

The enduring racial divide in death penalty support

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Abstract

One of the more enduring observations in the study of death penalty support within the United States is the strong divide between Whites and Blacks. Whites show significantly higher levels of support for capital punishment than Blacks. This divide between Whites and Blacks appeared in all surveys, over time, and across a variety of methodological designs. Using data from three separate studies (two local surveys of venirepersons and the NORC-General Social Surveys), this study attempted to understand the basis for this divide. It examined racial differences in socioeconomic status, religion/religiosity, political ideology, positions on right-to-life and other social issues, fear of crime and victimization experience, experience with the criminal justice system, philosophies of punishment, and attribution styles. The findings revealed that the effect of race/ethnicity on capital punishment support continued to hold while controlling for the effects of nearly all of these “explanations.”

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Introduction

Among the various “known” correlates of death penalty support, one of the strongest and most persistent predictors is respondent’s race (Bohm, 1999; Young, 1991). Whites are significantly more supportive of capital punishment than are Blacks. Bohm (1991) reported that the Black-White difference in death penalty support (a mean difference of approximately twenty percentage points across the numerous Gallup polls) was greater than that observed for any other socio-demographic characteristic. In fact, this finding was so robust that it was observed in virtually every public opinion poll and social scientific survey undertaken within this country over the past fifty years. Moreover, the gap between Blacks and Whites with regard to capital punishment is

enduring. That is, Black and White levels of death penalty support have always increased and decreased in the same direction, revealing nearly identical/parallel trends (Bohm, 1991). Finally, while there was occasional evidence of a slight narrowing or widening of this divide, such variation was either idiosyncratic, or if systematic, eluded empirical attempts at explanation (Combs & Comer, 1982; Ellsworth & Gross, 1994; Young, 1991).

The authors do not imply that the scholarly community neglected to examine the race-death penalty relationship. In fact, a growing body of research that began to delineate the various factors which accounted for why people support/oppose capital punishment. These studies found both common and race-specific correlates of support for Blacks and Whites. None of these studies, however, were able to fully account for the persistent racial divide on this issue. While some of these studies identified unique bases for Black and White support/opposition (Barkan & Cohn, 1994; Borg, 1997; Young, 1991), more typically, research on this

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topic found that Blacks who supported capital punishment were characterized by a similar profile as Whites who supported it (Arthur, 1998). That is, “black proponents of capital punishment tend to be male, married, politically conservatives, have high incomes, come from middle- and upper-class backgrounds, and perceive that the courts are too lenient with criminals” (Bohm, 1999, p. 191). Yet, when the influence of these common and race-specific correlates of death penalty support were controlled, the race effect remained statistically significant.

For the present study, this fact (i.e., the strong, persistent, and apparently undiminishable divide between Blacks and Whites with regard to their levels of death penalty support) was an interesting and vexing problem, a conundrum or paradox, that served as the basis for this study. While examining a vexing problem such as this has great academic appeal in and of itself, the justification for research in this area cannot rest on scholarly curiosities alone; there must be something more salient to the problem. Indeed, there is. The operation of the criminal justice system in a free and democratic society must preserve the trust and confidence of the public in order to maintain legitimacy. There is, however, a considerable and growing body of evidence purporting to establish high levels of racial disparities in the operations of the criminal justice system, including capital sentencing. These disparities can lead to levels of distrust, dissatisfaction, and alienation of citizens toward the criminal justice system, especially among racial and ethnic minorities. Thus, the enduring racial divide in death penalty support may be a reflection of such distrust and dissatisfaction. As such, this “vexing problem” is well more than a mere academic curiosity; it is an issue which requires attention.

To address this problem, this study drew on opinion data from three sources: the 1972–1996 cumulative data set of the NORC General Social Surveys (GSS) and two local surveys of venirepersons called for jury service in Hillsborough County (Tampa), Florida. The GSS were used because they were based on multiple, nationally representative samples of the U.S. population and included a host of measures of those factors argued by many to be the basis for this racial divide. As is often the case with secondary data, however, the GSS suffered from less than ideal measures of some of these factors. Therefore, this study supplemented the analyses with data from the local samples. The two jury pool surveys included superior indicators of many of these factors; however, they suffered from problems associated with limited generalizability. The jury pool

surveys were quite representative of the adult population of the county from which they were drawn (Cochran, Boots, & Heide, 2003), but generalizations to the U.S. population were inappropriate. Given these limitations, the value of this study could be gleaned from the extent to which the findings were consistent with the extant research and the convergent validity this consistency suggested. Thus, this article is not offered as the final word on this issue; instead, it should be viewed as an initial and exploratory venture. This exploration, however, is guided by the various theoretical explanations which have been tendered by the scholarly community for these racial differences. In the text which follows, some of the more prominent theoretical accounts available in the literature are identified and briefly reviewed. Then “tests” of these accounts are undertaken with data from the GSS. These exploratory tests are then supplemented with similar analyses from the two local jury pool surveys. The analytic approach to these tests involves simply examining the degree to which the race-death penalty support relationship is attenuated once controls for these “explanatory” factors are introduced. The article concludes with a discussion of its key findings and their implications.

Accounts for the racial divide

The authors’ review of the extant literature suggested that there were at least eleven, often overlapping but prominent, classes of explanation for the race-death penalty support relationship. Each suggested that the observed racial difference in the level of support for capital punishment was due, at least in part, to statistically significant and substantial racial differences in other social realms. If valid, then once the effects of these other differences were controlled, the divide between Blacks and Whites should be substantially attenuated, perhaps even to the point of nonsignificance.

Racial differences in socioeconomic status

One line of argument employed to account for racial differences in death penalty support was that this racial divide derived from steep racial differences in socioeconomic status (income, occupational prestige, and educational attainment). Opinion polls routinely showed substantial differences in levels of death penalty support across levels of socioeconomic status, especially income and educational attainment (Bohm, 1991; Borg, 1997; Smith, 1975; Vidmar & Ellsworth,

1974; Young, 1991). As wealth increased and/or as levels of educational attainment increased, support for capital punishment also increased. Race is strongly associated with socioeconomic attainment in this country; thus, it is not unreasonable to predict that racial differences in death penalty support are a function of racial differences in socioeconomic status. A wide body of research in the area of status attainment, however, showed substantial gains over time in absolute levels of income and education among Blacks (Farley, 1977; Featherman & Hauser, 1976). These gains in socioeconomic status among Black Americans led some scholars to predict a concurrent narrowing of attitudinal divides between Blacks and Whites (Glazer & Moynihan, 1973). With regard to the racial gap in death penalty support, however, such an attitudinal narrowing has not been forthcoming (Combs & Comer, 1982). In fact, Young (1991) failed to observe a substantial attenuation of the race effect on capital punishment support with the inclusion of controls for income and education in his models. The findings of Young (1991) and Combs and Comer (1982) clearly challenge the validity of this popular account for racial differences in death penalty support.

Subcultural differences between Blacks and Whites

Another potential source for the racial divide in death penalty support may be subcultural. In fact, the basis for this account is actually two separate subcultures presumed to exist within the United States. One representing a White, rural, and southern subculture of punitiveness/retribution (Borg, 1997) and the other a northern, urban, Black underclass subculture of opposition/defiance (Anderson, 1990, 1994; Bernard, 1990; Rose & McClain, 1990, 1998). White support for capital punishment, at least in part, is said to be due to a southern subculture which “condones defensive or retaliatory forms of violence” (Ellison, 1991, p. 1223) or “violence for cause” (Reed, 1982, p. 143). This White, southern subculture of punitiveness approves of physical treatment for purposes of social control such as parental use of corporal punishment, and according to Borg (1997), it also advocates for the use of violence as a measure of crime control.

Conversely, the subculture of opposition, said to be prevalent among the northern, urban, Black underclass, simultaneously supports the use of violence as a method of responding to personal affronts to one’s honor (Anderson, 1994) while rejecting many middle-class values associated with family, work, and justice (Rose & McClain, 1990, 1998). As such, Black opposition to

capital punishment may, in part, be due to adherence to such an oppositional subculture. In short, some White support and some Black opposition to capital punishment, and therefore, the racial divide in death penalty support, may be due to differential adherence to these opposing subcultures.

Racial differences in political ideology

A third form of explanation derives from racial differences in political party (Republican versus Democrat) and/or political ideology (conservative versus liberal). Blacks are more likely to affiliate with the Democrat Party and to hold more liberal political views; as such, they are also more inclined to oppose capital punishment. Conversely, Whites are more likely to affiliate with the Republican Party and to hold more conservative political views; in turn, Whites are more inclined to support capital punishment (Barkan & Cohn, 1994; Langworthy & Whitehead, 1986; Young, 1992). If true, then the racial divide in death penalty support should become insignificant once controls for political party affiliation and/or political ideology are introduced.

It was worth noting, however, that Combs and Comer (1982) observed that while Blacks were becoming more conservative, increases in Black conservatism were associated with *decreased* levels of support for capital punishment among Blacks. This trend was not observed among White conservatives. This led Combs and Comer (1982) to conclude that perhaps the shift toward conservatism among Blacks was one of economic conservatism and that conservative Blacks remained liberal on social issues (see also Schwartz & Schwartz, 1976). Importantly, they added that “support for capital punishment among blacks cannot be explained by shifts toward conservatism” (Combs & Comer, 1982, p. 358).

Racial differences in religious orientation

Racial differences in religious orientation constitute a fourth explanation for the racial divide in death penalty support. There was a sizable body of research that established a substantial association between affiliation in a fundamentalist Protestant faith group (and/or the holding of fundamentalists beliefs) and support for capital punishment (Barkan & Cohn, 1994; Britt, 1998; Grasmick, Bursik, & Blackwell, 1993; Grasmick, Cochran, Bursik, & Kimpel, 1993; Grasmick, Davenport, Chamlin, & Bursik, 1992; Young, 1992). A more recent and emergent body of research, however, as-

serted that this association might hold primarily, if not exclusively, for Whites.

Research by both Young (1992) and Britt (1998) showed that the effects of religious orientation on death penalty support varied by race. Support for the death penalty was especially pronounced among White Protestant fundamentalists, while higher levels of opposition to capital punishment were observed among Black Protestant fundamentalists. Britt (1998, p. 189) noted that while Black and White fundamentalists reported similar views about biblical literalism, human nature, and beliefs in the devil, hell, heaven, and an afterlife, they tended to hold widely divergent views on social issues, such as the death penalty. Britt suggested that Black fundamentalist churches might hold an alternative theological emphasis stressing hope and forgiveness and tended to focus upon issues of social and distributive justice. Such an assertion was consistent with the early works of Frazier (1963) and the more recent work of Lincoln and Mamiya (1990), both of which established that the Black religious experience in the United States was markedly different from that of Whites. Thus, the racial divide in death penalty support might simply be a reflection of racial differences in religious orientation. Once these religious differences are controlled, the racial gap in death penalty support should attenuate, perhaps even to the point of statistical nonsignificance.

Racial differences on right-to-life position

Just as there is a substantial racial divide in death penalty support, so too there is a substantial divide between Whites and Blacks regarding abortion. Across a range of methodologies, researchers consistently have observed racial differences in the level of support for legalized abortion, with Blacks significantly less supportive than Whites (Arney & Trescher, 1976; Evers & McGee, 1977; Granberg & Granberg, 1980; Hall & Ferree, 1986; Lipson & Wolman, 1972; Pomeroy & Landman, 1972; Westoff, Moore, & Ryder, 1969). Thus, Blacks tended to report higher levels of opposition to both abortion and capital punishment; an observation suggestive of a consistent constellation of views on the right-to-life (Johnson & Tamney, 1988). Conversely, Whites tended to be more supportive of both abortion and capital punishment; a pattern also suggestive of consistent views on right-to-life issues, though in its inverse. Perhaps, therefore, the observed racial divide in death penalty support is due to racial differences on the right-to-life. Once position on the right-to-life issue is controlled,

the racial gap in support for capital punishment will narrow.

Racial differences on social welfare and governmental spending priorities

Numerous social commentators have pointed to a vast array of issues upon which Blacks and Whites differ (see for instance Glenn, 1974/75); suggesting that Black Americans are much more liberal concerning the role and responsibility of the government with regard to issues of social and distributive justice (Niemi, Mueller, & Smith, 1989). Moreover, these differing world views between Blacks and Whites have been found to be somewhat independent of political party affiliation and/or self-identified position on a continuum of liberalism-conservatism (Schwartz & Schwartz, 1976). In fact, as noted above, even conservative Blacks tended to be quite liberal with regard to their position on many social issues (Combs & Comer, 1982). If these claims are valid, then the inclusion of statistical controls for these differing world views on issues of social and distributive justice should substantially attenuate the racial divide on capital punishment. That is, support for social welfare and increased government spending for these and related social problems represents a constellation of issues upon which Blacks and Whites differ, and which in turn, can account for much of the variance in their positions on capital punishment.

Prejudice, discrimination and racial differences in beliefs about racial inequality

A seventh form of explanation for the racial divide in death penalty support stems from differences in beliefs about racial inequality. A number of recent studies had established significant associations between measures of racial antipathy and/or stereotyping and White support for capital punishment (Barkan & Cohn, 1994; Borg, 1997). In fact, the association was strong enough that some had argued that White support for capital punishment was really a form of “symbolic racism” (Cohn, Barkan, & Halteman, 1991; Kinder & Sears, 1981; Sears, Hensler, & Speer, 1979; Young, 1991). Conversely, Blacks may be more inclined to oppose capital punishment because it represents for them another form of institutional discrimination disproportionately applied to Black defendants and/or killers of White, rather than Black, victims (Radelet, 1981; Unah & Boger, 2001; Vito & Keil, 1988). Likewise, lower Black support for capital punishment may also, in

part, be due to a Black oppositional subculture (Anderson, 1990, 1994; Bernard, 1990; Rose & McClain, 1990, 1998). These differing views on race, race relations, and racial inequality may, thus, account for much of the divide in capital punishment support.

Racial differences in experiences with the criminal justice system

As noted above, there is a wide body of evidence which shows the death penalty to be disproportionately reserved for Black offenders and/or those who kill White victims (Radelet, 1981; Unah & Boger, 2001; Vito & Keil, 1988). As such, the racial divide in death penalty support, may, in part, be due to differences between Blacks and Whites in the respective judgments of procedural fairness and justice in the distribution of criminal justice rewards and punishments which, in turn, are due to racial differences in experiences with the criminal justice system and its agents (Young, 1991).

Blacks are disproportionately the victims of crime, thus, they may rely more upon the criminal justice system and its agents for protection which, in turn, may not be adequately distributed to them due to discrimination and/or benign neglect. At the same time, Blacks are also disproportionately brought before the various agents of the criminal justice system where they are accused of crimes and where, in turn, they may expect to receive due process and fundamental fairness but may conclude that they do not. Thus, Blacks may be more inclined to judge that the rewards and punishments of the criminal justice system are unfairly distributed to them. Therefore, Blacks are less likely than Whites to support capital punishment. After all, there is evidence which shows capital punishment continues to be both disproportionately over distributed to Black offenders while simultaneously denied as justice to killers of Black victims.

This hypothesis was directly tested by Young (1991) with data drawn from the 1979 Detroit Area Study. While Young observed support for this thesis, his study failed to resolve the racial divide in death penalty support. That is, Young observed several race-specific bases for death penalty support suggesting that Black support for capital punishment was dependent upon perceptions of procedural fairness, especially at the hands of law enforcement officials, while White support was based on perceptions of offender motivation and deservedness. Controls for these and other influences, however, failed to attenuate the direct effect of race.

Racial differences in fear of crime and victimization experience

The above explanation to the racial divide in death penalty support stressed perceptual differences in distributive justice and procedural fairness at the hands of the criminal justice system due to differential experiences between Blacks and Whites. The next explanation for this divide stresses racial differences in victimization experience, fear of crime, exposure to sensationalistic crime stories in the mass media, and related factors. While most bivariate analyses of the race-fear of crime relationship revealed that Blacks reported higher levels of fear than did Whites, Ortega and Myles (1987) found that once levels of victimization risk were held constant, Whites in fact, reported greater fear of crime than did Blacks. Moreover, Stinchcombe et al. (1980) reported that White fear of crime was really a fear of Blacks. In concert, these two findings might suggest a basis for the higher level of death penalty support reported by Whites. That is, Whites were more inclined to support capital punishment because they had a heightened fear of violence, especially at the hands of a Black offender.

While several researchers observed that death penalty support was positively correlated with fear of crime and/or victimization experience (Bohm, 1987, 1998; Ellsworth & Gross, 1994; Rankin, 1979; Smith, 1975; Stinchcombe et al., 1980; Thomas & Foster, 1975), Combs and Comer's (1982) study was the only one that examined the extent to which such influences could account for racial differences in death penalty support. While Combs and Comer (1982) observed significant racial differences in the effects of media exposure and fear of victimization on support for capital punishment, these differences were not substantial enough to attenuate the effect of race on death penalty support, and thereby, account for this troublesome racial divide.

Racial differences in punitiveness and other justice attitudes

Perhaps the most commonly employed basis for accounting for death penalty support involves examinations of the influence of various philosophies of criminal punishment (i.e., retribution, general deterrence, incapacitation, rehabilitation). Typically researchers were interested in the rival influences of these philosophies of punishment on death penalty support (Ellsworth & Ross, 1983; Rankin, 1979; Snortum & Ashear, 1972; Thomas & Foster, 1975; Vidmar, 1974; Warr & Stafford, 1984). From this body of research, it became

quite clear that support for capital punishment was lowest among those who endorsed offender treatment and rehabilitation, and highest among those who endorsed more punitive responses; that levels of support for capital punishment also differed between those who espoused criminal punishment as an instrumental/utilitarian or crime control response (deterrence and incapacitation) and those who espoused more expressive and justice-oriented views (retribution); and finally, that the effects of these rival bases for punishment varied over time with the effects of deterrence-based support waning and being replaced by retribution and incapacitation. What remained absent from this body of research was any attempt to examine the extent to which racial variation in punitiveness and support for these various philosophies of punishment might account for racial differences in death penalty support.

Racial differences in attribution styles

While the role of various philosophies of punishment on support for capital punishment might be the most extensively studied “causal” correlate of death penalty support, the most well developed theoretical approach to the study of death penalty attitudes was likely to be attribution theory (Heider, 1958). According to attribution theory, individuals tend to develop various causal or lay theories of criminal offending; these tend to emphasize a causal role played by personal versus environmental forces. Those who stressed the causal efficacy of personal factors were said to adopt a dispositional attribution style, which in turn, enhanced the blameworthiness and moral culpability of the offender and justified a punitive response to their offending. Conversely, those who stressed the causal role of environmental factors were said to adopt a situational attribution style which mitigated offender blame and culpability and justified a response to criminal offending that stressed treatment and rehabilitation. Numerous studies found support for attribution theory (Carroll, 1978; Carroll & Payne, 1977; Carroll, Perkwitz, Lurigio, & Weaver, 1987; Graham, Weiner, & Zucker, 1997; Hawkins, 1981; Lurigio, Carroll, & Stalans, 1994; Shaver, 1975) and a growing body of literature linked attribution styles to death penalty support (Cochran et al., 2003; Cullen, Clark, Cullen, & Mathers, 1985; Grasmick, Bursik, & Blackwell, 1993; Grasmick, Bursik, & Kimpel, 1991; Grasmick, Cochran et al., 1993; Grasmick et al., 1992; Grasmick & McGill, 1994; Young, 1991).

To date, only Young (1991) attempted to apply attribution theory as a potential explanation for the

racial divide in death penalty support. Young argued that differences in the life experiences of Blacks and Whites, especially prejudice and discrimination, criminal victimization, and interactions with agents of the criminal justice system, led to racially different attribution styles, such that Blacks were more inclined to adopt a situational attribution style, and thus, tended to support capital punishment less so than Whites, who leaned more toward a dispositional attribution style. While Young’s findings supported a dispositional attribution model for Whites, they failed to support a situational attribution model for Blacks. Moreover, controls for measures of attribution style failed to reduce the direct effects of race on death penalty support.

Four additional points need to be raised about these eleven “explanations” for the racial divide in death penalty support. First, these explanations are *not* presented as rivals; moreover, they are not necessarily even mutually exclusive of one another. Second, these are the eleven most frequently employed accounts for the observed racial divide in death penalty support; this article makes no claim that these eleven explanations exhaust all possible accounts. Third, these eleven explanations, as should be evident from the review of this literature, had not been the recipients of vigorous empirical testing. Some have not been tested at all; those which were tested have not been tested against one another; of those tested, the tests relied upon data of limited quality (local area surveys, cross-sectional designs, and/or weak measures of key variables); and lastly, the results of these tests were inconclusive, at best. Fourth and finally, none of these eleven explanations standing alone are likely to fully account for the racial divide in death penalty support; such an expectation is much too stringent. Instead, each of these explanations is likely to contribute to a greater or lesser degree toward the understanding of this divide.

No study to date, however, had examined more than one or two of these explanations; the present study was the only study to address all of them (both individually and in concert with one another). In the material which follows, an attempt is made to address these problems by testing each of these eleven explanations with stronger data (i.e., trend data from the NORC General Social Surveys and a pair of local surveys of venirepersons developed specifically to address several of these issues).

Findings from the NORC-GSS data

The first data set was the cumulative data file of the NORC General Social Surveys (GSS). This data file

constituted the twenty-one annual surveys (trend data) conducted by the NORC between 1972 and 1996. Each survey was based on an independent national probability sample of English-speaking persons eighteen years or older living in noninstitutional arrangements within the continental United States ($N = 32,937$). The cumulative data file included a measure of respondent support for capital punishment for each year during this period except 1979, 1981, 1992, and 1995. The longitudinal nature of these data permitted an examination of three issues of particular relevance to this study: (1) Is there a significant race effect on support for capital punishment? (2) If so, does this effect endure over time? and (3) Can any of the eleven explanations account for this enduring racial divide?

Across the twenty-one annual surveys, the GSS employed three primary items to gauge respondent support for capital punishment. In the 1972 and 1973 surveys, respondents were asked: "Are you in favor of the death penalty for persons convicted of murder?" Responses were re-coded into a dichotomous variable which stressed unambiguous support (1 = yes; 0 = no; don't know and no answer responses were re-coded as missing). From 1974 through 1996, the GSS asked: "Do you favor or oppose the death penalty for persons convicted of murder?" Again, responses were re-coded into a dichotomous measure reflecting unambiguous support (1 = favor; 0 = oppose; don't know and no answer were re-coded as missing). Finally, the 1991 GSS included a five-point Likert-type item regarding the death penalty. This item stated, "People convicted of murder should be subject to the death penalty." Once again responses were dichotomized to reflect unambiguous support (1 = agree or strongly agree; 0 = disagree, strongly disagree; responses of neither agree nor disagree, don't know, and no answer were re-coded as missing). Each of these items operationalized death penalty support in a general or global manner; the GSS data did not contain measures of death penalty support relative to other punishment options, particularly life without parole. This was a serious limitation to these data; had a measure of capital punishment preference been available, the level of death penalty support would likely have been greatly reduced, especially among Whites, and the racial divide in death penalty support would likely have been greatly narrowed.

Several items were used as measures for the eleven "explanations." Differences in socioeconomic status attainments were represented by respondent's highest level of education attained (in years), Hodge-Siegel-Rossi occupational prestige scores, and the log of the dollar value (in \$1,000) of the GSS income categories

converted to 1983 dollars to adjust for inflation. White southern subcultural of punitiveness and urban Black oppositional subculture were measured by crude binary proxy variables representing respondent's urban and southern residency statuses. Two ordinal-scale measures were employed to represent political orientations: these were a six-point measure of political party affiliation (1 = strongly Democrat to 6 = strongly Republican) and a seven-point measure of political ideology (1 = very liberal to 7 = very conservative). Three variables were used to measure differences in religious orientations: a dichotomous distinction between Protestant fundamentalists (= 1) and all others (= 0) based on Smith's (1990) classification of Protestant faith groups, an eight-point ordinal measure of respondent's frequency of attendance at religious services (0 = never attends to 7 = attends several times a week), and a dichotomous measure of strength of religious identity (0 = somewhat or not very strong; 1 = strong). Respondent's right-to-life views were measured by a seven-item additive index of support for legalized abortion; the seven items were dichotomized to represent support for abortion (= 1) under a variety of conditions (mother's health, birth defect in fetus, pregnancy as a result of rape, mother too poor, mother single, mother wishes to have no more children, or any reason). Dichotomized measures of respondent's support (= 1) for increased government spending to address seven areas of social problems (minorities, poor, education, health, cities, crime, drugs) were employed to address racial differences in support of social welfare programs. A single dichotomous measure was used to indicate whether or not respondents felt that racial inequality in the United States was due to racial discrimination (0 = no; 1 = yes). Respondent's negative experiences at the hands of the police were measured by two variables indicating whether or not they had ever been arrested and/or ticketed (0 = no; 1 = yes). Four dichotomous variables tapped respondent's fear of crime and victimization experience (0 = no; 1 = yes): gun ownership, fear of crime in one's neighborhood, ever burglarized, and ever robbed. Relatedly, two items measured respondent's level of exposure to the mass media, the average number of hours per week that they watch television and whether or not they read a daily newspaper (0 = no; 1 = yes). Finally, respondent's level of punitiveness was indicated by two dichotomous measures: the criminal courts are too lenient and support for stiffer/harsher criminal punishment (0 = no; 1 = yes).

The first research question asked if there were racial differences in death penalty support. Indeed there were. The cumulative data file of the GSS revealed that 72.4

percent of the White respondents supported capital punishment, while only 43.9 percent of the Black respondents supported it. This difference of over twenty-eight percentage points was statistically significant ($X^2 = 1318.3, p < .0001$). The odds ratio for the effect of race on death penalty support ($OR = 0.299$) indicated that support for capital punishment was substantially more likely among Whites than Blacks.

The second research question asked whether or not this racial divide in death penalty support was enduring. This issue was approached via two sets of analyses: first, an examination of Black and White levels of death penalty support over time (Table 1); next, an examination of the effects of race on death penalty support across a series of logistic regression models which controlled for the effects of secular trends (linear and quadratic) and any interactions of these trends with race (Table 2). The latter were especially relevant for this study. If the direct effect of race on death penalty support remained significant and the race-by-trend interaction effects failed to attain significance, then it could be concluded that the racial divide was not only enduring but that Black and White trends in death penalty support were also parallel.

The findings reported in Table 1 revealed that Whites consistently reported higher levels of support for capital punishment than did Blacks. Moreover, while levels of support among both Blacks and Whites

Table 1
Percent of support for capital punishment by race and survey year (GSS)

Survey year	Percent of support		
	White	Black	Difference
1972	57.4	28.8	28.6
1973	63.6	35.8	27.8
1974	66.3	36.3	30.0
1975	63.2	31.9	31.3
1976	67.5	41.1	26.4
1977	70.0	41.6	28.4
1978	69.4	43.0	26.4
1980	70.3	39.1	31.2
1982	76.9	48.4	28.5
1983	76.2	45.0	31.2
1984	74.5	43.5	31.0
1985	79.0	49.7	29.3
1986	75.3	42.7	32.6
1987	73.7	42.9	30.8
1988	76.0	42.5	33.5
1989	76.5	56.1	20.4
1990	77.7	52.3	25.4
1991	71.4	42.7	28.7
1993	75.4	51.5	23.9
1994	78.3	50.7	27.6
1996	75.5	50.3	25.2

Table 2
Logistic regression models of death penalty support, race, and survey year (GSS)

	Intercept	Race (Black = 1)	Survey year (1996-year)	Survey year ²
<i>Model 1</i>				
b _L	-0.244	-1.207		
odds ratio		0.299		
p		.0001		
<i>Model 2</i>				
b _L	-0.662	-1.236	0.030	
odds ratio		0.291	1.031	
p		.0001	.0001	
<i>Model 3</i>				
b _L	8349	-1.228	-8.587	-0.002
odds ratio		0.293	0.001	0.998
p		.0001	.0001	.0001
<i>Model 4 (Whites)</i>				
b _L	0.574	-	0.030	
odds ratio			0.001	
p			1.031	
<i>Model 5 (Blacks)</i>				
b _L	-0.663	-	0.031	
odds ratio			1.031	
p			.0001	
<i>Model 6 (Whites)</i>				
b _L	9021	-	-9.279	-0.002
odds ratio			0.001	0.998
p			.0001	.0001
<i>Model 7 (Blacks)</i>				
b _L	4752	-	-4.874	-0.001
odds ratio			0.008	0.999
p			.0434	.0421

had gradually risen over time, the gap in death penalty support between Blacks and Whites remained relatively even, suggesting parallel trend lines. These parallel trends, in turn, supported the claim that Black and White levels of death penalty support might be responding equally to the same influences (Bohm, 1991; Combs & Comer, 1982; Ellsworth & Gross, 1994; Young, 1991).

Further support for the enduring racial divide in death penalty support was found in the logistic regression models reported in Table 2. The results in Table 2 revealed three relevant findings. First, there were significant differences between Blacks and Whites in death penalty support (see the significant effect of race in Model 1). Second, these differences endured over time (see the significant effect of race while controlling for the influence of both linear and quadratic secular trends in Models 2 and 3). Finally, note that

these secular trends influenced Black and White death penalty support equally (see the nearly identical effects of survey year or its square in Models 4 versus 5 and Models 6 versus 7). A test for the equality of the logistic regression coefficient for the effect of linear secular trends between Blacks (Model 5) and Whites (Model 4) revealed no significant difference; likewise no significant difference between Blacks (Model 7) and Whites (Model 6) for the effect of nonlinear secular trends on death penalty support were observed (Brame, Paternoster, Mazerolle, & Piquero, 1998).

Finally, the extent to which the racial divide in death penalty support could be accounted for by these eleven explanations (individually or in concert) was examined. This study was not interested in the effects, *per se*, of the indicators of these eleven explanations on death penalty support; instead, it was concerned with the extent, if any, to which controls for these variables substantially attenuated the effect of race. That is, to what extent did these “explanations” substantially account for the racial divide in death penalty support? Table 3 reports the results of logistic regression models which independently introduced controls for most of these eleven explanations. The results reported in Table 3 were the odds ratios for the effects of race on death penalty support; the degree to which these odds ratios were reduced in magnitude was the degree to which a particular set of explanatory variables successfully accounted for the racial divide in death penalty support.

Two sets of findings reported in Table 3 were especially noteworthy. First, the effect of race on death penalty support remained statistically significant ($p < .0001$) across all models. Second, the effect of race on

death penalty was not substantially attenuated once controls for these eleven explanations were added to the base model. Given the very large sample size generated by the decision to pool the twenty-one independent surveys, the likelihood of failing to reject the null hypothesis of zero race effects was quite small. Thus, the models in Table 3 were replicated with year-specific models. The results of these analyses are reported in Table 4. Virtually every model presented in Table 4 produced a relatively unattenuated race effect, significant at the $p < .0001$.

Thus, at least with regard to the trend data available through the NORC General Social Surveys, this study was not successful in its attempt to address the basis for the vexing racial gap in death penalty support. It was able to confirm the existence and enduring nature of this divide and it did provide support that Black and White support for capital punishment appeared to be equally affected by the same linear or nonlinear secular trends, but tests of the eleven explanations for this divide all failed to substantially attenuate the direct effects of race on death penalty support. It was important to acknowledge that the GSS data, as was often the case with secondary data analyses, lacked ideal measures of the key variables for many of these explanations. Specifically, the GSS data lacked measures of attribution styles, had relatively simplistic indicators of punitiveness, and, at best, only crude proxies for sub-cultural orientations. As such, further exploration of the validity of these explanations was undertaken with data derived from two local area surveys of venirepersons. These two jury pool surveys included items better suited for testing some of these explanations, especially punitiveness and attribution styles.

Table 3
The effect of race on death penalty support across “explanations” (GSS)

	Odds ratio
Baseline model (controls for survey year)	0.291*
Model 1: socioeconomic status attainments (controls for survey year, education, occupational prestige, and income)	0.302*
Model 2: subcultural differences (controls for survey year, urbanity, and southernness)	0.293*
Model 3: political ideology (controls for survey year, political party affiliation, and political ideology)	0.343*
Model 4: religious orientation (controls for survey year, protestant fundamentalism, and personal religiosity)	0.281*
Model 5: right-to-life orientation (controls for survey year and abortion attitudes)	0.300*
Model 6: social welfare (controls for survey year and government spending priorities)	0.382*
Model 7: distributive justice (controls for survey year and beliefs about racial inequality)	0.355*
Model 8: experience w/criminal justice system (controls for survey year and negative experiences with police)	0.307*
Model 9a: fear of crime/victimization (controls for survey year, fear, gun ownership, and victim status)	0.311*
Model 9b: media exposure (controls for survey year and exposure to mass media)	0.290*
Model 10: punitiveness (controls for survey year and support for harsher treatment)	0.302*
Model 11: attributions (no data)	–
Complete model: (controls for all of the above)	0.402*

$p < .0001$.

Table 4
Year-specific models for the effect of race (expressed as an odds ratio) on death penalty support (GSS)

	1972	1973	1974	1975	1976	1977	1978	1980	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1993	1994	1996
Baseline model	.328*	.285*	.347*	.299*	.315*	.392*	.234*	.269*	.245*	.262*	.264*	.256*	.282*	.271*	.333*	.305*	.336*	.272*	.289*	.319*	.300*
Model 1: socioeconomic status	.337*	.281*	.330*	.299*	.312*	.409*	.252*	.285*	.267*	.263*	.293*	.289*	.294*	.306*	.381*	.295*	.354*	.277*	.276*	.329*	.331*
Model 2: subcultural	.322*	.279*	.299*	.293*	.320*	.382*	.223*	.271*	.265*	.269*	.270*	.254*	.276*	.275*	.348*	.307*	.373*	.288*	.292*	.307*	.371*
Model 3: political ideology	.442*	.374*	.408*	.389*	.371*	.504*	.301*	.350*	.277*	.320*	.317*	.304*	.318*	.305*	.370*	.310*	.384*	.294*	.323*	.365*	.327*
Model 4: religious orientation	.321*	.274*	.353*	.294*	.288*	.381*	.211*	.257*	.244*	.258*	.262*	.247*	.281*	.268*	.329*	.286*	.322*	.272*	.262*	.302*	.316*
Model 5: right-to-life	.315*	.313*	.395*	.290*	.246*	.419*	.258*	.285*	—	.266*	.286*	.263*	.293*	.288*	.339*	.322*	—	—	—	—	—
Model 6: social welfare	.466*	.384*	.470*	.379*	.437*	.648*	.322*	.322*	.398*	.298*	.382*	.332*	.340*	.385*	.336*	.414*	.376*	.506*	.336*	.469*	.544*
Model 7: distributive justice	.439*	.317*	.367*	.413*	.357*	.470*	.286*	—	.278*	.308*	—	—	—	—	—	—	—	—	—	—	—
Model 8: experience w/cj system	—	—	—	—	—	—	—	—	—	—	.276*	—	.290*	.279*	—	—	.322*	.355*	.304*	.336*	—
Model 9a: fear of crime/vict.	—	.256*	.430*	.311*	.257*	.490*	.273*	.286*	—	.288*	.278*	—	.289*	.288*	—	.324*	.344*	—	.308*	.337*	—
Model 9b: media exposure	.378*	.245*	.265*	.287*	.379*	.383*	.226*	—	.256*	.258*	—	.259*	.274*	—	.320*	.321*	—	.279*	—	—	—
Model 10: punitiveness	.339*	.285*	.361*	.315*	.325*	.347*	.245*	.283*	.258*	.278*	.286*	.281*	.313*	.275*	.323*	.298*	.336*	.286*	.303*	.322*	.340*
Model 11: attribution (no data)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

* p < .0001.

Supplementary analyses: local jury pool surveys

The above study based upon the NORC-GSS data was supplemented with additional data derived from two independent local area surveys administered to venirepersons called to jury service in Hillsborough County (Tampa), Florida. The first survey (Study #1) was administered to jury pools called for service in the fall of 1999, the second (Study #2) was administered during the winter of 2000. Each of these jury pools consisted of a random selection of county residents eighteen years of age or older with a Florida driver's license or state identification card. Study #1 collected data from 636 subjects from a jury pool of approximately 900 persons with self-administered questionnaires distributed across four separate days of data collection. For Study #2, 697 subjects from a pool of 872 venirepersons responded to self-administered questionnaires distributed over three days of data collection. Comparisons of the demographic profiles of the two sets of study subjects with that of Hillsborough County revealed very few dissimilarities (U.S. Bureau of the Census, 2000). Study #2 subjects were more highly educated and had higher incomes on average than did county residents (please see Cochran et al., 2003 for a more detailed discussion of these data).

Different questions were employed across the two studies to gauge respondent's support for capital punishment. For Study #1, respondents were asked to indicate the extent to which they agreed (1 = strongly disagree to 5 = strongly agree) with the following statement: "Generally speaking, I support the death penalty for adults." Responses were dichotomized to distinguish unambiguous support (1 = agree or strongly agree; 0 = disagree, or strongly disagree; uncertain and no answer were re-coded as missing). Study #2 respondents were asked, "Generally speaking, I support the death penalty for adults legally convicted of murder." Again, responses were dichotomized to distinguish unambiguous support (1 = strongly agree or agree; 0 = disagree or strongly disagree; no answer was coded as missing). As with the GSS data, each of these items operationalized death penalty support in a general or global manner. Again, had a measure of capital punishment preference been employed, the level of death penalty support would likely have been greatly reduced, especially among Whites, and the racial divide in death penalty support would likely have been greatly narrowed.

As in the previous analyses of the GSS data, these local area data allowed this study to address two research questions: (1) Is there a racial divide in death penalty support? and (2) Can any of the eleven

“explanations” substantially account for it? Both of these jury pool surveys specifically measured respondents’ race and ethnicity, thus, the study addressed not only the question of the racial divide in death penalty support, but also an ethnic (Hispanic versus White) divide.

In Study #1, the data indicated that 69.7 percent of the White respondents supported capital punishment, while 51.0 percent of the Black and 53.0 percent of the Hispanic respondents supported capital punishment. The two percentage-point difference between Black and Hispanic death penalty support was not statistically significant; however, both the Black versus White (18.7 percentage points) and the Hispanic versus White (16.7 percentage points) were significantly different. Odds ratios indicated that the odds of death penalty support were substantially greater for Whites than for Blacks ($OR = 0.464$) or for Hispanics ($OR = 0.503$).

For Study #2, the data indicated that 86.4 percent of the Whites supported capital punishment; while 77.1 percent of the Hispanics and 64.4 percent of the Black respondents reported that they unambiguously supported capital punishment. In these data, there were significant differences in the level of death penalty support across all three race/ethnicity comparisons. Odds ratios indicated that the likelihood of death penalty support was significantly greater among Whites compared to both Blacks ($OR = 0.279$) and Hispanics ($OR = 0.519$). Thus, with regard to the first research question, there was evidence of a robust divide in death penalty support between Whites and Blacks; the study also found a substantial divide between Whites and Hispanics. In the material below, other data from these two studies were employed to test the extent to which any of the eleven “explanations” could substantially account for these divides.

As with the analyses of the NORC-GSS data, a number of variables from Study #1 were used as measures for the eleven “explanations.” Respondent’s socioeconomic status attainments were measured by two ordinal-scale items: an eight-point measure of educational attainment (1 = grade school or less to 8 = an advanced degree) and a ten-point measure of combined annual household income (1 = under \$10,000 to 10 = \$150,000 or more). Political ideology was measured by a single-item ordinal-scale measure ranging from 1 = very liberal to 5 = very conservative. Respondent’s religious orientation was measured by two scales: the first was a five-item biblical literalness scale derived from the works of Grasmick and his colleagues (Grasmick et al., 1992; Grasmick, Cochran et al., 1993; Grasmick & McGill, 1994) and the second was a

measure of religious salience, a four-item additive also derived from Grasmick and his colleagues (Grasmick, Bursik et al., 1993; Grasmick, Cochran et al., 1993; Grasmick & McGill, 1994) and the second was a measure of religious salience, a four-item additive also derived from Grasmick and his colleagues (Grasmick, Bursik et al., 1993; Grasmick, Cochran et al., 1993; Grasmick & McGill, 1994). Respondent’s attitudes toward abortion were measured by a five-item additive scale addressing support for legalized abortion for a variety of reasons (mother’s health, fetus endangered, pregnant due to rape, mother poor, and any reason). Support for social welfare was measured by a two-item scale asking respondents to indicate the extent to which the government should improve the social and economic conditions of minorities through affirmative action and welfare programs. Respondent’s attitudes toward the police were measured by a four-item additive scale: “most police officers are prejudiced,” “most police officers abuse their discretion,” “most police officers are untrustworthy,” and “most police officers act professionally when dealing with citizens” (reverse coded). Respondent’s fear of crime and victimization experience were measured, respectively, by a four-point ordinal scale measure of fear of crime (1 = not very afraid at all to 4 = very afraid) and a dichotomous measure of criminal victimization experience over the past twelve months (0 = no; 1 = yes). Punitiveness was measured by a five-item additive scale which addressed respondent’s support for the various goals of punishment: retribution, incapacitation, specific deterrence, general deterrence, and rehabilitation (reverse coded). Finally, two scales were used to measure respondent’s attribution styles. A situational attribution style was measured as a three-item additive scale and a dispositional attribution style was measured as a two-item additive scale each derived from those developed by Grasmick and McGill (1994).

The following variables from Study #2 were used as measures for the eleven “explanations”: respondent’s socioeconomic status attainments were measured by two ordinal-scale items, an eight-point measure of educational attainment (1 = elementary school or less to 8 = advanced degree) and a ten-point measure of combined annual household income (1 = under \$10,000 to 10 = \$150,000 or more). White southern subcultural of punitiveness was measured as a dichotomous proxy variable representing respondent’s childhood southern residency status (1 = southern). Political ideology was measured by a single-item ordinal-scale measure ranging from 1 = very liberal to 6 = very conservative. Religious orientation was measured as a dichotomous

distinction between Protestant fundamentalists (= 1) and all others (= 0) based on Smith's (1990) classification of Protestant faith groups. Respondent's fear of violent crime and victimization experience during the past twelve months were each measured by two dichotomous variables (0 = no; 1 = yes). Punitiveness was measured by a four-item additive scale which addressed respondent's support for the various goals of punishment: retribution, incapacitation, specific deterrence, and general deterrence. Finally, two four-item additive scales were used to measure respondent's situational versus dispositional attribution styles, these items were derived from those developed by Grasmick and McGill (1994). More complete details about these variables are available upon request.

Table 5 presents the results of a series of logistic regression models which tested the efficacy of the eleven "explanations" to substantially attenuate the effects of race and ethnicity on death penalty support across these two jury pool surveys. As with the results presented in Table 3, no effort is made to present the effects of the variables representing each of these eleven explanations; instead, the table reports the extent to which any of these explanations successfully attenuated the race and ethnicity effects. Thus, for each study, Model 1 reports the direct effects of race and ethnicity without the inclusion of any control variables, Models 2-11 independently introduce controls for each explanation, and Model 12 controls for all of these indicators simultaneously. With but two important exceptions, the findings reported in Table 5 were consistent with those reported in Table 3. That is, the effects of both race and ethnicity on death penalty

support continued to be statistically significant, and they failed to be substantially attenuated once controls for the eleven explanations were introduced. There were, however, two important exceptions. In the Study #1 data, the effect of race on death penalty support became insignificant once controls for attitudes toward the police were introduced. Likewise with regard to these data, the effects of both race and ethnicity were reduced to nonsignificance when all of the controls were introduced simultaneously.

Discussion

Bohm (1991) had noted that race was one of the strongest and most persistent correlates of death penalty support in the United States with an average gap of approximately twenty percentage points between White and Black levels. This gap endured across several decades of public opinion polling. Moreover, this gap was fairly constant suggesting that increases/decreases in level of support for Blacks and Whites were relatively equal and that Black and White death penalty support followed nearly parallel trend lines. In turn, these parallel trends suggested that the same social forces shaped Black and White death penalty support equally. This was a very intriguing "social fact" and the scholarly community has made several attempts at understanding the basis for this divide. The body of evidence from these efforts produced a large number of racially common as well as a smaller number of race-specific correlates of death penalty support. To date, however, no research was able to successfully account for the basis of this persistent racial divide in death

Table 5
The effect of race on death penalty support across "explanations" (jury pools)

	Odds ratios			
	Study #1		Study #2	
	Blacks	Hispanics	Blacks	Hispanics
Baseline model: (no controls)	0.464*	0.503*	0.279*	0.519*
Model 1: (controls for SES)	0.492*	0.504*	0.270*	0.534*
Model 2: (controls for southernness)	–	–	0.263*	0.523*
Model 3: (controls for political ideology)	0.511*	0.528*	0.297*	0.529*
Model 4: (controls for Prot. fund. and personal religiosity)	0.454*	0.526*	0.259*	0.521*
Model 5: (controls for abortion attitudes)	0.486*	0.498*	–	–
Model 6: (controls for soc. welfare attitudes)	0.548*	0.560*	–	–
Model 7: distributive justice (no data)	–	–	–	–
Model 8: (controls for attitudes toward police)	0.631 n.s.	0.573*	–	–
Model 9: (controls for fear/victimization)	0.462*	0.500*	0.252*	0.466*
Model 10: (controls for punitiveness)	0.465*	0.494*	0.246*	0.452*
Model 11: (controls for attribution styles)	0.485*	0.517*	0.315*	0.558*
Complete model: (controls for all of the above)	0.693 n.s.	0.614 n.s.	0.250*	0.453*

p < .05.

penalty support (Arthur, 1998; Barkan & Cohn, 1994; Borg, 1997; Combs & Comer, 1982; Young, 1991).

This study addressed this issue via a fairly ambitious though admittedly limited and exploratory approach which tested the efficacy of eleven different explanations for the divide. To do so, it employed three independent data sets. The first was the trend data available in the 1972–1996 cumulative data file of the NORC General Social Surveys. The other two supplementary data files were derived from local area (Hillsborough County, Florida) samples in the form of surveys of jury pool member opinions. The findings were interesting for both what the study accomplished and what it failed to accomplish.

First, as with all previous studies, the present study found across all three data sets a significant and substantial divide in death penalty support between Blacks and Whites. Second, from the two local area samples, it also noted the existence of a significant ethnic (White versus Hispanic) divide in death penalty support. Third, from the trend data in the NORC-GSS data, it found that the racial divide in death penalty support had endured and persisted across the past three decades and that controls for secular trends (both linear and quadratic) failed to attenuate this divide. Fourth, it found, but for two exceptions in one of the local area samples, that none of the eleven explanations substantially attenuated the racial (or ethnic) divide in death penalty support.

These observations raised three points that require additional discussion. First, Black and White levels of death penalty support appeared to be a function of two kinds of social forces: common and race-specific. Black and White death penalty support and changes in their levels of support appeared to be relatively equally influenced by the same social forces. As such, levels of support tended to follow very similar or parallel trends. This was evident by the failure of the crude but effective methods of controlling for secular trends to produce race-specific effects (Models 4–7 of Table 2). Second, Black and White death penalty support also appeared, in part, to be independently influenced by race-specific social forces. Unfortunately, it was not known what these forces were. Herein lies what the present study had failed to accomplish, though such a failure was by no means uninteresting or unimportant. To the contrary, what this study had failed to observe might indeed be its most important finding, and thus, is also worthy of additional discussion.

Across data from three independent studies, this study tested and failed to support each of eleven prominent but overlapping explanations for the racial (and

ethnic) divide in death penalty support. Black-White and Hispanic-White differences in death penalty support did not appear to be due to differences in socioeconomic status achievements, subcultural orientations, political persuasion, religion, right-to-life views, attitudes support for social welfare, views on distributive justice, perceptions about criminal justice, fear of crime, victimization experience, media exposure, punitiveness, nor attribution styles. These social influences did not exhaust the full array of possible factors to be studied, nor did the data necessarily provide ideal measures of these factors (especially the subcultural orientations). Nevertheless, the consistent failure to account for the racial (and ethnic) divide is intriguing and suggests that additional research on this issue is still badly needed. Moreover, the failure to account for this divide also suggests what many accept but do not fully understand. That is, the life experiences, life chances, and world views of Blacks, Whites, and Hispanics in the United States are both different and profound.

A third point for additional discussion derives from the fact that not all of this study's attempts to account for the racial and ethnic divides in death penalty support were unsuccessful. Importantly, it found in the data from the first jury pool survey (Study #1) that controlling for the influence of all of the explanations did attenuate both the race and ethnicity effects to nonsignificance. Perhaps none of these eleven explanations alone can account for the profound nature of racial/ethnic differences in life experiences, life chances, and world views. Since these were not necessarily rival explanations, each contributes somewhat and together all contributed substantially to a better understanding of the complex nature of race and ethnicity in the United States.

Equally important is the ability of controlling for racial differences in perceptions of the police to account for the racial divide in death penalty support as also observed in the data from the first of the two jury pool surveys (Study #1). The scale used to measure these perceptions was composed of a number of items which on their face appeared to adequately address the problem of police-minority group relations in this country (i.e., the police are prejudiced, untrustworthy, unprofessional, and abuse their discretion). Given the role of the police as the "gatekeepers" of the criminal justice system with whom "first impressions" are often made, it may be of no surprise that negative perceptions of the police lead to minority skepticism, distrust, and a lack of confidence in the criminal justice system as a whole. Lower levels of support for capital punishment may simply be symptomatic of a much larger and more

serious problem, a crisis of legitimacy, which also needs the attention of the scholarly community. It was important to note that the jury pool surveys were conducted in a death penalty state, Florida, for which past research had established evidence of racial disparities in the administration of capital sentencing (Radelet, 1981; Radelet & Pierce, 1985). In addition, the first jury pool survey was administered in a metropolitan area that several months previously had experienced a significant race riot instigated by a police shooting of a young, Black male (Roche & Davy, 1999).

Given that these data were derived from either a pair of local area samples with limited generalizability or a set of secondary data for which superior measures of key concepts might not be available, it was also clear that the significance of the observations not be overstated, and that readers be warned to be cautious of them. This study was both limited and exploratory in nature, thus, others need to replicate and extend the research on this intriguing problem.

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