*

Grasmick, H. G., Cockhran, J. K., Bursik, R. J., Jr., & Kimpel, M. (1993). Religion, punitive justice, and support for the death penalty. *Justice Quarterly, 10*(2), 289-314.

Harris, P. (1986). Over simplification and error in public opinion surveys on capital punishment. *Justice Quarterly, 3*, 429-455.

Lester, D. (1998). *The death penalty issues and answers*. Springfield, IL: Charles C. Thomas.

Lifton, R. J., & Mitchell, G. (2002). *Who owns death? Capital punishment, the American conscience, and the end of executions.* New York: Perennial.

Loeb, R. A., Jr. (1978). *Crime and capital punishment.* New York: Franklin Watz.

Lord, C., Ross, L., & Lepper, M. (1979). Biased assimilation and attitude polarization: The effects of prior theories on subsequently considered evidences. *Journal of Personality and Social Psychology, 37*, 20-28.

Maguire, K., & Pastore, A. L. (Eds.). (2001). *Sourcebook of criminal justice statistics 2000*. Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics.

Masur, L. P. (1989). *Rites of execution: The transformation of American culture from 1776-1865*. New York: Oxford University Press.

Radelet, M. L., & Akers, R. L. (1996). Deterrence and the death penalty: The view of the experts. *Journal of Criminal Law & Criminology, 87*(1), 1-16.

Sebba, L., & Nathan, G. (1984). Further exploration in the scaling of penalties. *British Journal of Criminology, 24*, 221-249.

Stack, S. (1999, November). *Support for the death penalty: A gender specific model*. Unpublished paper presented at the 51st Annual Meetings of the American Society of Criminology, Toronto, Canada.

Stevens, D. (1992). Research note: The death sentence and inmate attitudes. *Crime & Delinquency, 38*(2), 272-279.

U.S. Bureau of the Census. (2001). *Statistical abstract of the United States, 2001*. Washington, DC: Government Printing Office

Whitehead, J. T. (1998). "Good ol boys" and the chair: Death penalty attitudes of policy makers in Tennessee. *Crime & Delinquency, 44*(2), 245-256.

Young, R. L. (1991). Race, conception of crime and justice and support for the death penalty. *Social Psychology Quarterly, 5*(1), 67-75.

Young, R. L. (1992). Religious orientations, race and support for the death penalty. *Journal for the Scientific Study of Religion, 31*(1), 76-87.

Norma Wilcox is an assistant professor of sociology at Wright State University. Her current research focuses on prisoner attitudes and recidivism among postsecondary correctional education participants.

Tracey Steele is an assistant professor of sociology at Wright State University. Her current research focuses on gender and prisoner attitudes and informal social control within youth gangs.