

## **Introduction**

In my experience as a student in the criminal justice program, I developed an interest on the issue of capital punishment. The knowledge helped me understand many views that the ordinary people do not have. I did some research which was done to know about people's opinions on the death penalty in the United States. Later, I developed a deeper interest in the legislator's opinion. I wondered if exposing the legislators to witnessing an execution would change their support for the death penalty. Exposing legislators to an execution would give them the experience and understanding of what takes place on an execution, which should better enable them to determine death penalty policy. As responsible citizens we have to make sure that our legislators are not basing death penalty decisions on their own biased opinions. Many of them have already witnessed an execution; others do not want to witness one. Legislators regularly turn their attention from issues that do not affect them personally in their lives. They think it is not important, therefore they do not look deep into it and ignore them, the same happens to legislators, but with an experience they might analyze many things better, before making any decision. A very strong and important decision is the death penalty, and there should be a law requiring them to witness an execution prior to making any decisions in regard to the death penalty. The expectation I would have is that once they witness an execution most of them would try to abolish the death penalty because of the emotional impact it would cause. The law would give me the hope of having our rulers make wise decisions not just opinions that help no one. I would establish an experiment to show that experience means a lot in our lives, especially the experience of witnessing an execution.

## **Previous Research Literature Review**

Bohm, Clark and Aveni (1991) Studied death penalty opinions derived from cases brought before the Supreme Court. McGarrell and Sandys (1996) wanted to identify the differences between the citizens and legislators of Indiana in attitudes and beliefs about capital punishment. In three different studies, Snell and Stephan (1996, 1997, 2000) provided a demographic profile of executed prisoners in the U.S.

Bohm et al (1991) wanted to know if public lacks knowledge about the death penalty and its effect. McGarrell and Sandys (1996) wanted to know if when presented with a harsh but meaningful alternative, would people (1) see fundamental shortcomings in the death penalty as a punishment or (2) accept the death penalty because they believe currently available alternatives are insufficiently harsh or meaningful. Snell and Stephan (1996,1997, 2000) conducted a descriptive study only, and thus had no hypotheses.

### **Methods Used in Previous Research**

Bohm, et.al (1991) conducted an experiment with 272 undergraduates of a medium-sized university in northeastern Alabama. There were 190 subjects in an experimental group which was composed of students enrolled in a special class on the death penalty during the spring of 1985 (n=44), 1986 (n=41, 1987 (n=50) and 1988 (n=55); The experiment group contained 54% males, 46% females, 47% blacks and 53% whites. The experimental group also had previous knowledge about the death penalty. A control group was made up of 82 selected students, which consisted of enrollment in other courses offered at the same time as the death penalty class in 1985 (n=27) and 1988 (n=55). The control group contained 50% males and 50% females, 27% blacks and 73% whites. None of the groups were randomly selected.

McGarrell and Sandys (1996) conducted a citizen's survey and a legislator's survey on attitudes about the death penalty. Indiana University students collected the citizen's survey during the fall and winter of 1991-1992. Student interviewers were specially trained for this project. The study used a random telephone sample based upon gender and age groupings for each of the 92 counties of Indiana. A computer program was used to randomly generate telephone numbers for all exchanges in Indiana. The study represented residents of over 18 years of age. A total of 514 interviews were completed. Five graduate students conducted the legislative survey, as part of a seminar taught by the second author on capital punishment and trained for this project. First, they attempted to contact the legislators by telephone. A copy of the instrument was mailed to legislators who wanted to participate in the study but preferred to complete it on their own. Some were also mailed to those legislators who could not be reached by telephone. They completed 113 questionnaires, 83 telephone interviews and 30 by mail. Of 150 attempted, 113 participated.

Three other studies, conducted by The Bureau of Justice based on data annually collected on persons under sentence of death throughout the Department of Corrections. (Snell and Stephan, 1996,1997, 2000) The data was obtained from Office of Attorney General in each of the 50 states, District of Columbia and The Federal Government.

### **Measurement Used in Previous Research**

Bohm et al (1991) involved three principal variables in the study: opinions toward the death penalty, knowledge about it, and a desire for retribution. It was measured by four questions. (1) Which of the following statements best describes your position toward the death penalty for all persons convicted of first-degree murder? Response sets varied from very strongly oppose to very strongly in favor. (2) Whether they favored the death penalty for some people

convicted of first-degree murder. Response sets were the same as previous except the class of 1985 which had yes, no, and don't know. (3) If you served on a jury in a trial where the defendant, if found guilty, would automatically be sentenced to death, could you convict that defendant? (4) If asked to do it, could you pull the lever that would result in the death of an individual convicted of first-degree murder? Responses categories for last questions were yes, no, don't know.

McGarrell and Sandys (1996) asked respondents in a survey whether they generally favor the death penalty or whether they would favor alternatives to capital punishment. They also asked whether respondents favor life without the possibility of parole or life without parole coupled with a requirement that the offender work in prison and make restitution to the victim's family.

Snell and Stephan (1996, 1997, 2000) studies focused on how many people were executed, the personal characteristics such as age, race, and gender of each individual, and the characteristics of the crimes committed such as when, where, type of execution and if any person was dropped of death penalty.

### **Findings in Previous Research**

Bohn et al (1991) found that the subjects lacked knowledge about the death penalty and that knowledge had little effect on changing death penalty opinions. The subjects that had some knowledge and opposed the death penalty prior to experiment, some supported the death penalty in some test but not in others.

McGarrell and Sandys (1996) found that among citizens, 62% preferred life without the opportunity of parole (LWOP) plus work and only 26% supported death penalty. Among

legislators 50% preferred capital punishment, 40% would like one of the three variations of life without the opportunity of parole.

According to Snell and Stephan (1996, 1997, 2000) in the Bureau of Statistics findings, in 1994, 13 states executed 31 prisoners. Among the executed, 18 were whites, 10 blacks, 3 Hispanics. In 1996, 19 states executed 45 prisoners. Among the executed, 27 of the executed were whites; 14 blacks; and 4 Hispanic. In 1999, 20 states executed 98 prisoners. Among the executed, 61 of the executed were whites; 33 blacks; 2 American Indians and 2 Asians.

Snell and Stephan (1996, 1997, 2000) also found that the type of executions they used in 1994 was: 23 lethal injection, 6 electrocutions, 1 lethal gas, and 1 by hanging. In 1996 were: 36 lethal injections, 7 electrocutions, other 2 would not say. The executions in 1999 were: 94 lethal injections, 3 electrocutions, and 1 by lethal gas.

In 1994, out of 2,890 that were sentenced to death only 6 were federal and out of 26 states 100 sentences were overturned or removed. In 1996, out of 3,219 that were sentenced to death only 11 were federal and out of 27 states and Federal Bureau of Prisons had 87 sentences were overturned or removed. Finally, in year 1999, out of 3,527 that were sentenced to death only 20 were federal and out of 21 states, 88 sentences were overturned or removed.

Thirteen states and federal prisons require a minimum age of 18 in 1994 and fourteen states in 1996 and 1999. Also sixteen states in 1994 and 1996 have from 14 to 17 minimum age and seventeen states in the year 1999.

The different jurisdictions with no death penalty in 1994 are: Alaska, District of Columbia, Hawaii, Iowa, Maine, Massachusetts, Michigan, Minnesota, New York, North Dakota, Rhode Island, Vermont, West Virginia, Wisconsin. In 1996 and 1999 is the same except that New York approved the death penalty. (Snell and Stephen, 1996, 1997, 2000)

## *Proposed Research*

### **Hypotheses**

The main interest in the experiment is to find out whether viewing an execution would impact an individual so much that it would change their decision. Another issue to find out is whether time affects a person's vivid memory of events and are those events viewed differently with time. I expect that witnessing an execution affect a person's opinion about the death penalty.

### **Data Collection**

I propose to conduct an experiment. The experiment starts by performing a survey to all the federal legislators. This survey is given with the purpose of knowing how many legislators are willing to witness the execution and how many don't. We would also find out their position on capital punishment to compare with later data. I choose surveys for my experiment. It would give the legislators freedom to do the survey in their own convenience and they would not feel pressured or uncomfortable answering delicate questions or they would not see me as an intruder of their time. Since they are an important figure they might hide their real feelings. The survey is anonymous and would probably give me more sincere answers.

The problems I would probably face would be not to have responses from some of the legislators. I would insist and keep sending the surveys continually to all of the legislators and hope to receive the responses I need. I would also give an option in the follow surveys to have them call me for an interview instead, providing my name and phone number to reach me if they desire.

## **Measurement**

I expect that at the end of the experiment, the experimental group individuals would hold more negative attitudes against capital punishment than before the experiment. Time allow impact of event to wear off, a person can change their mind through time.

The pre-test survey, would be composed of four different questions, included in Appendix A

A second part of the survey would ask those who have witness an execution previously other series of questions, listed in Appendix B

After each subject witness an execution a survey would be provided with questions in three different times one will be given a day after the execution to see an immediate reaction towards their experience, later will be given a month later to give them time to reflect on their experience and opinion, also to see if the reaction has wear off with time, one last survey would be given a year later to confirm the last hypotheses that time make vivid experiences wear off.

## **Experimental and Control Group**

The experiment would be done on those legislators who have never witness an execution previously and are willing to witness an execution. They would be divided in two groups, those that support and those that oppose the death penalty before exposing them to the experiment. I would randomly assign members of both of these groups into an experimental and control group, for a total of four groups.

Support- experimental

Oppose- experimental

Support- control

Oppose- control

Those in the experimental group would then witness an execution.

## **Ethics**

The issue of putting the legislators through such experience might bring some opposition, but if we look at the situation is not unethical. The legislators are not forced to watch such an event is voluntarily since we are giving them the option to either witness an execution or have the opportunity to decide in the issue of the death penalty or not to witness one, but cannot make any decision in regard to the death penalty



## **Appendix A**

### Pre-test Survey

According to a new federal law, legislators who would like to vote to keep the death penalty are required to witness an execution. To assess the influence of this new law on legislator's political decision making, I would conduct a survey. The following surveys would be anonymous for the privacy of the legislator's opinion and mailed.

Please answer accordingly:

1. Do you support or oppose the death penalty?

a. Support

b. Opposed

2. Have you ever witnessed an execution?

a. Yes

b. No

3. Would you be willing to witness an execution?

a. Yes

b. No

4. Do you think that after viewing an execution, your genuine opinion would change?

a. Yes

b. No

## **Appendix B**

### Post-test survey

Given to legislators who have already witnessed an execution. This survey is conducted to know how witnessing an execution influenced the legislators that have already witnessed an execution. Do not include any type of identification when returning the survey. The survey is anonymous.

Please answer to all with a yes or no:

(1) Did you support the death penalty before the execution?

a. Yes

b. No

(2) Did witnessing the execution produce any emotional distress or discomfort?

a. Yes

b. No

(3) After reflecting on the execution for a (day/month/year), did your original opinion about the death penalty change?

a. Yes

b. No

(4) Did you have any remorse for the executed?

a. Yes

b. No

(5) Would you witness another execution?

a. Yes

b. No

## Reference

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*A Proposal of*  
*Legislators Opinion About Capital Punishment*

By Jarette A Rogers

Sociology 300

Research Methods

Dr. Price