Vengeance, Retribution, or Mistake? Discussing the Death Penalty in America, 1960-2002

Presentation to the Justice Project
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Presentation Highlights

- Background on Issue Definition
- Longitudinal Study on Changing Definition of Death Penalty Issue
- Public Opinion Research
- Future Projects
Issue Definitions and Their Policy Consequences

- All issues are inherently multi-dimensional.
- Attention often focuses on one set of dimensions at a time, surprisingly.
- Attention can shift dramatically and with long-lasting policy consequences.
- Pesticides as an example:
  
  (Drawn from Agendas and Instability, Fig. 5.3)
Pesticides: Looking Good after World War Two

Media Coverage of Pesticides, 1900-1990

Year

Number of Stories / Percent Positive Tone

Total Coverage

Percent Positive
Pesticides: No Longer Such Good News after 1956

Media Coverage of Pesticides, 1900-1990

Year

Number of Stories / Percent Positive Tone

1900 1920 1940 1960 1980

Total Coverage  Percent Positive
Pesticides: From Green Revolution to Nobody’s Baby

Media Coverage of Pesticides, 1900-1990

Year

Number of Stories / Percent Positive Tone

1900 1920 1940 1960 1980

Total Coverage

Percent Positive
Are we on the verge, or indeed in the middle of, a major redefinition of public understanding of the death penalty in America?
Major Dimensions of Death Penalty Debate

- **Efficacy** - Does the punishment serve a functional purpose?
- **Moral** - Should we use the death penalty at all?
- **Fairness** - Is the capital punishment process fair?
- **Constitutionality/Judiciary** - Is the penalty constitutional and how much power do the courts have?
- **Cost** - Is the death penalty cost-effective?
- **Mode of Execution** - Which modes of execution should be permitted?
- **International** - We should consider the many complaints from abroad regarding our death penalty system
Methodology

- Developed coding scheme incorporating all of these possible arguments about the death penalty
- Coded 3,500 New York Times abstracts under the index title “Capital Punishment”
- This represents the whole set of articles from 1960-2001
<table>
<thead>
<tr>
<th>ID</th>
<th>NYT Year</th>
<th>Day / Month</th>
<th>Front Page</th>
<th>3 Tone</th>
<th>4 Story Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>1944</td>
<td>1960</td>
<td>1/14/1960</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Victim Characteristics
- 10 Officer
- 11 Child
- 12 Multiple
- 13 Family Mention
- 14 Female
- 15 Other

### Defendant Characteristics
- 20 Terrorist
- 21 Minority
- 22 Mentally Handicapped
- 23 Female
- 24 Parent
- 25 Juvenile
- 26 Mentally Ill
- 27 Humanized
- 28 Other Vulnerable
- 29 Other VulChar

### Nature of Crime / Mode of Execution
- 30 Mode of execution discussed
- 31 Type of Crime
- 32 Violence of crime discussed
- 33 Legislative Initiative

### Dimensions of Debate
#### 100 Efficacy
- 101 Deterrence
- 102 Incapacitation
- 103 All Good
- 104 General Pro
- 110 Not Deterrent
- 111 All Systems Pro
- 119 General Anti

#### 200 Moral
- 201 Retribution
- 202 Family Vengeance
- 203 Type Crime/Extension
- 209 General Pro
- 210 Killing Vengeance
- 211 Family Opposed
- 219 General Anti

#### 300 Fairness / Process
- 301 Accurate
- 302 Abbreviated Process
- 303 Flawless
- 304 No Blanket
- 305 General Pro
- 310 Inadequate Rep
- 311 Arbitrary
- 312a Racist
- 312b Classist
- 312c Other Demographic
- 313a Vulnerable Popul
- 313b Mitigating
- 314 Mandatory
- 315 No Alt Punish
- 316 Evidence
- 317 Innocence
- 318 Broken
- 319 General Anti

#### 400 Const / Pop Control
- 401 Not Cruel
- 402 Process Upheld
- 403 Pop Support Pro
- 404 State Rights Pro
- 405 Fed Juvis Anti
- 409 General Pro
- 410 Cruel Unusual
- 411 Via Due Process
- 412 Pop Support Anti
- 413 State Fights Anti
- 414 Fed Juvis Anti
- 419 General Anti

#### 500 Cost
- 501 Worth It
- 502 Prison Exp
- 503 General Pro
- 510 Not Worth It
- 511 Prison Cheaper
- 515 General Anti

#### 600 Mode
- 601 Mode Just
- 603 General Pro
- 610 Mode Questioned
- 615 General Anti

#### 700 International
- 709 General Pro
- 710 Int Complaints
- 711 Extradition Probs
- 712 Foreign Natts
- 715 General Anti

### Notes
“Critics of capital punishment accuse Virginia officials of being vindictive for not allowing Earl Washington Jr to appear at news conference on Capitol Hill to talk about death sentence he narrowly escaped for rape and murder he did not commit; news conference is part of campaign to legislate greater opportunities for appeal under death penalty.”

Codes Received: Strong anti tone, News story type, Type of crime committed, Violence of crime committed, Legislative initiative, Innocence, General fairness anti-death penalty

“State of Missouri will execute 26-year old Antoniao Richardson, mentally retarded man, despite pleas for clemency from mother of his two victims; he was 16 years old in 1991, when he murdered 20-year-old Julie Kerry and 19-year-old sister Robin.”

Codes Received: Weak pro tone, News story type, Type of crime committed, Victim multiple mentioned, Victim female, Victim family mentioned, Defendant mentally handicapped, Defendant juvenile, Victim family morally opposed
Total Number of *NYT* Articles, 1960-2001

![Graph showing the total number of NYT articles from 1960 to 2001. The graph indicates fluctuations in the number of articles over the years, with a significant increase around 2000.](chart)
Front Page NYT Coverage, 1960-2001
Type of Story in *NYT*, 1960-2001
Proportion of Articles with Anti-Death Penalty Tone, 1960-2001*

*Out of those articles which had an identifiable tone
Proportion of Articles Containing Pro-Death Penalty vs. Anti-Death Penalty Arguments

The graph shows the proportion of articles containing pro-death penalty arguments (blue line) and anti-death penalty arguments (pink line) over the years from 1960 to 2000. The proportion is plotted on the vertical axis, ranging from 0 to 1, and the years are labeled on the horizontal axis.
Growing Gap Between Number of Abstracts Containing Pro-Death Penalty and Anti-Death Penalty Arguments
## The Tone Is Related to the Topic

<table>
<thead>
<tr>
<th>Major Argument Categories</th>
<th>Pro-Death Penalty (# of articles)</th>
<th>Anti-Death Penalty (# of articles)</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Moral</td>
<td>56% (265)</td>
<td>44% (205)</td>
<td>-13%</td>
</tr>
<tr>
<td>Mode</td>
<td>49% (83)</td>
<td>51% (87)</td>
<td>2%</td>
</tr>
<tr>
<td>Constitutional/Judiciary</td>
<td>44% (436)</td>
<td>56% (563)</td>
<td>13%</td>
</tr>
<tr>
<td>Efficacy</td>
<td>33% (52)</td>
<td>67% (104)</td>
<td>33%</td>
</tr>
<tr>
<td>Cost</td>
<td>30% (3)</td>
<td>70% (7)</td>
<td>40%</td>
</tr>
<tr>
<td>New Issues (Evidence/Innocence)</td>
<td>22% (100)</td>
<td>78% (359)</td>
<td>56%</td>
</tr>
<tr>
<td>Fairness</td>
<td>20% (144)</td>
<td>80% (566)</td>
<td>59%</td>
</tr>
<tr>
<td>International</td>
<td>16% (10)</td>
<td>84% (54)</td>
<td>69%</td>
</tr>
</tbody>
</table>
Efficacy Arguments, 1960-2001

The graph shows the proportion of articles over the years from 1960 to 2000.
Moral Arguments, 1960-2001

The graph shows the proportion of articles discussing moral arguments from 1960 to 2001. The x-axis represents the year, while the y-axis indicates the proportion of articles. The data fluctuates over the years, with peaks in the mid-1960s and late 1970s, and consistent levels towards the end of the period.
Fairness Arguments, 1960-2001

The graph shows the proportion of articles discussing fairness arguments from 1960 to 2001. The x-axis represents the years, while the y-axis shows the proportion of articles. The data points indicate a trend of increasing interest from 1960 to 2001, with significant peaks and troughs throughout the period.
Cost Arguments, 1960-2001
Mode of Execution Arguments, 1960-2001

The graph shows the proportion of articles discussing mode of execution arguments over the years from 1960 to 2000. The x-axis represents the years, while the y-axis indicates the proportion of articles. The data peaks in 1985 and shows a general fluctuation with a slight increase in the early 2000s.
International Arguments, 1960-2001

Bar chart showing the proportion of articles over the years from 1960 to 2000.
Innocence and Evidence Arguments, 1960-2001

![Graph showing the proportion of articles over the years 1960 to 2001. The x-axis represents the years, and the y-axis represents the proportion of articles. There is a trend showing an increase in the proportion of articles over time.]
Proportion of Articles Containing New Issues and Defendant Characteristics

Proportion of Articles

Year


Proportion of Articles

New Issues

Defendant Characteristics

Either New Issues or Defendant Characteristics
Public Opinion on the Death Penalty

Source: Gallup Poll Data
Modeling Public Support for the Death Penalty

Support = $\beta_0 + \beta_1 \text{gender} + \beta_2 \text{race} + \beta_3 \text{racial attitudes} + \beta_4 \text{region} + \beta_5 \text{education} + \beta_6 \text{partisanship} + \beta_7 \text{income} + \beta_8 \text{religion}$

**Value Labels**

- **gender:** (0=female, 1=male)
- **race:** (0=black, 1=white)
- **racial attitudes:** (0=do not agree; 1=do agree) with the statement that “blacks should not push themselves where they don’t belong”
- **region:** (0=non-South, 1=South)
- **education:** (0=less than high school, ... 4=graduate school)
- **partisanship:** (1=strong Democrat, ... 5=strong Republican)
- **income:** (0=less than $25,000/year; 1=more than $25,000/year)
- **religion:** (0=non-Protestant; 1=Protestant)
## Predictors of Public Support for the Death Penalty

<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>**p &lt; .10; **p &lt; .05; ***p &lt; .01; ****p &lt; .001; *****p &lt; .0001</td>
<td>logit estimates (standard errors listed in parentheses)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>gender</td>
<td>0.32 ** (0.16)</td>
<td>0.36 ** (0.14)</td>
<td>0.17 (0.14)</td>
<td>0.53 **** (0.14)</td>
</tr>
<tr>
<td>race</td>
<td>0.79 **** (0.21)</td>
<td>0.71 **** (0.19)</td>
<td>1.48 *** (0.18)</td>
<td>1.31 **** (0.19)</td>
</tr>
<tr>
<td>racial attitudes</td>
<td>0.64 **** (0.18)</td>
<td>0.33 ** (0.15)</td>
<td>0.22 (0.14)</td>
<td>0.59 **** (0.15)</td>
</tr>
<tr>
<td>region</td>
<td>0.12 (0.17)</td>
<td>0.13 (0.15)</td>
<td>0.32 ** (0.14)</td>
<td>0.01 (0.14)</td>
</tr>
<tr>
<td>education</td>
<td>-0.06 (0.07)</td>
<td>-0.24 **** (0.06)</td>
<td>-0.16 ** (0.04)</td>
<td>-0.16 *** (0.04)</td>
</tr>
<tr>
<td>partisanship</td>
<td>0.18 **** (0.04)</td>
<td>0.24 **** (0.04)</td>
<td>0.04 (0.04)</td>
<td>0.14 **** (0.04)</td>
</tr>
<tr>
<td>income</td>
<td>0.17 (0.17)</td>
<td>0.20 (0.15)</td>
<td>0.33 ** (0.15)</td>
<td>0.38 ** (0.15)</td>
</tr>
<tr>
<td>religion</td>
<td>0.03 (0.17)</td>
<td>0.17 (0.15)</td>
<td>0.26 * (0.14)</td>
<td>0.22 (0.14)</td>
</tr>
<tr>
<td>(constant)</td>
<td>-0.16 (0.27)</td>
<td>-0.08 (0.23)</td>
<td>-0.58 (0.22)</td>
<td>-1.12 (0.22)</td>
</tr>
<tr>
<td>n</td>
<td>1132</td>
<td>1437</td>
<td>1333</td>
<td>1260</td>
</tr>
<tr>
<td>X²</td>
<td>79.46 *****</td>
<td>127.65 *****</td>
<td>108.06 *****</td>
<td>155.77 *****</td>
</tr>
</tbody>
</table>
Predicted Impacts on Support for the Death Penalty

Predicted Increase in Probability of Support for the Death Penalty

- Gender
- Race
- Racial attitudes
- Region
- Education
- Income
- Partisanship
- Religion
## Predicted Probability of Support for the Death Penalty

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Person “A”</strong>*</td>
<td>95%</td>
<td>96%</td>
<td>92%</td>
<td>94%</td>
</tr>
<tr>
<td><strong>Mean</strong></td>
<td>82%</td>
<td>81%</td>
<td>77%</td>
<td>73%</td>
</tr>
<tr>
<td>**Person “B”****</td>
<td>40%</td>
<td>26%</td>
<td>23%</td>
<td>15%</td>
</tr>
<tr>
<td><strong>Difference between “A” and “B”</strong></td>
<td>55%</td>
<td>70%</td>
<td>69%</td>
<td>79%</td>
</tr>
</tbody>
</table>

* **Person “A”**: white; male; believes “blacks should not push themselves where they don’t belong”; Southern, less than high school level of education; strong Republican; earns > $25,000 a year; Protestant

** **Person “B”**: black; female; disagrees with the statement that “blacks should not push themselves where they don’t belong”; non-Southern, graduate school level of education; strong Democrat; earns < $25,000 a year; non-Protestant
Future Work

- More complete public opinion model
- Dynamic model of public opinion over time
  - 150 polls from 1957 to present
  - Objective indicators (crime statistics, etc.)
  - Amount and tone of news coverage
- Full test of the impact of changing issue definition on public attitudes
Preliminary Findings

- Significant decline in support for the death penalty
- This decline appears to be related to the changing nature of the public debate surrounding the death penalty issue
Some Remaining Puzzles

- The impact of race
- The effects of partisanship
- Is the decline in public support shared across segments of the population, or are some groups immune to changing issue definitions?