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FINAL REPORT

Measuring Public Perceptions of Appropriate Prison Sentences*

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Measuring Public Perceptions of Appropriate Prison Sentences

TABLES

I. Background and Literature Review

Lawmakers, judges and parole officers make important public policy decisions about the length of prison sentences for different types of offenses and offender, which crimes should receive minimum mandatory sentences, and which offenders should be eligible for early release. Yet, we know little about how the public views these sentences.

The well-known public opinion studies by Wolfgang et al. (1985) and others ask respondents to evaluate the relative "seriousness" of offenses. However, we do not know how the public or policy makers would map "seriousness" into appropriate sentences. Although there is likely to be a correspondence between seriousness and appropriate punishment, there is no reason to believe that doubling the seriousness score (for example) leads to a doubling of the sentence. Indeed, some limited studies based on focus groups suggest that seriousness rankings might not be a good proxy for the public's view on appropriate punishment for crime.[1]

A few studies have explicitly asked survey respondents to impose sentences of incarceration or probation in a series of vignettes (Blumstein and Cohen, 1985; Zimmerman, van Alstyne and Dunn, 1988; Rossi and Berk, 1995 and 1997). The approach is similar to that of Wolfgang et al. (1985), since public opinion is measured through a series of vignettes that vary important dimensions thought to affect the appropriate sentence length. Rossi and Berk (1995), for example, do not measure seriousness, but instead ask respondents to impose a sentence of either "probation," "prison less than 1 year," prison more than 1 year" or the death penalty. In cases of

[1] See Rossi and Berk (1995: 11) for a discussion of these studies. Cohen (1988b) provides another method of ranking the seriousness of crime based on the cost to victims.

prison, respondents were also asked for a length in months (for less than 1 year) or years (for one year or more). The authors then went on to compare the preferred sentence to that imposed under the U.S. Sentencing Guidelines. The earlier studies by Blumstein and Cohen (1980) and Zimmerman et al. (1988) examine a limited set of crimes in one county or state. Among their conclusions, is the finding that the public generally prefers more frequent - and lengthier - prison sentences than are actually imposed. Both sets of authors conclude that one of the problems with this approach is that survey respondents "are constrained neither by current practice nor by the actual ability of government to provide jail and prison space" (Zimmerman et al, 1988: 123).

When asked in a recent public opinion survey, 74% of the public believes that "in general...the courts in this area deal too harshly...with criminals." (Sourcebook: 1999, Table 2.56). Researchers who study public opinion on sentencing often conclude that public opinion should not be used in sentencing decisions because they would result in more punitive sanctions.[2] However, Roberts (1992: 52) does an exhaustive review of the literature and concludes, "taken together, these studies do not sustain the conclusion that the public is overwhelmingly more punitive than the courts." He argues that this is a common misperception.

This research project was designed to test several new methodologies for eliciting information on the public's preferences towards sentencing and parole of criminal offenders. It partly relies upon the well-established methodology used by Wolfgang et al

[2] See for example Zimmerman et al. (1988). More recently, Golash and Lynch (1999) argue against the use of public opinion surveys being used to arrive at appropriate sentences. However, they acknowledge that the use of such surveys can be of assistance in determining what sanctions are politically feasible.

(1985) and others, whereby a sample of the U.S. public is asked to react to a series of crime vignettes. Although this approach has mostly been used in previous studies on crime seriousness, a few studies have used this approach to gauge the public's attitude towards sentencing. These studies have generally been limited to a few crimes in one state, and more recently (Rossi and Berk, 1995 and 1997), on federal crimes. One of the main purposes of these public opinion surveys has been to compare existing sentencing practice to the public's preferred approach.

Although the approach taken here is similar to that employed by earlier studies of the public's attitude towards sentencing, there are several important differences: (1) this study focuses on crimes normally encountered by local criminal justice agencies - such as burglary, robbery and assault; (2) the study focuses on the parole decision in a constrained choice setting by providing respondents with a more realistic policy setting in which to make decisions; and (3) the project will incorporate explicit tradeoffs of various crimes and sentences in order better understand the true preferences of the public. In addition, this project has explored two new methodologies designed to elicit information on the public's willingness-to-pay for crime prevention and control policies.

The constrained-choice setting used in this study is particularly important, since previous studies have often concluded that the public's preferred sentences are considerably more severe than actual sentencing practice. Previous authors have hypothesized that the higher sentence lengths demanded by the public are partly due to the lack of constraints placed on respondents as compared to those normally faced by policy makers in the real world. It is easy to call for doubling prison lengths, for example, when you are not expecting to pay higher taxes in exchange for this hypothetical

answer. This project explicitly addresses this issue by offering a series of paired comparisons from which respondents must choose. For example, respondent were asked to choose which of two offenders should spend the next year in prison given the fact that only one cell is available. Respondent were also asked to choose between the expansion of alternative crime prevention programs verses a specified tax rebate. Finally, adopting a methodology from the environmental economics literature, where similar problems in valuing public goods are found, we elicited information on respondents' willingness-to-pay for crime reduction strategies. By revealing their perceived benefit from reducing crime, respondents provided us with new estimates of the cost of crime.

The policy relevance of this proposed project is self-evident. Seriousness rankings based on public opinion surveys have been used extensively in both the academic and policy arenas. Examples of policy-relevant applications include: Heller and McEwen (1975), who use seriousness rankings in the process of allocating police patrols; and van den Haag (1982) who advocates the use of seriousness rankings in determining appropriate sentences for convicted criminals. Estimates of the "cost of crime" are being used in criminal justice policy analysis (see e.g., Cohen, 1998; Rajkumar and French, 1997). Yet, there are only a few existing studies of the cost of crime, and all of them use the same methodology that has the subject of some controversy in the literature. This study utilizes a new methodology to estimate the public's willingness-to-pay for crime control programs.

II. Study Methodology

Although the research team at Vanderbilt designed all substantive questions of the survey and maintained full management control of the project, we retained the services of Roper Starch Worldwide, a professional survey research organization to assist in survey design and to administer the survey. The Roper Starch division that worked on this project was formerly the Response Analysis Corporation, which specializes in social research studies. The Roper team included the leaders of the group that collected the data for the Rossi and Berk (1995) study of the public perception about appropriate sentencing for federal crimes.[3] That team has also worked previously on "contingent valuation" surveys in the environmental area - a methodology that is employed in the latter part of this survey to elicit the public's willingness to pay for reduced crime. This section is largely based on a more detailed report, previously submitted to NIJ (Roper Starch Worldwide, 2000).

A. Survey design stage

The survey development stage was deemed to be the most crucial part of the research project. Among the issues that were addressed during this stage were: the appropriate format for the survey (e.g. telephone, mail, or some combination), survey length, ability of respondents to understand complex questions, finding appropriate language for the questions so that the meaning received was the same as intended, and whether the survey could move from section to section without introducing respondent bias from previous sections.

[3] The Roper team included: Kevin Bray, Project Director; Kathleen Barringer, Project Manager; Robert Benford; and Nicolas A. Holt, PhD.

(i) Panel of Experts

After conducting an extensive literature review, an initial draft questionnaire was prepared for discussion purposes. This questionnaire was sent to a panel of eight experts. The panel consisted of five academics (one economist, three sociologist/criminologists, and one public policy professor); two research professionals in the criminal justice field, and an assistant police chief.[4] The panel met for a full day in June 1999, in Nashville, Tennessee. The full Vanderbilt project team and representatives from the Roper team were in attendance at the panel meeting. Among the issues the panel was asked to address were: (a) which crimes should be included in the study, (b) what factors should be included in the crime descriptions, (c) which factors should be varied versus fixed, (d) what range of sentencing options should be offered to respondents, and (e) what demographic and background questions should be asked of respondents. The expert panel discussed specific wording of questions and how much information to provide respondents. They also provided input into the format of the tax rebate and willingness-to-pay questions. Additional discussions focused on technical/methodological issues such as sample size and sampling design.

(ii) Focus Groups

Following the expert panel meeting, the questionnaires were revised. Three focus groups were held to observe participants' reactions to the revised draft survey instrument

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[4] The panel members were: Prof. Glenn C. Blomquist, Dept. of Economics, Univ. of Ky; Prof. Colin Loftin, Criminal Justice, SUNY Albany; Prof. Gary F. Jensen, Sociology, Vanderbilt University; Dr. Deborah Faulkner, Nashville Police Dept.; Dr. Linda Drazga Maxfield, U.S. Sentencing Commission; Prof. Daniel S. Nagin, Public Policy, Carnegie-Mellon; Dr. Brian Jay Ostrom, National Center for State Courts; and Prof. Mark Warr, Sociology, Univ. of Texas.

and to obtain feedback on how to create a more effective survey. Two focus groups were held in Gaithersburg, MD on December 10, 1999 with 25 local residents, 12 in the first group and 12 in the second. A third group, comprised of 10 participants of Hispanic descent, was held in New York, NY on December 13, 1999. Representatives of the Vanderbilt team were in attendance at all three focus groups and were able to observe and interject additional questions (behind the scenes) during the focus group meetings. Participants were screened to obtain a cross-section of the general population. A special effort was made to include a mixture of rural and suburban residents in the Gaithersburg groups and an urban, minority population for the New York City group. Screening also attempted to include people of all age groups, household make-up, and an even distribution of genders.

To approximate the proposed telephone-interviewing methodology, the focus group moderator read a modified version of the survey instrument to participants. Participants were asked questions about their ability to comprehend the crime scenarios and to make an informed judgment about appropriate sanctions. Particular attention was paid to testing the wording of questions that asked respondents how much they would be willing to pay for crime control programs. Additional discussion focused on the participants' ability to answer the questions honestly, the comprehensiveness of the response categories and whether or not the participants' responses would help answer the research questions at the heart of the project.

(iii) Cognitive Interviews

After extensive revisions of the survey instrument based on the feedback we received from the focus groups, on March 7th and 8th 2000, eleven cognitive interviews were

conducted, each of one-hour duration. Cognitive interviewing allows researchers to test the structure and content of a questionnaire on a one-on-one basis with the respondent. During these cognitive interviews, respondents were asked to "think aloud" while determining how to answer a question. This "think aloud" method allows researchers to uncover how respondents are interpreting each question. Further revisions to the questionnaire were made based on the results of these cognitive interviews.

(iv) Pretest

The final stage of survey development was to pretest the revised instrument with live telephone interviews. This formal pretest was held the evening of May 4, 2000. A total of eleven completed interviews were administered, with an average length of 27.5 minutes. Further modifications were made, primarily to shorten the length of the interview, based on the eleven completed interviews.

(v) Survey Method

Although originally envisioned as a combination telephone interview/written survey, the final decision on the survey method was not made until fully exploring these issues with the expert panel and focus groups. Ultimately, it was determined that the best approach - for both quality control and cost-effectiveness reasons - was a full CATI design. The complexity of the survey instrument - including the many decision trees that needed to be applied - made a written survey much less desirable than initially envisioned. Unlike the traditional factorial design/vignette approach followed by previous researchers, our approach requires several layers of decision trees.

B. Survey Administration

The final survey (reproduced in Appendix A) was programmed for computer assisted telephone interviews ("CATI"). This approach allowed for complex branches, single and multiple responses, open-ended text answers, and random rotation of text insertions for the vignettes. It also reduces the frequency of invalid data by not permitting answers that are outside the scope of the options provided in the question, while retaining the ability to allow respondents to answer "other" and specify their answers with text.

Interviewers for this project were professional interviewer staff of the Roper Starch organization and were selected based on their experience administering similar questionnaires and on their ability to attain a high response rate. The first training session for this study was conducted on the evening of May 16, 2000. The session was moderated by Kathleen Barringer, the Project Manager for Roper Starch. Also in attendance were Kevin Bray, the Roper Project Director, and Dr. Mark Cohen of Vanderbilt University (via conference call). Twenty interviewers were trained during the first session. A subsequent training session involved fifteen additional interviewers. The training sessions included background information on the objectives of the study, question-by-question review of the survey instrument, mechanics of crime scenario rotation, randomization of dollar amounts, etc., and discussion of problem areas that might arise during the interview. Before going on-line, interviewers conducted mock interviews among themselves using the CATI questionnaire. Additional written materials were provided for interviewers to reference during the training and throughout the study.

A number of quality control measures were in place during the interviewing process to ensure the accuracy of the data. These quality control measures include the

CATI system that ensured the order and logic of the survey was followed and disallowed invalid responses, issuing daily production reports, reviewing interim frequencies, floor supervision, and monitoring interviews. Supervisors were always on hand to respond to any interviewers questions about how to enter a response.

C. Response Rate

The questionnaire wording was scrutinized to reduce the incidence of introductory text or questions that could result in a respondent refusing to complete an interview. Thus, the introductory text of the interview mentioned the subject matter of the survey and the sponsoring organizations, Vanderbilt University and the National Institute of Justice. Every potential respondent was informed that we were not trying to sell anything and that their individual responses would be held in complete confidence.

Once a potential respondent refused to participate, it was left dormant in the CATI system. As the sample became exhausted, these refusals were re-released into special interviewer pools. These pools were accessible only to specially chosen interviewers – interviewers who had proven to be successful at refusal conversions. This sample was attempted until contact was made with the potential respondent. If a subsequent refusal was encountered, the sample piece was retired. Another effort utilized in an effort to maximize response rate was leaving messages on potential respondents' answering machines. As the sample became exhausted, if an answering machine was encountered, the interviewer left a brief, scripted, message identifying the study sponsor, the purpose of the research and an 800 number that could be called if they would like to participate.

Calls were placed on weekdays, evenings, and on weekends between the hours of 10:00 am and 9:30 pm, respondent time. On Sunday, calls were not placed before noon, respondent time. The sample management system is able to control for time zones, so that Pacific Time zone respondents are not called too early, and Eastern Time zone respondents are not called too late. The sample management system ensured that calls were placed throughout the day and evening to increase the likelihood of speaking with hard-to-reach populations. Since there were no maximum attempts limits set on the sample telephone numbers, many telephone numbers were attempted over 20 times, and some as many as 40 times.

Telephone interviews were conducted with a sample that is representative of the entire United States population of adults age 18 or over. The sample includes Alaska and Hawaii residents in addition to those of the Continental United States. A random digit dial sample of 4,966 phone numbers yielded a total of 1,300 completed interviews – a 43% response rate. Interviews were conducted between May 16, 2000 and August 8, 2000. This response rate is based on the accepted CASRO (Council of American Survey Research Organizations) procedure, which is a very conservative approach that was established to create a uniform formula for measuring response rates for survey research.[5] It includes estimates of the percentage of the sample with unknown usability that would become usable and the percentage of sample with unknown eligibility that would become eligible if time was unlimited and the study continued indefinitely. The CASRO method does not estimate the percentage of eligible sample with unknown cooperation that would cooperate if time were unlimited and the study continued indefinitely. Thus, the

denominator in the calculation of response rate is increased by these estimates, but the numerator is fixed.

Table II-1 calculates the 43% response rate. Care should be taken in comparing this response rate to other studies that frequently report much larger rates using different methodologies. For example, a common method is to compare actual completions to refusals. In that case, our 1,300 respondents are compared to 928 who refused to participate, resulting in a response rate of 58% [(1300/(1300+928)) =58%].

As shown in Table II-2, more than 50% of the interviews were completed within the first two weeks of beginning the interview process, and 75% had been completed by the end of the 4th week. It required an additional 7 ½ weeks to obtain the remaining 25% of cases, because we did not want to dilute the response rate and instead persisted in attempting to reach the initial sample pool.

Table II-1
Survey Response Rate

	Number	Percentage
Total Numbers Dialed	4,966	100%
- Unusable (business, fax, etc.)	(1,481)	(30%)
- Estimated Unusable	(430)	(9%)
Estimated Eligible Sample	**3055**	**100%**
- Refused	(928)	(30%)
- Disabled/hearing	(23)	(0.7%)
- Nobody contacted, unknown status, etc.	(804)	(26%)
Final Sample	**1300**	**43%**

Note: Response rate calculated using conservative CASRO method (see text). Thus, included in the nonrespondent category is a portion of those who were never contacted.

[5] See http://www.cmor.org/hold/cmor.pdf.

Table II-2
Survey Response Timeline

Date	End of Week	Number of Surveys Completed	Percent of Total Surveys
05-16-00	0	0	0%
05-22-00	1	276	21%
05-30-00	2	731	56%
06-06-00	3	894	69%
06-13-00	4	991	76%
06-20-00	5	1011	78%
06-27-00	6	1050	81%
07-03-00	7	1108	85%
07-11-00	8	1181	91%
07-18-00	9	1221	94%
07-25-00	10	1245	96%
08-01-00	11	1259	97%
08-08-00	12	1300	100%

D. Sample Demographics and Weighting

The data are weighted to adjust for probabilities of selection and to adjust for non-response on specific demographic variables. First, a base weight was applied; it represents the probability of a household being selected. This was then adjusted using the number of adults in the household and the number of residential telephone lines that reach the household. Next, the data were adjusted on age, sex, education, and race, using the three-year Current Population Survey estimate, including 1997, 1998, and 1999. This adjustment was made using an iterative proportional weighting algorithm.[6] Results of this study can be projected to the population of people who are 18 years of age or older living in the fifty United States, including the District of Columbia.

Table II-3 compares the unweighted and weighted sample population to the U.S. population. Note that the weighted sample eliminates the statistically significant differences between our unweighted sample and the U.S. population found for gender, race and education. There was no statistically significant difference in the age distribution in the unweighted sample.

Although not part of the weighting protocol, we also compared our sample to ethnicity and income. As shown in Table II-3, the weights have not corrected for differences in the proportion of Latino respondents. Indeed, the proportion of Latinos in the weighted sample is farther from the U.S. population than in the unweighted sample. Whereas 10.0% of the 18 and older U.S. population is Latino, only 6.4% of our sample (and 4.8% of our weighted sample) is Latino. One part of that difference is apparently due to language barriers. Sixty-four individuals who were originally contacted through the RDD sample were deemed ineligible due to language barriers. If all of these individuals were Latino, for example, that would represent 4.9% of our sample (64/1300 =4.9%), which would bring our sample up to the estimated population ratio.

There is also some noticeable difference in reported household income. The main difference appears to be in the percentage of our sample that report household income below $15,000. While 16.5% of the U.S. household population reportedly has an income under $15,000, only 9.0% of our sample reports that level of income (9.6% of the weighted sample). Note that the survey was conducted in the summer of 2000, whereas

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[6] This is the standard approach to weighting (also known as "raking") when more than one variable is used to form the weight, and is used by the Census bureau among other

Table II-3:
Comparison of Survey Respondents to U.S. Population Age 18+

Demographic	Unweighted Sample	Weighted Sample	U.S. Population
Age:			
18-34	31.2%	33.2%	31.5%
35-49	32.9	32.4	31.7
50-64	21.0	19.3	19.6
65+	14.9	15.1	17.1
Gender:			
Male	42.0% **	48.1%	47.9%
Female	58.0% **	51.9%	52.1%
Ethnic/Race:			
White	80.6% *	84.1%	83.6%
African-American	8.9% *	11.8%	11.9%
Latino	6.4% **	4.8% **	10.0%
Education:			
< High School	6.9% **	17.9%	16.9%
High School/GED	61.4%	59.7%	59.9%
College +	31.7% **	22.3%	23.2%
Household Income			
Median	$42,000	$42,000	$40,816
Mean	$58,731**	$56,090	$54,842
< $15,000	9.0%**	9.6%**	16.5%
$15,001 - $35,000	22.0%**	23.4%*	26.7%
$35,001 - $50,000	23.4%**	23.6%**	15.7%
$50,001 - $75,000	22.3%**	23.2%**	18.5%
Over $75,000	22.8%	20.1%*	22.6%
Urban/Rural			
Rural	20.2%**	22.3% *	24.8%

Source: All U.S. Population estimates taken from 1999 U.S. Census Bureau estimates for population age 18+ (except urban/rural, taken from 1990 Census).
* $p < .05$; ** $p < .01$

the most recently available Census data report on calendar year 1999. Thus, to the extent that income levels have increased over that time period, this would account for some small amount of this discrepancy. Another potential reason for this difference is that 13.8% of our sample refused to provide detailed household income information (as

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agencies. See Deming and Stephan (1940) and Brackstone and Rao (1976).

compared to the typical refusal rate for most of the questions in our survey that was well below 5%). If these refusals are clustered at the low end of the income distribution, our sample might look much more like the U.S. population. Finally, we note that since the lowest income families will be those without telephones, and 5.9% of U.S. households do not have telephones, this could account for the bulk of the difference in our sample.[7]

In addition to comparing our sample demographics to the U.S. population, we are able to compare some of their attitudes towards crime and other social ills. Several of the introductory questions on the survey were patterned after the questions found in the 1998 General Social Survey.[8] Thus, we asked respondents whether they thought we were spending too much, too little, or about the right amount on police and on drug treatment programs:

> We are faced with many problems in this country, none of which can be solved easily or inexpensively. I'm going to name some of these problems, and for each one I'd like you to tell me whether you think we're spending too much money on it, too little money, or about the right amount.

Overall, our sample's responses are strikingly similar to the GSS responses. However, some differences do appear. As shown in Table II-4, the proportion of our sample that believes we are spending too much on police is almost identical (8.1% versus 8.2%). However, our sample is less likely to believe we are currently spending "too little" on police (52.6% versus 56.2%). Our sample is also equally likely to believe that we spend too much on drug treatment, (11.8% in both surveys). Any differences between the two results should be considered in light of the fact that there is two years difference in the sampling time frame and the questions differ somewhat. Our question asks about "police

[7] Source: Statistical Abstract of the U.S., 2000 (Table 910).

on the street," and "programs designed to get people off drugs." The GSS questions ask about "spending on law enforcement," "drug rehabilitation" and "dealing with drug addiction."

Table II-4
Comparison of Survey Respondent Views to General Social Survey

	Too Much	About Right	Too Little	Not Sure/ Refused
This Survey: Spending on Police	**8.1%**	**34.2%**	**52.6%**	**5.1%**
GSS: Spending on Law Enforcement	8.2%	37.0%	56.2%	3.7%
This Survey: Drug Treatment	**11.8%**	**24.9%**	**53.5%**	**9.8%**
GSS: Drug Rehabilitation	11.8%	30.3%	55.1%	7.8%
GSS: Deal with Drug Addiction	9.0%	28.0%	58.0%	5.0%

Source: 1988 General Social Survey. Note: Survey responses weighted.

E. Survey Bias, Respondent Consistency and Comprehension

The survey was designed with several checks to ensure that respondents understood the questions, could respond with some rationality and consistency, and were not biased by the wording of previous questions. In this section, we describe some of these checks.

i) News Coverage of Crime

Surveys of the public can be highly dependent on external factors such as what is in headlines at the moment and who is actually being surveyed. Thus, we have taken precautions to ensure that such factors are minimized to the extent possible. As noted above, the survey was conducted over a fairly long period of time - four months. This was necessitated by the difficulty of obtaining a nigh response rate and a final sample size of 1300 individuals. The length of the survey (average time 23 minutes) precluded us from conducting this over a much shorter time period.

[8] See http://www.icpsr.umich.edu/GSS/.

As noted in the previous section, we recorded the date of the interview and can thus use that date for several checks on possible timing concerns. The first concern is that some headline grabbing event in the news would bias responses. For example, a mass school shooting or the gruesome details of a highly publicized murder could bias respondents to be more severe in their assessment of the appropriate penalty for crime than they might otherwise be. We conducted an extensive search of the national press and could find few such events during the May through August 2000 time period in which this survey was conducted[9]. Only one sensational crime story captured the national headlines during this time, when a school shooting occurred in Florida on May 26, 2000, resulting in one death. One other crime-related story appeared on the national headlines. On June 21, 2000, the U.S. Senate passed a bill that would have increased the penalties for hate-motivated crimes. In addition, a few crime incidents made the large city Metro section headlines in New York and Los Angeles. However, these were not national stories. However, on August 2, 2000, several newspapers announced the "Annual National Night Out Against Crime," where local residents held evening programs on crime awareness. To assess whether any of these events had a significant impact on our findings, we constructed dummy variables corresponding to those dates (including the six days following each date) and included them in regression analyses explaining responses. For example, we estimated a logit regression model where the dependent variable was the in/out decision on a crime scenario, and independent variables included demographic

[9] Using the Lexis/Nexis database, we searched for "crime or bomb! or shoot! or violen!" on AP Wire Archives, CNN Archives, Gannett News Service, Scripps Howard News Service, New York Times, Washington Post, Los Angeles Times, and Chicago Tribune.

characteristics of the respondents and these dates. None of the dates had any significant explanatory power in these regressions.

ii) Interviewer Bias

Over the life of the survey, Roper used 48 different interviewers. These interviewers completed anywhere from one to 100 surveys, with the mean being 27 per interviewer and the median being 20. To test for any potential interviewer bias, we constructed zero-one dummy variables for each interviewer that had completed 10 or more surveys. To assess whether any particular interviewer had systematically different responses, we included these dummy variables in regression equations explaining responses. For example, we estimated a logit regression model where the dependent variable was the in/out decision on a crime scenario, and independent variables included demographic characteristics of the respondents and these interviewer dummy variables. None of the interviewer dummy variables had any significant explanatory power in these regressions.

iii) Difficult to Reach Respondents

Another sampling issue we explored was the impact of our insistence upon obtaining a relatively high response rate. In particular, those surveyed at the end of the time line might differ significantly from those that were surveyed early on. The reason people were surveyed in late-July and August is because we were unable to make contact with them despite several earlier attempts. Thus, it is possible that the demographics of the individuals who were surveyed late would differ. In particular, we would expect the earlier respondents to be those who are home more often - homemakers who do not work outside the house, the elderly, etc. We would also expect the highest income individuals

to be among the late respondents, as they are likely to be traveling out of town more often.

We compared the demographics of the respondents over time. The only differences apparent were that the late responders were more likely to be in the highest income category (greater than $75,000 household income) and living in a city.[10] Although we have controlled for the time sequencing of responses in some of our analyses in order to determine the effect of our sampling design, ultimately, this 'bias' is viewed as a positive aspect of our sample design and these control variables are not included in any final results. In fact, our results suggest that telephone surveys where only one or two attempts are made to locate a respondent might bias the results away from those in the highest income categories.

iv) Comprehension of Questions

The survey was also designed with several checks to ensure that the respondent understood the questions and that the responses followed some reasonable amount of logic and consistency. This approach is similar to that followed by Rossi and Berk (1995). A preliminary set of questions was constructed as 'screeners' to ensure that the respondent could understand English and the questions. 50% of respondents received the following two vignettes:

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[10] We conducted several tests. For example, we estimated the chi-square and relative risk ratios for sets of zero-one dummy variables where "late" responders were defined to be those that responded in the second half of the survey time frame. Demographics included male/female, black/white, Hispanic/non-Hispanic, high income, low income, college, less than high school, and various age categories. We also ran several regressions with continuous age and income variables as independent variables and the day of response as the dependent variable.

(b1) A 28-year-old single man was convicted of robbing a bank at gunpoint and threatening to kill the teller if she did not give him the money in her drawer. He escaped with $10,000. Prior to this offense, he had served 2 previous prison sentences each more than a year.

(b3) A 28-year-old single man, a citizen of another country, was convicted of illegally entering the United States. Prior to this offense, he had never been imprisoned before.

After each vignette, the respondent was asked, "Should this offender be sent to prison?" If yes, they were asked "How much time do **you** believe this offender should **actually spend** in prison?" If no incarceration was chosen, respondents were asked an open-ended "Why?" that was written down verbatim. Since the first vignette involved a gun-related violent crime with risk of death, it was expected that most respondents would choose a harsher penalty for that offender than for the second, an illegal alien with no known prior offenses. If the respondent's preferred sanction for the first offender was less severe than for the second offender, the respondent was asked:

> Let me recap what you have just reported. You sentenced the person convicted of bank robbery to ___, and the person convicted of illegal immigration to ___. Can you tell me why you sentenced the second offender to a more severe sentence than first one?

The remaining 50% of respondents received similar choices, although there is some added complexity. The more "serious" vignette was:

(b2) A 28-year-old single man, a citizen of another country, was convicted of illegally entering the United States. Prior to this offense, he had served two previous prison sentences each more than a year. One of these previous sentences was for a violent crime and he had been deported back to his home country.

The second "less serious" offense was randomly assigned to one of the following two vignettes:

(b4) A 28-year-old single man was convicted of making $400 of counterfeit U.S. dollars on his home computer and printer. He tried to spend the counterfeit money at the shopping mall. Prior to this offense, he had never been imprisoned before.

(b5) A 28-year-old single man was convicted of making 10 counterfeit driver's licenses that had his own picture on them, but used the names and Social Security numbers of other persons. He was caught before he could use these fake IDs. Prior to this offense, he had never been imprisoned before.

Although we did not use these screener questions to eliminate any respondents, we did analyze them to determine whether there were any respondents who appeared to have difficulty answering the questions. Of the 650 individuals who received the bank robber scenario (b1), only three respondents (1/2 of 1%) sentenced the bank robber to a lesser sentence than the second scenario. These three individuals appeared to have difficulty understanding the questions.[11] Although we kept their responses in the survey, they have been flagged for further data analysis.

Of the 650 respondents who received the illegal alien with prior convictions scenario (b2), a total of 182 were asked the follow-up question because they either sentenced the illegal alien to a lighter sentence or did not provide a sentence for that offender. Of these 182 individuals, 145 responded "don't know" to the illegal alien scenario (b2), but were able to provide an answer to one of the remaining scenarios (b4 or b5). An additional 37 respondents sentenced the illegal alien (b2) to less prison time than they did to one of the remaining two scenarios (b4 or b5). However, in almost all cases,

[11] An additional five individuals who received the bank robber scenario were asked question b3, because they responded "don't know" to the bank robber, but gave a positive prison sentence to the second offender. However, their responses to the follow-up questions were reasonable. For example one respondent sentenced the illegal immigrant

the reasons given by respondents were clearly articulated and understandable. Most simply responded that they thought the illegal alien should be deported or they did not cause any harm compared to the counterfeiters who were financially hurting people. Ten individuals indicated that they could not give a reason why they responded the way that they did. Two indicated that they did not understand the first scenario (the illegal alien with prior convictions, scenario b2). These two individuals have been flagged for further data analysis. Two individuals explained that they didn't provide a prison sentence for the illegal alien because they thought he should be killed, while a third indicated that he should either be put in prison for life or killed.

v) Interviewer Concern over Respondent Answers

At the conclusion of the survey, the interviewer was asked, "Did you get the feeling your respondent was rushing or deliberately answering questions to try and shorten this interview at any point? If so, please indicate at which part of the interview you felt this happened." These verbatim responses by the interviewer were coded as zero-one dummy variables indicating the point at which the respondent started to become rushed. Thus, for example, if a respondent became rushed in section 3, variables for that section, as well as section 4 and the demographic section would be coded 1. Although not asked directly, in some cases, the interviewer indicated that the respondent had difficulty understanding questions or didn't pay attention to the questions. These cases were also coded with a zero-one dummy variable. As shown in Table II-5, these concerns were rare. For example, only 11 respondents (0.8%) were identified as being rushed

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(scenario b3) to one year in prison but wasn't sure about the bank robber, indicating, "I don't know how long maybe five years for the first guy but I really couldn't say."

throughout the entire survey. By section 3, that number had grown to 22 respondents (1.7%), while 48 respondents (3.7%) were identified as being rushed by the very last section on demographics. An additional 7 respondents were identified as having difficulty answering questions in general. Combined with the 5 respondents identified in section b as having difficulty answering the screener questions, there were a total of 12 respondents identified as having difficulty answering the questions. These 12 individuals represent 0.9% of the respondents. Combined, we have flagged a total of 60 respondents (4.6%) for further analysis. Note that in the weighted sample, they represent 67 (5.2%) of respondents.

Table II-5
Respondents Identified for Follow-up Analysis

	Unweighted		Weighted	
	Number	Percent	Number	Percent
Respondent "rushed" during section: A (preliminary)	11	0.8%	10	0.7%
B (screener questions)	14	1.1%	14	1.1%
1 (parole decisions)	15	1.2%	14	1.1%
2 (appropriate sentences)	17	1.3%	17	1.3%
3 (allocation of tax funds)	22	1.7%	20	1.6%
4 (willingness-to-pay)	41	3.2%	38	2.9%
Demographics	48	3.7%	45	3.5%
Respondent identified to have difficulty understanding or taking questions seriously (by interviewer or by analysis of part b responses).	12	0.9%	22	1.7%
Combined	**60**	**4.6%**	**67**	**5.2%**

vi) Consistency of Responses

The survey design also included a few consistency checks on respondents. In particular, in the introductory section, Part A, respondents were asked:

We are faced with many problems in this country, none of which can be solved easily or inexpensively. For each of the following, please tell me whether you think we're spending too much money on it, too little money, or about the right amount.

a. Police on the street?
   1 TOO MUCH
   2 TOO LITTLE
   3 ABOUT RIGHT
   7 DON'T KNOW
   8 REFUSED

b Programs designed to get people off drugs?
   1 TOO MUCH
   2 TOO LITTLE
   3 ABOUT RIGHT
   7 DON'T KNOW
   8 REFUSED

Later, in Part 3 of the survey, respondents were asked to allocate a federal government grant to their local government. Among the programs that they could allocate money to were "more police on the street," and "drug and alcohol treatment programs for offenders convicted of nonviolent crimes." Specifically, respondents were asked:

> For the next few questions, I want you to put yourself in the shoes of your local mayor. The Federal government has given your city [$100, $1,000] per household. You may spend all or part of that money on crime control or crime prevention, or you may give all or part of it back to your local residents.
>
> Four different crime control strategies have been recommended to you: one - add more prisons, two - add more drug and alcohol treatment programs for offenders convicted of nonviolent crimes, three - add more police on the street, and four - add more prevention programs to help keep youth out of trouble.
>
> Once again, you have [$100/$1,000] per household to allocate to these programs or to rebate to local residents.
>
> Would you spend any of this money to…..?

Although not entirely comparable, it would be somewhat inconsistent to respond that we spend too much on "police on the streets" yet allocate more money to that same

purpose. Similarly, it might be inconsistent to indicate we spend too much on programs designed to get people off drugs, yet allocate more money for drug and alcohol treatment programs for offenders convicted of nonviolent crime.[12] Once again, while we did not eliminate any such respondents, we constructed dummy variables that identified some of these potential inconsistencies so that we can empirically examine the consequences of controlling for these cases.

As shown in Table II-6, only 22 respondents (1.7%) said that "too much" money is being spent on police in question A1a, yet indicated that they would spend additional money on police in Part 3 of the survey. An additional 135 respondents (10.4%) indicated that we spend "too little" on police in question A1a and yet refused to allocate any new money to police in Part 3. Again, we are less concerned about the latter cases since it is entirely reasonable to believe we spend too little on police and yet have higher priorities than spending money on police. Similarly, we identified 49 respondents (3.8%) who said that "too little" was being spent on drug prevention programs, yet did not allocate any new funds to drug programs in Part 3. An additional 108 (8.7%) respondents thought we spend "too much" on "programs designed to get people off drugs," yet allocated more money to "alcohol and drug treatment programs for offenders convicted of nonviolent crimes." Combining these potentially inconsistent results we identified 27 respondents (2.1%) who had one such inconsistency in both the police and drug

[12] We recognize that it is not necessarily inconsistent to answer in these ways. For example, someone might be in favor of more "police on the streets" yet they might also believe that overall we spend too much on police. Similarly, someone might think that we spend too much overall for drug treatment programs, yet want to spend more for "alcohol and drug treatment...for nonviolent offenders."

Table II-6
Potential Inconsistencies in Responses

	Row	"We currently..."	"How would you allocate..."	Unweighted		Weighted	
				Number	Percent	Number	Percent
Police	A	Spend too much	Spend more	22	1.7%	28	2.2%
	B	Spend too little	Don't spend more	135	10.4%	143	11.0%
Drugs	C	Spend too much	Spend more	49	3.8%	47	3.6%
	D	Spend too little	Don't spend more	108	8.7%	113	8.7%
Both	E	"A or B"	"C or D"	27	2.1%	29	2.2%
	F	Spend too much on both	Spend more on both	1	0.08%	2	0.12%

questions. Only one individual, however, had both of the 'worst' inconsistencies - indicating they thought we are already spending too much on police and drug treatment, yet allocate part of their tax rebate to these two programs.

Our strategy in the analysis stage was to code these potential problem responses accordingly and empirically investigate whether or not there were systematic differences in their responses to the other questions in the survey and whether controlling for - or eliminating - those cases would significantly affect our findings. No significant effect was found when eliminating these cases. Throughout this report, we include all respondents.

III. Appropriate Punishment

The survey included 13 different scenarios that were analyzed using the traditional open-ended approach employed by Rossi and Berk (1995) and previous authors. The first five scenarios were early screener questions designed to ensure that the respondent could understand English and the questions (Part B - see Appendix A); and thus the responses

were limited to the in/out decision and length of prison (if any). The remaining 8 scenarios included numerous alternative sanction options.

Unlike previous studies that have had extensive factorial designs, we limited the number of factors to vary in order to increase the sample sizes that can be used for comparison purposes. Our primary interest is in comparing and contrasting the traditional open-ended approach to the parole decision, examining constrained choices when there is fixed prison capacity, and other innovative methods of surveying the public. Thus, we limited the number of parameters to vary. In all cases but one, the offender was identified to be a 28 year-old single man. The exception was an instance of Medicare fraud, where the offender was a 40 year-old single man. These ages were set to the median age of convicted offenders.

A. Screener Questions: In/Out and Deportation Decisions

Each respondent was asked two of five screener questions:

> B1) A 28-year-old single man was convicted of robbing a bank at gunpoint and threatening to kill the teller if she did not give him the money in her drawer. He escaped with $10,000. Prior to this offense, he had served 2 previous prison sentences each more than a year.
>
> B2) A 28-year-old single man, a citizen of another country, was convicted of illegally entering the United States. Prior to this offense, he had served two previous prison sentences each more than a year. One of these previous sentences was for a violent crime and he had been deported back to his home country.
>
> B3) A 28-year-old single man, a citizen of another country, was convicted of illegally entering the United States. Prior to this offense, he had never been imprisoned before.
>
> B4) A 28-year-old single man was convicted of making 10 counterfeit driver's licenses that had his own picture on them, but used the names and Social Security numbers of other persons. He was caught before he could use these fake IDs. Prior to this offense, he had never been imprisoned before.

B5) A 28-year-old single man was convicted of making $400 of counterfeit U.S. dollars on his home computer and printer. He tried to spend the counterfeit money at the shopping mall. Prior to this offense, he had never been imprisoned before.

These questions were asked with several different goals in mind. First, they were used to determine whether or not the respondent could understand the questions (see Section II E.). Second, the actual scenarios were chosen in response to an expressed policy interest by staff at the U.S. Sentencing Commission who were anticipating the need to write and/or modify guidelines in those crime categories. To accommodate these differing needs, the randomization process yielded different sample sizes. Thus, 50% of respondents were first asked either scenario B1 or B2. If the respondent was asked B1 (bank robbery), the second scenario would always be B3 (illegal immigrant without priors). If the respondent was first asked B2 (illegal immigrant with priors), then the second question was either B4 or B5 - each with a 50% chance. In all, 50% of respondents were asked B1, B2 and B3; while 25% of respondents were asked B4 and B5. Thus, the sample size for B1, B2 and B3 was approximately 650, while it was 325 for B4 and B5. Every respondent received one of the two illegal immigrant questions; no respondent received both questions.

Table III-1 reports on the results of the five screener questions. All but 5 respondents out of 650 in the unweighted sample chose prison for scenario 1, the bank robber with a prior record. The average sentence length for that offender was nearly 18 ½ years. About 2/3 of respondents chose prison for the identify theft and counterfeiting offenders (neither of whom had prior criminal records), 65.3% and 63.2% respectively.

Table III-1
Decision to Incarcerate by Crime Scenario
(Section B - Screener Questions)

Scenario	Prison[a] (%)	Don't know or refused question (%)	Avg.[b] sentence (months)	Expected[c] sentence (months)	50+ years[d] or execute (%)	Deport[e] (%)
1 – Bank robbery	99.3	.1	222.9	221.1	17.0	N/A
2 – Illegal immigration (prior criminal record)	67.5	2.7	126.6	79.5	9.0	19.2
3 – Illegal immigration (no criminal record)	24.4	2.2	48.3	10.4	1.2	35.8
4 – Identity theft	65.3	1.2	64.7	41.3	--	N/A
5 – Counterfeiting	63.2	.8	54.4	33.0	1.6	N/A

Note: Weighted sample size: Scenario 1 (657), Scenario 2 (624), Scenario 3 (643), Scenario 4 (333), and Scenario 5 (302).

[a] Percentage calculated excluding "don't know" or refusals.

[b] Includes only those sentenced to prison. Respondents who indicated sentence lengths of life in prison or greater than 50 years were recoded to be 600 months.

[c] Includes all offenders, calculated as %Prison multiplied by average sentence length.

[d] Includes individuals sentenced to 600 or more months, life, or death penalty. Percentage calculated based on total who responded prison. Three individuals chose death penalty for scenario #1. One individual chose death penalty for scenario #2.

[e] Determined from response to question asked of those who did not respond "yes" to prison. Percentage calculated relative to overall N.

The average prison length for these offenders was 64.7 and 54.4 months respectively. These figures translate into an "expected sentence" of 41.3 months for the identity theft and 33.0 months for the counterfeiting crime.

A significant number of respondents preferred to deport the illegal immigrant rather than impose a prison sentence. For the illegal immigrant without any prior criminal record, 35.8% chose deportation, 24.4% chose prison, while 2.2% did not respond. The remaining 37.6% chose neither deportation nor prison. Although no alternative sanctions were permitted in this section, respondents who answered "no prison" were asked a follow-up question "why?" As shown in Table III-2, only a few respondents mentioned

alternative sanctions for the illegal immigrant. Many indicated they should be allowed to stay in the U.S. and/or that illegal immigration should not be considered a crime.

For the last two crime scenarios - identity theft and counterfeiting, the largest percentage of individuals who did not call for a prison sentence suggested that an alternative sentence would be more appropriate (26.7% for identify theft and 43.8 % for counterfeiting). Many other individuals indicated that these crimes were "minor" or noted the fact that they were first time offenders. However, because these were open-ended questions, we do not know if these individuals would have preferred alternative sanctions or no sanction at all.

Table III-2
Reasons Given for Not Incarcerating by Crime Scenario

Reason for Not Sending to Prison (Based on Respondents Preferring "No Prison")	Scenario* B1 (%)	B2 (%)	B3 (%)	B4 (%)	B5 (%)
Percent of Response: "No Prison"	0.7	32.5	75.6	34.7	36.8
Percent of "Reasons" Given by those who Responded "No Prison"	Out of 100%	Out of 100%	Out of 100%	Out of 100%	Out of 100%
Deport	0	55.9	47.0	0	.1
Shouldn't have to pay to incarcerate	0	2.8	1.1	0	.7
Let him stay/everyone has right to be here	0	2.7	2.7	0	0
Land of opportunity/chance for better life	0	8.1	16.2	0	.3
Rehabilitation	0	.3	.7	1.7	1.1
Offense not perceived as a crime	0	6.4	7.1	15.7	1.1
Offense perceived as very minor crime	21.9	2.5	3.8	16.8	9.3
Alternative sentence instead of prison	26.0	.8	2.4	26.7	43.8
Not violent/not dangerous	0	0	5.0	11.8	9.4
First offense/no priors	0	0	3.2	23.9	29.6
Not enough information to answer	15.7	3.1	2.2	.6	.4
Other	36.4	11.1	4.3	2.2	1.7
Don't know	0	1.7	1.7	.4	2.6
Refused	0	.4	0	.2	0
No answer	0	4.4	2.7	0	0
Weighted sample size.	(n=6)	(n=220)	(n=501)	(n=120)	(n=113)

* Scenarios: B1=bank robbery with priors; B2=illegal immigrant with priors; B3=illegal immigrant, no priors; B4=identify theft, no priors; B5=counterfeiting, no priors.

B. Main Scenarios with Alternative Sanctions: Unconstrained Decisions

The main scenarios used in the survey consisted of eight different crimes. Seven of these eight scenarios had a factorial design where 50% were written with no prior offenses, and the remaining 50% had offenders with "two previous prison sentences, each more than one year." One scenario involved a physician convicted of Medicare fraud. Since it would be unrealistic to have a physician with two prior offenses still being able to practice medicine, that scenario did not have a prior offense option. These scenarios were:

1) A 28-year-old, single man has been convicted of beating a stranger. No weapon was used. The victim was seriously injured, but will recover fully.

2) A 28-year-old, single man has been convicted of possession of 1 gram of cocaine, worth about $150.

3) A 28-year-old, single man has been convicted, with several others, of taking part over a four-month period in selling marijuana. He was caught with 10 pounds of marijuana, worth about $10,000. The offender was a street-level dealer who bought drugs from a wholesale dealer and sold directly to users.

4) A 28-year-old, single man has been convicted of robbing a 28 year old male stranger at gunpoint, stealing $400 from him. The victim was not hurt.

5) A 28-year-old, single man has been convicted of robbing a 28-year-old [homosexual, black, Jewish] male at gunpoint, stealing $400 from him. The victim was not hurt. The offender waited outside a [gay book store, black church, synagogue] to rob the first [gay, black, Jewish] person he saw.

6) A 28-year-old, single man has been convicted of breaking into a stranger's home and stealing $500 when no one was home.

7) A 40-year-old single male doctor was convicted of submitting $400,000 in false Medicare claims to the government.

8) A 28-year-old male was convicted of charging $30,000 on credit cards stolen from strangers.

Note that scenario #5 is the identical underlying offense as scenario #4 - armed robbery of $400 without injury. However, scenario #5 includes additional information indicating that the offender targeted a minority group for the crime. Thus, scenario #5 has an additional hate crime component and can be directly compared to scenario #4.

During this part of the survey (Part 2 - see Appendix A), each respondent received two of the eight scenarios in this format, with the prior/no prior distinction being randomized.[13] Thus, the sample size for each of these scenarios was approximately 325 (1300/4). However, for the seven scenarios that had a prior/no prior option, the sample size would be approximately half that amount. Ultimately, every respondent received some form of all eight scenarios. However, the remaining six scenarios were already asked of each respondent in Part 1 of the survey (see Appendix A) - where the question focused on the parole decision instead of the appropriate sanction (see Section IV).

In each case, respondents were asked first whether or not the offender should be punished. If yes, a follow-up question was asked, "Which punishment or punishments would you choose?" The respondents were given the choice of, (a) prison, followed by supervision, (b) supervision, (c) payment of fine or restitution, or (d) electronic monitoring & home confinement. If the respondent requested a form of punishment not listed, this was also recorded.[14] In the case of prison or electronic monitoring, a follow-up

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[13] Although we report on this part of the survey first, as noted below, there was actually an earlier part of the survey that asked respondents to determine whether or not offenders should be paroled. That part of the survey - Part 1 (see Appendix A) - is reported on in Section V of this report.

[14] Note that we did not include a "death penalty" option because none of the crime scenarios in our study would legally warrant a death penalty. The death penalty was volunteered only once (the armed robbery scenario) out of 1300 respondents.

was asked to determine the length of the sentence. In the case of a fine or restitution, the respondent was asked for the dollar amount.

Since multiple responses were permitted, there are numerous ways to report the results. Table III-3 reports on the unweighted distribution of preferred sentences for each of the 8 crime scenarios with no prior offenses, allowing for multiple responses. Thus, for example, 42.2% of respondents indicated that incarceration was warranted for the first scenario (assault) without prior offenses. The mean prison sentence for those who imposed one was 39.9 months. These figures can be converted into an "expected" prison sentence based on the probability of a prison sentence and the length of the sentence conditional on prison. Thus, an offender convicted of the first scenario has an "expected" prison sentence of 17 months (42.2% x 39.9 months = 17 months).

Table III-3
Preferred Sentence for Offenders with No Prior Offenses
Multiple Response (Unweighted)

Scenario	N	Incarceration (months)			Home Monitor (months)			Fine	Superv.	Other
		%	Avg.	Exp.	%	Avg.	Exp	%	%	%
1 – Assault	185	42.2	39.9	17	19.5	16.9	3	27.6	22.2	0
2 – Drug Poss.	154	17.5	76.8	11.8	20.1	11.8	2.3	24.7	37	2.6
3 – Drug Deal.	137	50.4	56.9	27.8	16.8	26.6	4.4	15.3	19.7	1.5
4 - Robbery	150	56.7	38.2	21.4	14	16.4	2.3	23.3	18.7	2
5 – Robbery/Hate Crime	157	61.8	36.8	22.9	12.1	16.5	2	22.3	16.6	1.3
6 - Burglary	145	31.7	29.2	8.9	27.6	10.9	3.1	40	23.4	1.4
7 – Medicare fraud	351	38.5	59.5	22.5	10.3	33.2	3.3	53	18.5	3.4
8 – Credit fraud	162	43.2	27.1	11.6	17.3	17.8	3.1	51.9	13.6	0.6

Similar calculations are shown for home monitoring. In the case of assault with no prior offenses, 19.5% of respondents called for home monitoring, with the mean time being 16.9 months. Thus, the "expected" time in home monitoring is 3 months. Finally, 27.6% of respondents specified a fine and 22.2% supervision. Table III-4 contains the same information for offenders with prior sentence.

Table III-4
Preferred Sentence for Offenders with Prior Offenses
Multiple Response (Unweighted)

Scenario	N	Incarceration			Home Monitor			Fine	Super.	Other
		%	Avg.	Exp.	%	Avg.	Exp	%	%	%
1 – Assault	157	66.2	67.3	45.5	13.4	26.4	3.5	23.6	10.8	2.5
2 – Drug Poss.	181	50.8	44.6	21.5	19	15.2	2.8	11.6	18.8	1.1
3 – Drug Deal.	144	74.3	70.7	52.5	11.8	24.8	3	12.5	5.6	0
4 - Robbery	158	81	60.3	48.4	13.3	32.4	4	18.4	8.9	0.6
5 – Robbery Hate Target	183	78.7	64.5	50.6	12.6	17.8	2.1	12.6	10.4	1.1
6 - Burglary	171	74.3	60	43.9	9.4	17.3	1.6	25.1	9.9	0
8 – Credit fraud	165	64.2	70.1	44.2	8.5	37.5	2.8	35.2	13.9	0

Table III-5
Preferred Sentence for Offenders with No Prior Offenses
Multiple Response (Weighted)

Scenario	N	Incarceration (months)			Home Monitor (months)			Fine	Superv.	Other
		%	Avg.	Exp.	%	Avg.	Exp	%	%	%
1 – Assault	183	41.6	36.4	15.5	15.4	31.2	4.3	27.1	22.9	0
2 – Drug Poss.	163	20.7	58.6	10.3	16.3	11.5	1.9	28.2	36.4	4.1
3 – Drug Deal.	126	52.6	60.6	30.9	18.7	30.4	5.5	14.5	18.0	2.4
4 - Robbery	154	51.2	37.0	19.0	17.6	24.8	4.4	26.1	18.4	1.7
5 – Robbery/Hate Crime	172	59.9	40.5	24.4	9.6	15.7	1.4	21.5	15.2	2.8
6 - Burglary	142	29.1	24.9	7.2	35.1	10.3	3.8	38.7	19.9	0.1
7 – Medicare fraud	363	37.9	63.9	24.2	13.0	38.2	4.9	52.2	15.6	3.2
8 – Credit fraud	156	43.2	26.9	11.4	20.5	18.4	3.8	49.0	13.2	0.8

Table III-6
Preferred Sentence for Offenders with Prior Offenses
Multiple Response (Weighted)

Scenario	N	Incarceration			Home Monitor			Fine	Super.	Other
		%	Avg.	Exp.	%	Avg.	Exp	%	%	%
1 – Assault	152	63.4	58.3	38.9	14.8	27.4	4.1	22.2	13.1	2.0
2 – Drug Poss.	177	55.4	46.4	21.2	21.1	15.8	3.3	12.7	17.4	0.6
3 – Drug Deal.	150	71.5	64.0	45.3	12.2	30.4	3.7	14.1	6.2	0
4 - Robbery	152	76.3	65.2	49.1	16.1	41.0	6.1	15.4	8.1	0.3
5 – Robbery Hate Target	160	78.7	54.5	42.6	12.6	14.2	1.6	15.1	12.2	0.1
6 - Burglary	173	70.4	61.2	42.2	11.3	18.5	2.1	23.3	11.9	0
8 – Credit fraud	176	58.9	79.4	45.7	11.3	54.1	5.5	40.8	18.1	0

Tables III-5 and III-6 provide identical information using weighted data. No notable differences exist between the weighted and unweighted data - all results are within a few percentage points of each other.

Comparing Tables III-5 and III-6, it is clear that the public is in favor of a substantial increase in both the incarceration rate and the length of incarceration for repeat offenders. The percentage of respondents who prefer some period of incarceration is between 1.3 times and 2.7 times as high for repeat offenders as it is for first-time offenders. The largest difference is for drug possession, where 55.4% of respondents would incarcerate repeat offenders as opposed to only 20.7% who would incarcerate first-time offenders. A similar ratio holds for burglary, where 70.4% would incarcerate repeat offenders compared to only 29.1% who would incarcerate first time offenders.

Similar results are generally found when comparing the length of prison sentences for first-time versus repeat offenders – with the length of sentence generally being 1.3 to 2.9 times higher. The only exception is the case of drug possession where the first-time

offender is actually sent away for a longer time – 58.6 months versus 46.4 months for the repeat offender. The reason for this apparent anomaly is the fact that only a small portion of respondents would send the first-time drug possession offender to prison (20.7%). However, those who would call for a prison sentence are also among those who would call for relatively lengthy sentences. For repeat drug possession offenders, the incarceration rate is now 46.4%, but those additional respondents who would now call for incarceration prefer much lower sentences. Combining the probability of incarceration with the length of sentence – to arrive at the "expected sentence" – yields results that are more in line with expectations. Thus, the "expected" time served for a first-time drug possession offender is 10.3 months, compared to 21.2 months for a repeat violator.

The other notable differences in sanctions for first-time versus repeat offenders is in the case of home monitoring for burglary (35.1% for first-time versus 11.3% for repeat offenders), and supervision for both drug possession (36.4% for first-time versus 17.4% for repeat violators) and drug dealing (18.0% for first-time versus 6.2% for repeat violators).

Tables III-7 and III-8 report the preferred sentence based on single responses, using a hierarchy whereby incarceration is deemed to be the most severe sanction, followed by home monitoring, fine, supervision and other. Thus, if a respondent preferred both prison and a fine, only the prison sentence is recorded in these tables. First, we report on the percentage of respondents that prefer no punishment. For example, 11.0% of respondents indicate no punishment is needed for the first time drug possession offender. 20.7% of respondents would impose a prison sentence (and possible other sanctions in

combination with prison).[15] Of those who want punishment and who do not want prison, 15.4% indicate home monitoring as the preferred sanction. An additional 20.7% indicate a fine, 28.8% supervision, 4.1% some other sanction, and 4.1% answered they did not know what the appropriate punishment should be. Note that if there are two columns labeled "don't know." The first one refers to the question of whether or not any punishment is warranted. The second "don't know" refers to individuals who said "yes" to punishment but could not determine what their preferred punishment should be. Note that the responses to the questions in Tables III-7 and III-8 add up to 100% (aside from minor rounding differences).

Table III-7
Preferred Sentence for Offenders with No Prior Offenses
Single Response (Weighted)

Scenario	N	Punish?		Incarceration (months)			Home Monitor (months)			Fine	Superv.	Other	Don't Know
		% No	Don't Know %	%	Avg.	Exp.	%	Avg.	Exp	%	%	%	%
1 – Assault	183	4.9	2.2	41.6	36.4	15.5	14.3	32.2	4.2	23.5	15.6	0	0.2
2 – Drug Poss.	163	11.0	0	20.7	58.6	10.3	15.1	9.5	1.4	20.7	28.8	4.1	4.1
3 – Drug Deal.	126	5.6	0	52.6	60.6	30.9	16.2	31.4	5.2	8.6	13.3	2.4	1.7
4 – Robbery	154	3.2	0	51.2	37.0	19.0	14.6	27.3	4.0	17.7	10.9	1.7	1.4
5 – Robbery/Hate Crime	172	3.6	0.1	59.9	40.5	24.4	9.5	16.2	1.3	16.7	6.3	2.8	2.2
6 – Burglary	142	0.1	0.1	29.1	24.9	7.2	34.1	10.4	3.7	23.3	9.5	0.1	3.9
7 – Medicare fraud	363	3.0	1.9	37.9	63.9	24.2	12.2	39.2	4.7	36.6	7.5	3.2	0.1
8 – Credit fraud	156	0	0	43.2	26.9	11.4	18.0	15.6	2.8	29.6	7.7	0.8	1.3

[15] Note that this 20.7% is the same as in Table III-5, since prison is the highest category. Thus, the percent going to prison is always the same in the multiple response and single response tables.

Table III-8
Preferred Sentence for Offenders with Prior Offenses
Single Response (Weighted)

Scenario	N	Punish?		Incarceration (months)			Home Monitor (months)			Fine	Superv.	Other	Don't Know
		% No	Don't Know %	%	Avg.	Exp.	%	Avg.	Exp	%	%	%	%
1 – Assault	152	2.6	2.6	63.4	58.3	38.9	10.3	24.4	2.7	8.4	8.9	2.0	4.5
2 – Drug Poss.	177	6.2	1.1	55.4	46.4	21.2	15.5	11.8	1.9	8.3	14.5	0.6	0
3 – Drug Deal.	150	8.7	0	71.5	64.0	45.3	8.1	18.3	1.5	7.5	3.4	0	0.8
4 – Robbery	152	0.6	0.6	76.3	65.2	49.1	12.2	43.7	4.8	6.7	3.9	0.3	0
5 – Robbery/Hate Crime	160	0.6	0	78.7	54.5	42.6	9.1	14.4	1.3	3.2	7.2	0.1	0.6
6 – Burglary	173	0.3	0.3	70.4	61.2	42.2	7.6	20.8	1.6	15.1	6.4	0	0
8 – Credit fraud	176	0	0	58.9	79.4	45.7	11.3	54.1	5.5	25.3	4.4	0	0.1

The results in Tables III-7 and III-8 are similar to those in the multiple response tables above. However, by removing multiple responses, differences in the non-incarcerative sanctions become clearer. For example, while 16.2% of respondents would sentence first-time drug dealers to home monitoring, only 8.1% would impose home monitoring on repeat violators. This difference is even larger for burglary, where 34.1% would choose home monitoring as the primary punishment for the first time burglar, compared to only 7.6% who would use home monitoring for the repeat offender.

Although it is difficult to compare these responses to current sentencing practice without further details on the offense characteristics and detailed time-served data, it appears that the preferred sentences by our survey respondents are slightly less harsh than current practice. Table III-9 compares the survey responses to felony sentences in large urban counties. For example, 41.6% of our respondents would sentence the assault

Table III-9
Comparison of Survey Incarceration Rate vs. Felony Sentences in U.S.

	Total Incarceration %	Prison %	Jail %
No Prior Convictions			
- Violent Offenses (BJS)	**72**	**40**	**32**
- Assault (scenario 1)	41.6	21.4	19.9
- Robbery (scenario 4)	51.2	29.0	21.0
- Robbery/Hate Crime (scenario 5)	59.9	42.0	15.2
- Property Offenses (BJS)	**39**	**11**	**28**
- Burglary (scenario 6)	29.1	12.5	14.8
- Drug Offenses - All (BJS)	**55**	**19**	**36**
- Drug Possession (scenario 2)	20.7	10.2	6.8
- Drug Dealing (scenario 3)	52.6	32.6	15.0
Two Prior Convictions/Sentences*			
- Violent Offenses (BJS)	**91**	**71**	**20**
- Assault (scenario 1)	63.4	43.6	15.4
- Robbery (scenario 4)	76.3	59.1	11.6
- Robbery/Hate Crime (scenario 5)	78.7	64.6	9.9
- Property Offenses (BJS)	**83**	**58**	**25**
- Burglary (scenario 6)	70.4	55.4	9.9
- Drug Offenses - All (BJS)	**85**	**55**	**30**
- Drug Possession (scenario 2)	55.4	33.7	14.6
- Drug Dealing (scenario 3)	71.5	62.5	4.4

Source: BJS: 1999, p. 35. Sentences of 12 months or less are assumed to be "jail" and those greater than 12 months are prison. "Total incarceration" includes those who do not specify length of prison; thus last two columns do not add up to the first.

* Actual sentencing data based on offenders with more than one felony conviction. Survey based on two prior sentences of more than one year in prison.

offender without a prior conviction to prison or jail. However, 72% of first time felony offenders without a prior conviction receive some prison or jail time (BJS, 1999: Table 35). For violent offenders with two or more prior felony convictions, while 91% currently receive jail or prison time, only 63.4% of our respondents sentenced the assault offender with two prior sentences to prison or jail. Respondents are particularly less harsh on drug offenders. While 55% of all first time drug offenders (including both possession and dealing) receive a sentence of incarceration, respondents sent only 20.7% of first time

drug possession offenders and 52.6% of offenders with two prior convictions to jail or prison.

Respondents who specified a prison sentence but did not impose a monetary sanction were asked a follow up question,

> You told me that this offender should be sent to prison for ___ years/months. If you have the option of reducing that time in prison in exchange for a requirement that the offender pay a fine or restitution, would you do so?

If the respondent answered yes, they were asked as a follow up how much the monetary sanction should be and how much they would reduce prison time. Similar questions were asked of those who imposed a sanction of home monitoring without a monetary sanction. Table III-10 reports on the results of these questions. Overall, a significant percentage of respondents would be willing to reduce the prison sentence in exchange for monetary sanctions - even for crimes of violence. For example, 36.1% of respondents who sentenced the assault offender (without prior offenses) to prison would be willing to reduce that sentence in exchange for a monetary penalty. The highest percentage is for fraud offenses, between 44% and 48% of respondents are willing to offer such a trade-off.

There appeared to be little consistency in the dollar amounts that respondents would require in return for a reduced prison sentence, however. The implied value per year in prison ranged from about $100 to $600,000, with the mean being $27,000 and the median $3,383. While the mean is strikingly close to the cost of a year in prison, the range is so large that it would be difficult to draw conclusions from these data. In fact, over half of respondents who indicated they would be willing to make this trade-off refused to provide a dollar figure. In many cases, they indicated that the offender should be made to pay "damages" or they were simply answered "don't know."

Table III-10
Trade-off of Prison for Fine/Restitution

	No Prior Convictions			Prior Convictions		
	Respondents Initially Imposing Incarceration	Respondents willing to reduce sentence		Respondents Initially Imposing Incarceration	Respondents willing to reduce sentence	
	#	#	%	#	#	%
1 – Assault	72	26	36.1	77	22	28.4
2 – Drug Poss.	16	2	15.3	79	12	15.7
3 – Drug Deal.	55	14	25.2	93	24	25.3
4 - Robbery	69	17	24.4	96	17	17.5
5 - Robbery/Hate Crime	90	23	25.0	103	22	21.2
6 - Burglary	31	6	18.2	102	39	38.6
7 – Medicare fraud	90	40	44.7	---	---	---
8 – Credit fraud	47	23	48.0	79	36	46.3

Note: Based on weighted sample, only those who indicated a sentence of prison and no monetary sanction such as fine or restitution.

IV. Parole Decisions

Sentencing decisions are not made in isolation. Lawmakers or Sentencing Commissions must consider budgets, prison capacity and perhaps other social problems that need to be addressed in making budget allocation decisions. Parole officers might have to consider externally imposed goals of relieving prison overcrowding in deciding which whether or not to grant early release. Despite these constraints, prior public opinion surveys have naively asked respondents what the appropriate sentence should be irrespective of prison overcrowding, budgetary priorities, etc. According to the authors of one such study, "Public preferences about punishment are largely unconstrained by the consequences associated with those choices...no state could afford to pursue a policy of totally satisfying the public demand for punishment" (Zimmerman et al., 1988: 147). Previous studies have an important methodological shortcoming - they ask open-ended

questions and do not ask respondents to consider many of the tradeoffs inherent in real world sentencing decisions.

To begin to explore the public's attitude towards sentencing under more realistic settings, we asked respondents to consider one of the eight crime scenarios described above. However, respondents were also told how long the offender has already served in prison – based on an estimate of the average time served in the U.S. for each respective crime (see Part 1 of survey - Appendix A):

> The next series of questions concerns convicted offenders who have spent time in prison. We want to know if they have served long enough and should be let out. When they are let out of prison, offenders normally spend time under supervision. If you need me to repeat any portion of any of the questions, please ask me. We value your opinion and hope you will be able to answer these questions.
>
> Please consider the following offender and think about whether he has served long enough.
>
> CATI: PRESENT SCENARIO FROM LIST OF MAIN SCENARIOS
>
> Would you let this offender out of prison after serving ____ years?

The crime scenarios and associated number of years are:

> 1) A 28-year-old, single man has been convicted of beating a stranger. No weapon was used. The victim was seriously injured, but will recover fully. So far the offender has spent 2 years in prison for this offense.
>
> 2) A 28-year-old, single man has been convicted of possession of 1 gram of cocaine, worth about $150. So far the offender has spent 1 year in prison for this offense.
>
> 3) A 28-year-old, single man has been convicted, with several others, of taking part over a four-month period in selling marijuana. He was caught with 10 pounds of marijuana, worth about $10,000. The offender was a street-level dealer who bought drugs from a wholesale dealer and sold directly to users. So far the offender has spent 2 years in prison for this offense.

4) A 28-year-old, single man has been convicted of robbing a 28 year-old male stranger at gunpoint, stealing $400 from him. The victim was not hurt. So far the offender has spent 3 1/2 years in prison for this offense.

5) A 28-year-old, single man has been convicted of robbing a 28-year-old [homosexual, black, Jewish] male at gunpoint, stealing $400 from him. The victim was not hurt. The offender waited outside a [gay book store, black church, synagogue] to rob the first [gay, black, Jewish] person he saw. So far the offender has spent 3 1/2 years in prison for this offense.

6) A 28-year-old, single man has been convicted of breaking into a stranger's home and stealing $500 when no one was home. So far the offender has spent 1 1/2 years in prison for this offense.

7) A 40-year-old single male doctor was convicted of submitting $400,000 in false Medicare claims to the government. So far the offender has spent 1 year in prison for this offense.

8) A 28-year-old male was convicted of charging $30,000 on credit cards stolen from strangers. So far the offender has spent 1 year in prison for this offense.

In each case (aside from #7, the physician convicted of Medicare fraud), respondents were randomly assigned to have offenders with either "no prior convictions," or "two prior prison sentencing each more than one year."

The time served written into each scenario are based on the estimated time served for the average offender who spends any time in prison or jail by type of crime, as shown in Table IV-1. For example, according to BJS data (BJS, 1999: Table 2 and 4), 30% of offenders convicted of aggravated assault receive jail time of less than 1 year, while 42% receive a prison sentence of 1+ years. Thus, of those offenders who are sent to either jail or prison, xx% are sent to jail [30%/(30%+42%)=41.7%] and xx% are sent to prison [42%/(30%+42%)=58.3%]. The average time-served for those who receive a prison sentence is 38 months. Assuming that the average "jail" term is 6 months, we have thus

estimated the average time-served for all offenders who serve time for aggravated assault to be 24.7 months (6 months x 41.7% plus 38 months x 58.3% = 24.7 months).[16]

A. The Parole Decision

Table IV-2 reports on parole decisions for each of the eight scenarios - separately for those with no prior convictions and those with two priors. In all of the street crimes (scenarios 1-6), more than 50% of respondents would parole the offender without prior convictions by the stated time served. The smallest percentage - 52.8% of respondents would parole the drug dealer (scenario 3) after 24 months in prison, while the largest percentage, 79.8%, would parole the offender who spent one year in prison for drug possession. In contrast, none of the repeat offenders had a 50% parole rate. Only 22.1% of respondents would parole the burglar after 18 months, and only 27.3% would parole the drug dealer after 24 months. The largest percentage was once again for drug possession, with 42% agreeing to parole the drug possession offender who had two prior convictions after serving one year in prison.

[16] Note that since the time this study was conducted, a more recent study of time-served in state courts ha been published (BJS, 2001b). We note very little difference in prison versus jail and in time-served with the exception of robbery. Both the percent sentenced to prison has increased (from 73% to 76%) and the time-served has increased (from 48 months to 54 months). The resulting time-served including those sent to jail would thus increase from 41.2 months to 47.5 months.

Table IV-1

Estimation of Average Time-Served by Type of Crime

Scenario (a)	Crime and Definition (b)	Percentage Receiving Jail Time of Less than 1 year (c)	Percentage Receiving Prison Sentence of 1 year or more (d)	Ave. Time Served for Prison (1+ years) (months) (e)	Est. Time Served in Jail or Prison (Time served stated in survey) (f)
1	**Aggrav. Assault:** serious bodily injury or using a dangerous weapon to threaten or attempt to cause bodily injury	30%	42%	38	24.7 months (2 years)
2	**Drug possession**	41%	29%	16 months	10.1 months (1 year)
3	**Drug trafficking:** manufacturing, smuggling, distributing, selling drugs	33%	39%	28 months*	17.9 months* (2 yrs)*
4, 5	**Robbery:** involves threat of force or actual force	14%	73%	48 months	41.2 months (3.5 yrs.)
6	**Burglary:** unlawful entry to home or business	26%	45%	25 months	18.0 months (1.5 yrs.)
7, 8	**Fraud:** forgery, counterfeit, credit card fraud, embezzlement	24%	26%	17 months	11.7 months (1 year)

Source: Bureau of Justice Statistics, Felony Sentences in State Courts, 1996 (Table 2, Table 4). See text for discussion of time-served calculations.

* Note for drug trafficking. A significant number of drug trafficking cases are brought at the Federal level since sentencing guidelines call for mandatory minimum sentences. The average time for a drug trafficker in the Federal system is over six years, compared to about two years in the State courts. Thus, the estimated time served for drug trafficking is based on a weighted average of the State and Federal time served and is increased to 2 years. (Source: U.S. Sentencing Commission (2000).

In contrast to the street crimes, the white-collar offenders were less likely to be paroled after their current time-served. As shown in Table IV-2, only 34.2% would parole the Medicare offender after one year, and 41.9% would parole the first time offender convicted of credit card fraud after one year. For the credit card fraud offender with prior convictions, only 14.3% of respondents would grant parole after one year.

Care must be taken in interpreting the results of Table IV-2, since we did not vary the time-served by prior offenses.[17] Thus, the finding that 74.2% of respondents would parole a first-time burglar after 18 months does not necessarily mean that the public believes current sentencing practice is too harsh. The 18 months is an average over all burglary offenders - regardless of prior offenses.

Table IV-2
Parole Decision

Scenario	Time Served in Survey (months)	No Prior Convictions			Prior Convictions		
		N	% "Let out"	% "Refused or Don't Know"	N	% "Let out"	% "Refused or Don't Know"
1 – Assault	24	458	63.3%	5.1%	506	27.8%	5.7%
2 – Drug Poss.	12	483	79.8%	2.9%	476	42.0%	6.9%
3 – Drug Deal.	24	527	52.8%	5.2%	498	27.3%	2.7%
4 - Robbery	42	501	63.8%	5.1%	492	25.0%	4.5%
5 – Robbery/Hate Crime	42	498	61.9%	2.9%	470	25.8%	4.8%
6 - Burglary	18	496	74.2%	5.1%	489	22.1%	4.6%
7 – Medicare fraud	12	937	34.2%	2.9%	---	-----	----
8 – Credit fraud	12	506	41.9%	5.2%	461	14.3%	2.4%

Note: Weighted sample. "% Let Out" is based on those who responded either yes or no.

[17] Time-served was held constant in order to reduce the number of parameters that varied across vignettes and respondents. However, future studies that focus on some of these issues should attempt to provide more realistic time-served estimates to explore these issues further.

B. Parole Decision versus Appropriate Sanctions

Overall, each respondent received all eight scenarios - six in the parole section of the survey (Part 1 - see Appendix A) and two in the open-ended section (Part 2 - see Appendix A) asking for an appropriate sanction. Thus, not only are we able to compare sanctions within each question type, but we can also compare responses across question types. Table IV-3 compares these responses. For example, when confronted with scenario 1 (serious assault without prior offenses) and a time-served of 24 months, 63.3% of respondents indicated the offender should be let out. The second half of Table IV-3 reports on the sentence when respondents are not told actual time served and instead are asked for their preferred sentence. When "no incarceration" sentences are excluded, the median preferred sentence is 24 months - exactly equal to current time-served. The mean sentence is considerably longer, 36.5 months. However, when all respondents are included, the median sentence is now zero. The mean sentence, 15.5 months, is also below current time served of 24 months.[18] The responses to these two different questions are fairly consistent. Since (in Part 2) the median sentence deemed to be appropriate is "no incarceration," we expect more than 50% of respondents when confronted with the parole decision (in Part 1) to parole the offender immediately - let alone after 24 months. Indeed, 63.3% of respondents in Part 1 paroled the first time assault offender.

[18] Of course, care must be taken in comparing these figures to current time-served, since the time-served figures are based on all offenders in that category - regardless of prior offenses.

Table IV-3
Comparison of Parole Decision to Appropriate Sentence (No Priors)

Scenario	Actual Time Served Months	Parole Decision		Appropriate Sentence Decision					
				"No incarceration" sentences excluded			"No incarceration" sentences included		
		N	% "Let out"	N	Median Sentence (months)	Avg. Sentence (months)	N	Median Sentence (months)	Avg. Sentence (months)
1 – Assault	24	425	63.3	76	24.0	36.5	178	0	15.5
2 – Drug Poss.	12	466	79.8	28	24.0	58.6	157	0	10.4
3 – Drug Deal.	24	511	52.8	60	36.0	60.6	117	12.0	30.9
4 - Robbery	42	479	63.8	77	24.0	37.0	150	5.3	19.0
5 - Robbery/Hate Crime	42	472	61.9	98	36.0	40.5	163	12.0	24.4
6 - Burglary	18	471	74.2	39	12.0	24.9	133	0	7.21
7 – Medicare fraud	12	910	34.2	133	36.0	63.9	352	0	24.3
8 – Credit fraud	12	479	41.9	64	24.0	26.9	151	0	11.4

Note: weighted sample.

Table IV-4
Comparison of Parole Decision to Appropriate Sanction (Prior Offenses)

Scenario	Actual Time Served Months	Parole Decision		Appropriate Sentence Decision					
				"No incarceration" sentences excluded			"No incarceration" sentences included		
		N	% "Let out"	N	Median Sentence (months)	Avg. Sentence (months)	N	Median Sentence (months)	Avg. Sentence (months)
1 – Assault	24	477	27.8	90	36.0	58.4	134	12.0	38.9
2 – Drug Poss.	12	443	42.0	86	24.0	40.4	163	6.0	21.2
3 – Drug Deal.	24	484	27.3	100	60.0	64.0	142	24.0	45.3
4 - Robbery	42	470	25.0	108	60.0	65.2	143	24.0	49.1
5 - Robbery/Hate Crime	42	448	25.8	119	36.0	54.5	153	24.0	42.6
6 - Burglary	18	467	22.1	113	36.0	61.2	163	24.0	42.3
8 – Credit fraud	12	451	14.3	98	47.2	79.4	170	24.0	45.7

Note: weighted sample.

An apparent inconsistency appears, however, for scenario 7 - Medicare fraud. While the median sentence (including "no incarceration") in the open-ended sentencing decision is zero, only 34.2% of respondents in the parole question would release the

offender after 12 months in prison. The same situation arises with credit card fraud, where only 41.9% would release after one year despite the fact that the median sentence is "no incarceration." Moving to Table IV-4 for a moment (offenders with prior offenses), a similar inconsistency arises for all but the two fraud scenarios. For example, the median sentence (excluding "no incarceration") is 12 months for the assault offender. Yet only 27.8% of respondents would let the same offender out of prison after 24 months!

It is not clear whether the "no incarceration" sentences should be included or excluded when comparing responses to the parole decision. If knowing the current time-served does not affect respondents' preferred sentence, then all sentences should be included in the comparison. However, it is possible, for example, that a respondent who prefers "no incarceration" for the "typical" first time offender might consider the fact that this particular offender was deemed worthy of incarceration to be evidence that this offender is worse than "typical." If so, it would not necessarily be appropriate to include all of the "no incarceration" sentences in the comparison.

However, this is apparently not the situation for at least several crimes, since some inconsistencies also arise when excluding the "no incarceration" sentences. In Table IV-3 (no priors), the median sentence for drug possession is 24 months (in Part 2), yet 79.8% of respondents would let the offender out after 12 months (in Part 1). Similarly, while the median sentence for drug dealers is 36 months, 52.8% of respondents would let the drug dealer out after 24 months. None of these inconsistencies arise in Table IV-4 where offenders have prior convictions.

It is not easy to reconcile the inconsistencies we have uncovered between the two different methods of eliciting information. Although other explanations seem plausible, it

appears that some amount of "anchoring" occurs when providing respondents with current time served. Thus, some individuals who might sentence an offender to less than one year on an open-ended question might have a different assessment of the same offender when they are told he has already spent one year in prison. In the case of Medicare and credit card fraud – where we find some of the most significant inconsistencies – it might be an indication that the public's view on these types of white-collar crimes is not as well formed as it is for more traditional street crimes. If views are not as well formed, one is more apt to be susceptible to an anchoring effect.

V. Crime Prevention and Control Strategies

The survey had two sets of questions eliciting "willingness-to-pay" valuations from respondents. This section analyzes the first set of questions (Part 3 - see Appendix A), where respondents are asked about their willingness to forego a tax rebate in exchange for programs that are designed to prevent or punish crimes. The question asks respondents to put themselves in the shoes of their local mayor who has just received a grant from the Federal government equal to either $100 or $1000 per household. The respondent is asked to decide how to allocate that money among four different crime control programs: (1) more prisons, (2) more drug and alcohol treatment programs for offenders convicted of nonviolent crime, (3) more police on the street, and (4) more prevention programs to help keep youth out of trouble. A fifth alternative is to return all or part of this money back to local residents.

For the next few questions, I want you to put yourself in the shoes of your local mayor. The Federal government has given your city [$100, $1,000] per household. You may spend all or part of that money on crime control or crime prevention, or you may give all or part of it back to your local residents.

Four different crime control strategies have been recommended to you:

(1) more prisons

(2) more drug and alcohol treatment programs for offenders convicted of nonviolent crimes

(3) more police on the street, and

(4) more prevention programs to help keep youth out of trouble.

Once again, you have [$100/$1,000] per household to allocate to these programs or to rebate to local residents.

Respondents were randomly assigned either $100 or $1000 to allocate, and the order of the alternative crime control strategies was randomly rotated to eliminate any order effects. The two different dollar options were used to control for any wealth effect. However, a comparison of the responses by those who were asked to allocate $100 versus $1000, indicated there were no statistically significant differences between the percentage of the total that was to be allocated to each program. Thus, only the overall percentages are reported here.[19]

[19] In addition, the order of the four different crime control strategies was randomized over respondents. However, this randomization was unlikely to have been necessary, since we found no statistically significant difference between the percentage allocation to each crime control strategy by order of the question.

After the respondent went through the list, the responses were read back and she was given an opportunity to change her answer and to make sure that the allocation added up to 100%. Respondents were allowed to express preferences in either dollars or percentages. We have combined these responses and reported them here as percentages. Table V-1 reports on the mean and median percentage amounts allocated to each of the five options.[20] Very little of this money would go to either prisons or a tax rebate. Instead, the largest percentage - 36.6% - would go to prevention programs designed to help keep youth out of trouble. Drug treatment and police would each receive between 21%-22% of the money; 8.4% of the dollars would go to prisons; and 11.9% would go to a tax rebate. The "median" allocations were 25% each for drug treatment and police, 33.3% for prevention programs, and zero for prisons and the tax rebate.

Table V-1
Percent of Tax Rebate Dollars Allocated to Crime Prevention

	Mean	Median	Implied Value of Program
Prison	8.4%	0.0%	$0.71
Drug Treatment	22.1%	25.0%	$1.86
Police	21.0%	20.0%	$1.76
Prevention	36.6%	33.3%	$3.07
Tax Rebate	11.9%	0.0%	$1.00

[20] Approximately 4.4% of respondents answered "refused" or "don't know" to the initial questions about whether or not they would allocate any money to a particular program. An addition 0.4% ultimately dropped out due to failure to provide dollars or percentages

Note: Sample size = 1,234. Weighted sample used. Excludes refusals, don't knows, and responses that did not add up to 100%.

The last column of Table V-1, converts the mean percentages into an implied valuation of each program relative to a tax rebate. For example, since 22.1 cents of every dollar would be spent on drug treatment, and 11.9 cents on a tax rebate, the value of $1.00 of drug treatment relative to a $1.00 tax rebate is $1.86 (22.1 / 11.9 = 1.86). Thus, the average value of a taxpayer dollar is only about 71 cents when spent on prison, but $3.07 when spent on prevention. That is, at the margin, the public is indifferent between a $1 tax rebate and $3 spent on prevention.

There are only slight differences in these preferences across demographic groups. As shown in Table V-2, males would allocate more to tax rebates (13.8% versus 10.1%) and less to drug treatment programs (20.7% to 23.5%) than women. Blacks would spend less of these funds on prison (4.4% versus 9.0%), less on police (18.1% versus 21.6%),

Table V-2
Percent of Tax Rebate Dollars Allocated to Crime Prevention
By Gender, Race and Ethnicity

	Male	Female		White	Black		Latino
Prison	8.5%	8.3%		9.0%	4.4%	***	10.0%
Drug Treatment	20.7%	23.5%	***	22.0%	23.8%		20.0%
Police	21.0%	21.0%		21.6%	18.1%	**	19.5%
Prevention	36.0%	37.2%		35.7%	44.3%	***	32.3%
Tax Rebate	13.8%	10.1%	***	11.8%	9.4%		18.4%
Sample size	596	638		1003	144		58

**significant at $p < .05$
*** significant at $p < .01$
Note: Significance levels refer to t-test comparing Male versus Female and White versus Black responses. None of the White versus Latino differences were

that added up to 100% of the total. Thus, the figures in the table represent the responses of the 95% of respondents who fully answered these questions.

statistically significant. Additional ANOVA test finds similar significance levels.

Note: Weighted sample used. Excludes refusals, don't knows, and responses that did not add up to 100%.

and less on a tax rebate (9.4% versus 11.8%). However, blacks would spend more on youth prevention programs (44.3% versus 35.7%). Latinos would spend slightly lower amounts on drug treatment, police, and prevention programs, and instead spend more (18.4% versus 11.8%) on a tax rebate.

Surprisingly, there were virtually no differences among income categories. In fact, the lowest income levels (under $15,000) had remarkably similar responses to these questions as those with the highest income level, over $75,000. This was true both for the $100 and the $1000 rebate. Only slight differences appear between cities or suburbs and rural areas. Residents in the cities or suburbs tended to want more money spent on prison relative to those in rural areas, while those in rural areas wanted a higher percentage of their funds going to a tax rebate. However, these results were only significant at $p < .10$.

In the introductory section of the survey (Part A - see Appendix A), two open-ended questions were asked of respondents about whether they thought the government was spending too much or too little on "police on the street" and "programs designed to get people off drugs" (questions A1a and A1b respectively). Table V-3 breaks the sample up into those who want more spending on police and those who want more spending on treatment from these earlier questions. Note that those who want more money for police don't look dramatically different in terms of the allocation of the rest of the money. On average, they would spend about 2-3% less each on drug treatment, prevention and tax rebate, with about 7% more going to police. Those who indicate they want more money

going to treatment would spend about 2-3% less on police and a tax rebate, and about 5% more on treatment. They would also spend about 2% more on youth prevention programs.

Table V-3
Percent of Tax Rebate Dollars Allocated to Crime Prevention
by Preferences for More Police and More Drug Treatment

	All Respondents		More Police		More Treatment	
	Mean	Median	Mean	Median	Mean	Median
Prison	8.4%	0.0%	8.6%	0.0%	7.1%	0.0%
Drug Treatment	22.1%	25.0%	**20.4%**	25.0%	**27.4%**	25.0%
Police	21.0%	20.0%	**27.8%**	25.0%	**18.2%**	20.0%
Prevention	36.6%	33.0%	34.9%	30.0%	38.0%	33.0%
Tax Rebate	11.9%	0.0%	8.3%	0.0%	9.3%	0.0%
Sample size	1234	1234	665	665	669	660

Note: Weighted sample used. Columns refer to responses to Question A1a and A1b. Rows refer to responses to Questions 7-11. Excludes refusals, don't knows, and responses that did not add up to 100%.

The spending profile looks much different, however, when the samples are broken up into those who would spend **less** money on police or treatment. As shown in Table V-4, people who want less spent on police or treatment (in Part A of the survey) generally want more money going to a tax rebate, about 20-25% compared to 11.8% for the sample as a whole. Those who want less money spent on treatment also want higher amounts spent on prison (10.9% versus 8.4% for the full sample) and police (27.9% versus 21.0% for the full sample), and less spent on prevention (30.5% versus 36.6%).

Table V-4
Percent of Tax Rebate Dollar Allocated to Crime Prevention
by Preferences for Less Police and Less Drug Treatment

	All Respondents		Less Police		Less Treatment	
	Mean	Median	Mean	Median	Mean	Median
Prison	8.4%	0.0%	6.7%	0.0%	10.9%	0.0%
Drug Treatment	22.1%	25.0%	**20.5%**	20.0%	**9.6%**	0.0%
Police	21.0%	20.0%	**8.2%**	0.0%	**27.9%**	25.0%
Prevention	36.6%	33.0%	40.1%	40.0%	30.5%	25.0%

Tax Rebate	11.8%	0.0%	24.5%	15.0%	21.2%	0.0%
Sample size	1234	1234	101	101	147	147

Note: Weighted sample used. Excludes refusals, don't knows, and responses that did not add up to 100%.

Note that a small number of individuals who indicated in Part A of the survey that they wanted less money spent on police actually allocated some of their money to police in responding to the question in Part 3. Of the 101 individuals who indicated they would spend less money on police in Part A, 25 (25%) indicated they would spend some of the money the federal government was returning to the local government on police in Part 3. Although most of these amounts were small, a handful were for a large percentage of the $100 or $1000 to be allocated. A larger percentage of those who indicated they wanted less spent on drug treatment actually allocated some of their money to drug treatment (61 out of 147, or 41%). These apparent discrepancies do not necessarily indicate irrational or confused responses. It is quite possible, for example, that given current tax levels, someone would prefer less money being spent on police and more on other social ills or in the form of a tax rebate. However, given a potential tax rebate of $100 or $1000, that same individual might opt for some of that money going to additional police. Nevertheless, we have compared the results of the full sample to a sample that excludes these cases, and find no difference in the basic findings.

To summarize, we asked respondents to choose between receiving a $100 or $1000 tax rebate and four crime prevention programs. We found little support for more prison space, with less than 10% of the money being earmarked for prisons. The largest share of the money was allocated to high-risk youth programs (36.6%), followed by alcohol and drug treatment programs for nonviolent offenders (22.1%). Only 11.9% of

the funds would be rebated to taxpayers. These results are consistent over gender, race and ethnicity categories. It is important to keep in mind that these results are **marginal** and do not necessarily represent the public's view of the appropriate allocation of **total** resources for these different programs. Thus, while we know that there is little support for spending more money on prisons, for example, these findings do not tell us whether the public believes there is currently too much or the right amount of money being spent on prisons. It is also worth noting that these results appear to be consistent with growing public sentiment towards drug treatment instead of incarceration, as witnessed by passage of Proposition 36 in California.[21]

VI. Willingness to Pay for Reduced Crime

This section reports on the second set of questions eliciting "willingness-to-pay" valuations from respondents. In the previous section (Part 3 of the survey), respondents were asked to allocate a transfer of funds from the Federal government to their local government and could apply all of that money to a tax rebate. In this section (Part 4 of the survey), respondents are asked to allocate their own **additional** money to crime prevention programs. Whereas the purpose of Part 3 was to elicit preferences for government funding priorities, the purpose of Part 4 is to elicit specific valuation of crime estimates.

[21] "Substance Abuse and Crime Prevention Act," November 2000 (Proposition 36), calls for increased use of drug treatment in lieu of incarceration.

A. Background on Crime Cost Estimates

Benefit-cost analysis is a well-developed methodology that has become an important piece of component of regulatory and policy development for many government agencies. Since the early 1980's, Federal government regulatory agencies have been required to conduct benefit-cost analyses on major regulatory initiatives. These requirements have been adopted through Executive Order and implemented by the Office of Management and Budget.[22] Recent proposals in Congress would legislatively mandate similar requirements.[23] Thus, benefit-cost analyses have become a routine tool in the development of environmental, health and safety regulations.

Criminal justice researchers and policy makers are beginning to use benefit-cost analysis as well. Among the authors who have used monetary estimates of the cost of crime (including intangible costs) in conducting cost-benefit analyses are: DiIulio and Piehl (1991), Gray (1994), Levitt (1996), and Donohue and Siegelman (1998). Programs studied by these authors include longer prison sentences, prison overcrowding, rehabilitation programs, and juvenile intervention programs.

One of the major limitations of benefit-cost analysis in the criminal justice arena is the paucity of data on the costs of crime (or benefits of crime reduction). Cohen (1988a) has provided one methodology based on jury awards and economic studies of the

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[22] President Reagan promulgated the first such requirement in 1981, Executive Order 12291 (46 Federal Register 13193). In 1993, President Clinton issued Executive Order 12866 (58 Federal Register 51735). Although these Executive Orders cannot supercede statutory provisions, they have had a dramatic effect on the manner in which regulatory agencies draft and analyze proposed rules.

[23] For example, see Senate Bill S. 981, 105th Congress (1997), which would require all major rules to be accompanied by a benefit-cost analysis.

value of a statistical life.[24] That approach was also used in a study commissioned by the National Academy of Sciences (Cohen, Miller and Rossman, 1994), and in subsequent NIJ-funded studies (Miller, Cohen and Wiersema, 1996; Cohen, 1998) that have been widely cited in the press. Despite their growing acceptance and use by other researchers, these earlier approaches are not without controversy - both on theoretical and empirical grounds. The main theoretical criticism has been that the previous approach is based on an "ex post" compensation criterion, whereas benefit-cost analysis is generally conducted on an "ex ante" willingness-to-pay approach. Since the amount people are willing to pay to avoid a social ill is generally less than the amount of money they would require to voluntarily accept it, there is concern that the previous method overestimates the cost of crime. The main empirical concern with the previous methodology is that it is based primarily on jury awards to victims, and hence is subject to the emotional and potentially irrational behavior of juries. These issues are addressed in more detail in Cohen (2000) and Cohen (2001).

One of the goals of this research project was to explore the feasibility of an alternative methodology - a "contingent valuation" survey of crime. The contingent valuation survey is a methodology developed in the environmental economics literature and has been used extensively to place dollar values on nonmarket goods such as improvements in air quality, saving endangered species, and reducing the risk of early death.

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[24] An alternative approach to valuing crime is to examine differences in property values in low crime versus high crime areas. Although some researchers have tried this approach (Thaler, 1978; Hellman and Naroff, 1979 and Rizzo, 1979), they have been unable to disentangle the costs of individual types of crime.

There have been literally hundreds of contingent valuation studies, meta-analyses and textbooks written on the subject.[25] Although there is some disagreement on the reliability of these surveys, they are continually being used in cost-benefit analysis, natural resource damages litigation, and for other purposes. A distinguished panel of social scientists, chaired by two Nobel laureates in economics (Arrow et al., 1993) was commissioned by the National Oceanic and Atmospheric Administration (NOAA) to assess the contingent valuation methodology. This panel was brought together because NOAA had drafted regulations calling for the use of this methodology when estimating natural resource damages in legal proceedings involving compensation for damaged public property. The panel concluded that this is a valid approach and provided a set of guidelines for conducting a reliable contingent valuation survey. Thus, if done properly, contingent valuation surveys can be useful policy tools. Although being used in many different policy contexts, contingent valuation has not generally been employed in criminal justice research.[26]

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[25] For an overview of the contingent valuation method, see Mitchell and Carson (1989). Smith (1996) compared the valuation from two different proposed environmental projects and found that citizens could make a clear distinction between the two projects.

[26] Two recent studies that overlap somewhat with criminal justice were conducted on gun violence and drug treatment programs. Cook and Ludwig (2000) used this approach to estimate the willingness-to-pay to reduce gun violence. They estimate that the average household would be willing to pay about $200 per year to reduce gun violence by 30%, which translates into about $1 million per injury. Note that not all gun violence is criminal in nature; these estimates would include suicides and accidental shootings. Zarkin, Cates and Bala (2000) report on a pilot study in which they use the CV method to value drug treatment. They estimate that the typical household would be willing to pay between $15 and $37 per year for a program that would successfully treat a significant number of drug abusers in their community. This translates into between $28,000

B. Methodological Considerations

The NOAA panel identified several features that they believed should be incorporated into a contingent valuation study to ensure its validity. To the extent possible, we have attempted to follow the NOAA guidelines in constructing our survey design. One of the difficulties in fully implementing these guidelines is that our contingent valuation survey is necessarily exploratory and is only one part of our research study. Thus, we could not fully implement every suggestion. Table VI-1 identifies the key recommendations of the NOAA panel that apply to our study and how we have attempted to implement each one.

Table VI-1
Recommendations of NOAA Panel on Contingent Valuation Surveys

NOAA Panel Concern and Recommendation	**Study Design to Address Concern**
Sample Type and Size - Probability Sample	Yes
- Personal Interview (face-to-face or phone)	Phone
- Pretesting for Interviewer effects	Less of problem in phone than face-to-face; note check for interviewer bias (see Section II E (ii)).
- Reporting	All sample design, non-response, etc. reported here.
- Pretesting of Survey	Focus groups and cognitive interviews (See Section II A (ii) and (iii).
Guidelines for Survey - Willingness-to-Pay Format	Yes
- Referendum Format	Yes
- Accurate Description of Policy	Policy not specified in this survey, only outcome. NOAA recommendations are in the context of environmental cleanup efforts that are not as black-and-white as reducing crime A or B.
- Reminder of Substitutes	Only substitute for crime is "no crime."
- Temporal concerns.	No difference in responses over time found (See Section II E.
- No answer option.	Not explicitly, but "no answer" option allowed.

$69,500 per drug abusers, which compares favorably to the cost of treatment, approximately $12,500.

	Follow-up questions were asked to understand why.
- Yes and No follow-ups	Yes
- Cross-tabulations	Yes
- Checks on understanding and acceptance.	Yes, in focus groups and cognitive interviews. However, respondents were not asked follow-up questions to gauge acceptance.
- Alternative Expenditure Possibilities	Yes, respondents repeatedly reminded to think about spending their own money for programs.

The focus groups highlighted several issues that we addressed in drafting the survey. One of the key concerns was that participants would be able to separate out their demand for reduced crime from the mechanism by which crime reductions take place. For example, although everyone might agree that fewer assaults would be a good thing, there would be significant disagreement over whether a mandatory life in prison sentence should be implemented for third time assault offenders should be implemented if it is shown to deter assaults. In evaluating preliminary survey questions, some participants noted that they had trouble separating their cynicism for the ability of the government to effectively reduce crime and their willingness to pay. Thus, the ultimate survey was worded carefully to ensure that a crime prevention strategy **had** worked last year and that the program had community support.

C. Survey Design

Respondents were asked if they would be willing to vote for a proposal that would require each household in their community to pay a certain amount that would prevent one in ten crimes in their community. They were randomly given three out of five crimes, and the order of each question was randomized. The crimes were: (1) burglary, (2) serious assaults, (3) armed robbery, (4) rape or sexual assault, and (5) murder. Given the time limitations of our survey, we identified five of the most commonly understood and

important crimes. However, these crimes were not defined for the respondents, and no information was provided on the prevalence, risk of victimization, average tangible losses or severity of injuries normally associated with the violent offenses. Instead, respondents were asked simply to respond based on their understanding of these crimes.[27] The actual text of the survey follows:

> Now I want to ask you how much of your own money you would be willing to pay to reduce certain crimes. In each case, I am going to ask you to vote "yes" or "no" to a proposal that would require your household and each household in your community to pay money to prevent crime in your community.
>
> Remember that any money you agree to spend on crime prevention is your money that could otherwise be used for your own food, clothing, or whatever you need. Unlike the previous question, where the government was planning to give you money back, now I want you to think about actually taking more money out of your pocket.
>
> Last year, a new crime prevention program supported by your community successfully prevented one in every ten [INSERT CRIME] from occurring in your community. Would you be willing to pay [INSERT AMOUNT] per year to continue this program?

The amounts inserted into the text were randomized between $25 and $200 (in $25 intervals). The maximum annual cost of $200 was selected based on focus group discussions that indicated this would be the maximum amount they would consider paying for such programs. Once an amount was chosen for a particular respondent, that same amount was used for all three crime types for that respondent. If the respondent answered "yes" to the amount, the amount was increased by $25 and the respondent was asked, "Would you be willing to pay...?" If the initial answer was "no," the amount was

[27] Future studies should attempt to provide more context so that respondents have a common and realistic understanding of the risk of victimization and crime definitions.

reduced by $25 and the question was asked again. (In the case that the initial bid level was $25 and the initial answer was "no," the respondent was asked on follow-up if she would be willing to pay $10.) Following the second bid level, the respondent was asked, "And can you please explain why you [would be willing/would not be willing/don't know if you'd be willing] to pay $[insert amount]?" The verbatim response was recorded. After the first crime question was finished, the following was read:

> Now please disregard the crime prevention strategy that we just discussed and think of this. Last year, a new crime prevention program supported by your community successfully prevented one in every ten [INSERT CRIME] from occurring in your community. Would you be willing to pay [INSERT AMOUNT] per year to continue this program?

The process described above was then repeated for the second and third crimes. Note that the respondent was specifically asked to disregard the earlier question in order to eliminate any 'income effects' associated with their earlier response. That is, a respondent might be willing to pay $200 per year to prevent murders and assaults individually, for example, but might not be willing to pay $400 combined to prevent both. To determine whether or not we could add the three crime type bid levels together, or if there were any income effects associated with adding their responses, we asked a final follow-up question at the end of the third crime type:

> I realize that I asked you to evaluate each crime prevention strategy individually. However, **now** I'd like you to think of adding all of the money you have spent on each strategy together. You said that you'd pay up to [INSERT AMOUNT] to prevent one in ten armed robberies, up to [INSERT AMOUNT] to prevent one in ten serious assaults, up to [INSERT AMOUNT] to prevent one in ten burglaries, up to [INSERT AMOUNT] to prevent one in ten rapes or sexual assaults, and up to [INSERT AMOUNT] to prevent one in ten murders in your community. Now, if I were to add all that up it comes to [INSERT AMOUNT]. Would you be

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Since this was a pilot study and only a small part of the entire survey, we were unable to incorporate these features into our study.

willing to pay this amount **out of your own pocket** to prevent all of the crimes we have just talked about?

Table VI-2 compares the crime types to the terminology normally used in the criminal justice literature and the actual definition taken from the Bureau of Justice Statistic's NCVS and from the FBI's Uniform Crime Reports. Note that some ambiguity might arise with the definitions of armed robbery, assaults, and rape or sexual assault. We did not specify whether armed robbery includes weapons other than firearms. Since knives are common weapons in armed robberies, whether or not they are included in the definitions will affect the frequency of armed robberies - and hence the number of actual crimes averted with a 10% reduction in armed robbery. Assault is also somewhat problematic. We used the term "serious" assault, as it is likely to be better understood by the general public than "aggravated" assault. Absent further clarifications in the survey, we assume that the FBI definition of aggravated assault captures the notion of serious assaults. Similarly, we have not defined rapes and sexual assaults. The FBI definition excludes statutory rapes (e.g. consensual sex with a minor) and does not include sexual assaults. However, the NCVS definition includes sexual assaults.

Table VI-2: Crime Definitions

Term used in Survey	Criminal Justice Term	Corresponding NCVS Definition	Corresponding UCR Definition
Burglary	Burglary	Unlawful or forcible entry or attempted entry of a residence.	Unlawful entry of structure with intent to commit theft.
Armed Robbery	Armed Robbery	Completed or attempted theft directly from a person, or property or cash by force or threat of force, with a weapon.	Taking (or attempting to take) thing of value from a person using force or threat of force with a weapon. (58.2% of robberies involve weapons.)
Serious Assault	Aggravated Assault	Attack or attempted attack with a weapon, regardless of whether or not an injury occurred, and attack without a weapon when serious injury results.	Attack with purpose of inflicting severe or aggravating bodily injury; often accompanied by weapon.
Rape and Sexual Assault	Rape and Sexual Assault	Forced sexual intercourse including both psychological coercion as well as physical force. Sexual assaults generally involve unwanted sexual contact; may or may not involve force, and include such things as grabbing or fondling. Both rape and sexual assaults include attempts and verbal threats.	Forcible rape or assault with intent to rape. Excludes statutory rape.
Murder	Murder and Nonnegligent Homicide	---	Willful killing of human being.

Source: FBI (2000) and BJS (2001a).

D. Willingness-to-Pay Estimates

Table VI-3 reports on the unweighted percentage of respondents who indicated they were willing to pay the specified "bid" amount to reduce each particular type of crime. Table VI-4 reports the same figures based on weighted responses. As shown in Table VI-4, the majority of respondents were willing to pay up to $100 per year for these crime reduction programs. At the lowest bid level of $25, 75% of respondents were

willing to pay this amount to reduce murder, 69% for rape, 60% for serious assaults, and 56% each for burglary and armed robbery. At the highest bid level of $225, rape now has the highest percentage willing to pay, with 59%; followed by murder, 46%; robbery, 41%; assault, 35%; and burglary, 27%. Note that we have recoded all "don't know" and "refused" responses to be "no." This is not only a conservative approach to estimating willingness-to-pay, but it is also consistent with a voting model where a decision on whether or not to fund a crime prevention program is contingent upon a majority vote. Those who do not express an opinion are not counted in such a vote.[28]

Consistent with economic theory, the percentage of individuals willing to pay for reduced crime generally declined as the bid level increased - although in some cases they actually increased. In most cases, these potentially inconsistent willingness-to-pay percentages can be explained as being consistent with sampling error. To illustrate this,

Table VI-3
Percent of Respondents Willing to Pay for Reduced Crime
(Unweighted)

Initial Bid	Armed Robbery	Serious Assaults	Burglaries	Rape	Murder
$ 25	66%	65%	67%	73%	76%
50	65%	67%	54%	71%	65%
75	60%	58%	62%	62%	67%
100	53%	52%	48%	67%	69%
125	50%	50%	36%	49%	65%
150	50%	52%	50%	58%	65%
175	51%	53%	48%	68%	64%
200	40%	51%	45%	60%	57%
225	40%	40%	32%	57%	48%

[28] The results are only marginally different if we exclude those who respond "don't know" or refuse to respond. These individual make up between 2.3% and 3.4% of respondents for any one question.

Table VI-5 reports on the 95% confidence intervals for the percentage reporting "yes" at each bid level.

Table VI-4
Percent of Respondents Willing to Pay for Reduced Crime (Weighted)

Initial Bid	Armed Robbery	Serious Assaults	Burglaries	Rape	Murder
$ 25	56%	60%	56%	69%	75%
50	60%	71%	59%	61%	58%
75	58%	61%	62%	66%	77%
100	51%	47%	44%	56%	73%
125	52%	49%	34%	42%	59%
150	48%	56%	50%	59%	63%
175	50%	51%	47%	72%	61%
200	38%	57%	51%	56%	60%
225	41%	35%	27%	59%	46%

Table VI-5
Confidence Intervals
Percent of Respondents Willing to Pay for Reduced Crime (Weighted)

Bid Level	Range	Armed Robbery	Serious Assaults	Burglaries	Rape	Murder
$25	Low	42%	47%	42%	55%	64%
	High	70%	73%	69%	83%	85%
50	Low	46%	59%	46%	47%	46%
	High	74%	83%	72%	75%	71%
75	Low	44%	47%	50%	55%	67%
	High	71%	74%	74%	78%	87%
100	Low	37%	29%	29%	39%	60%
	High	65%	62%	59%	72%	85%
125	Low	41%	37%	22%	29%	47%
	High	63%	60%	47%	55%	72%
150	Low	33%	42%	37%	46%	49%
	High	64%	70%	63%	72%	76%
175	Low	36%	38%	34%	60%	46%
	High	63%	64%	61%	84%	75%
200	Low	25%	43%	37%	42%	45%
	High	51%	71%	65%	70%	74%
225	Low	29%	22%	16%	47%	33%
	High	53%	48%	39%	71%	58%

To convert these "yes/no" responses to a "willingness-to-pay" estimate, several assumptions need to be made. Since we do not know the upper bound on willingness-to-

pay, only that some people are willing to pay at least $225, we can either calculate a "lower bound" or try to extrapolate beyond $225 by assuming a distribution function and estimating its tail. The simplest method – and the most conservative – is to use the lower bound. For example, Table VI-6 illustrates how this is calculated for murder. 25.3% of respondents who were asked if they would pay $25 to start, replied no to both that figure and to $10. Thus, they are assumed to be willing to pay $0. Similarly, one can calculate the percentage that would be willing to pay at least each amount in Table VI-6. From that calculation, one can estimate the cumulative density function (CDF) and the probability density function (PDF). Multiplying the PDF by the dollar figure, and summing across all categories, yields an estimate of the minimum willingness-to-pay to reduce armed robbery by 10% in one year. In this case, it is $137.72. This method can be expanded to account for the second choices of each question. However, when we did this, the result was almost identical. This method is spelled out in detail in Haab and McConnell (1997).

Table VI-6
Calculation of "Willingness-to-Pay"
Murder

At least	CDF	PDF	WTP
$ 0	25.3%	25.2%	$ -
25	32.5%	7.1%	$ 1.78
50	39.2%	6.8%	$ 3.39
125	39.4%	0.2%	$ 0.20
175	40.4%	0.9%	$ 1.68
200	54.4%	14.0%	$ 28.01
	100.0%	45.6%	$ 102.66
		100.0%	**$ 137.72**

Note: Weighted estimates used. Numbers may not add due to rounding.

Table VI-7 reports the mean willingness-to-pay and 95% for each of the five crimes. The mean willingness-to-pay ranges from $83 annually per household for a 10%

reduction in burglary to $138 for a 10% reduction in murder. The 95% confidence intervals around these estimates are generally plus or minus 10-20%.

Table VI-7
Willingness-to-Pay to Reduce Crime by 10%

	Mean	Confidence Interval	
Burglary	$83	$68	$98
Armed robbery	$101	$90	$111
Serious Assaults	$104	$86	$121
Rape and Sexual Assault	$120	$109	$130
Murder	$138	$126	$149

Note: Weighted estimates used.

These figures can be converted into an implied "cost per crime" based on the number of crimes and households in the U.S. However, to do so, we first need to estimate the number of baseline crimes from which a 10% reduction is calculated. Table VI-8 estimates the baseline number of crimes. Murders are taken from the FBI's Uniform Crime Reports, which are thought to be close to 100% complete at the national level.[29] Since the FBI only records crimes that are reported to police, other crimes are taken from the NCVS. However, the NCVS still undercounts crimes to some extent. The survey excludes crimes against children under age 12. Since NCVS is a household-based survey, it also omits the homeless and others not attached to traditional households. NCVS is also thought to understate the number of armed robberies and assaults (Cook, 1985). In addition, the widely reported NCVS estimates exclude "series" victimizations - those that occur several times against one victim where the victim does not describe them each in

[29] See Wiersema, Loftin and McDowall (2000) and Riedel (1999). Although the UCR figures are very close to data from national vital statistics data, according to Riedel, the FBI data are somewhat smaller and undercount a small portion of homicides.

detail. However, "series" victimizations are available in the detailed NCVS statistical tables, and have been included here in our estimates of crime rates. We have also adjusted NCVS figures to account for crimes against children under age 12, based on the approach used in Miller, Cohen and Wiersema (1996).[30]

Table VI-8
Baseline Annual Crime Estimates, 1999

Crime	NCVS Estimate (UCR for Murder)	NCVS 95% Confidence Interval		Estimated Offenses, Victims Under Age 12	Estimated 95% Confidence Interval	
Burglary	3,711,970	3,435,241	3,988,699	---	3,435,241	3,988,699
Armed robbery	486,808	399,944	573,672	Unknown	399,944	573,672
Serious Assaults	1555870	1377765	1733975	+14.3%	1,574,785	1,981,933
Rape and Sexual Assaults	407950	329908	485992	+34.2%	442,736	652,200
Murder	15,533	14,750	16,300	---	14,750	16,300

Sources: BJS (2000, 20001) and FBI (2000). Confidence intervals taken from BJS (2001a) except for Murder, which is estimated here to be +/- 5%.
Note: Armed robbery based on estimate of 58.2% of robberies involving firearms (FBI, 2000).

These figures can be converted into an implied "cost per crime" based on the number of crimes and households in the U.S. Table V-9 calculates the implied

[30] Miller, Cohen and Wiersema (1996, Table 7), estimated there were 315,000 child rape and 187,000 child sexual abuse victimizations for ages 0-11, compared to 1,467,000 rape and sexual assaults against adults (Table 1). Thus, child rape and sexual assault cases under age 12 add approximately 34.2% to the NCVS estimates. Similarly, there were an estimated 139,000 assaults with injury and 194,000 cases of physical child abuse, compared to 2,327,000 NCVS assaults with injury. Thus, assaults have been increased by 14.3%.

willingness-to-pay per crime. To calculate this amount, we start with the 10% reduction in crime, for example, 371,197 burglaries. Since the average household is willing to pay $83 for a program that reduces burglaries by 10% and there are 103 million households in the U.S., collectively $8.5 billion would be spent on such a program ($83 x 103 million = $8.5 billion). Dividing this figure by the 371,197 crimes averted yields willingness-to-pay per crime of $23,000. Similar calculations yield estimates for serious assaults ($60,000), armed robbery ($213,000), rape and sexual assaults ($225,000) and murder ($9.1 million). The last two columns of Table VI-9 report on the 95% confidence intervals for these estimates. Table VI-10 calculates the 95% confidence intervals for these estimates.

Note that these figures are based on a 10% reduction in one crime type. Due to wealth constraints and diminishing marginal utility, it is not clear that respondents would

Table VI-9
Implied Willingness-to-Pay per Crime

Crime	10% Crime Reduction	WTP for 10% Reduction	Implied WTP per Crime
Burglary	371,197	$83	$ 23,000
Armed robbery	39,994	$101	$ 213,000
Serious Assaults	177,836	$104	$ 60,000
Rape and Sexual Assaults	54,747	$120	$ 225,000
Murder	1,553	$138	$ 9,100,000

Note: See text. Crime rates based on first column of Table VI-8, plus additional crimes against children age 0-11 from column 4. Number of households estimated to be 103 million in 2000 from Census data.

Table VI-10
Implied Willingness-to-Pay per Crime: 95% Confidence Intervals

Crime	10% Crime Reduction	WTP for 10% Reduction	Implied WTP per Crime

	Low	High	Low	High	Low	High
Burglary	343,524	398,870	$68	$98	$ 17,500	$ 29,000
Armed robbery	39,994	57,367	$90	$111	$ 162,000	$ 285,000
Serious Assaults	157,475	198,193	$86	$121	$ 45,000	$ 79,000
Rape & Sexual Assaults	44,274	65,220	$108	$130	$ 172,000	$ 303,000
Murder	1475	1630	$126	$149	$ 8,000,000	$ 10,400,000

Note: See text. Crime rates based on first column of Table VI-8, plus additional crimes against children age 0-11 from column 4. Number of households estimated to be 103 million in 2000 from Census data.

pay the same amount per crime for larger reductions. As detailed earlier, the survey specifically told respondents to view each of the three (out of five) crimes they were asked about independently and to ignore any money they indicated they would be willing to pay for the earlier crime type. However, after the third crime, they were asked if they would be willing to pay the sum of the three amounts they settled on for all three (or two if they were only willing to pay for two) programs. 81.0% of respondents indicated they would be willing to pay the sum of all three; 16.2% said no, and 2.8% responded that they did not know. The percentage of yes respondents did not vary by either the total bid amount or income of the respondent.

Table VI-11 compares these estimates to prior cost of crime estimates, based on combined victim costs from Miller, Cohen and Wiersema (1996) and criminal justice-related costs from Cohen (1998) inflated 2000 dollars.[31] In all cases, the estimates from

[31] An inflation factor of 1.27 was used for 1993 to 2000 dollars for victim costs and 1.12 for 1997 to 2000 dollars for criminal justice costs, based on the growth in hourly wages for the typical hourly worker in the U.S. as reported by the Bureau of Labor Statistics, (http://www.bls.gov/webapps/legacy/cesbtab4.htm). Admittedly, this is a relatively crude

the contingent valuation survey are higher than the prior estimates, ranging from 1.5 to 9 times higher. The estimates for serious assaults, rape and sexual abuse, and murder are between 1.5 and 2.5 times higher. Armed robbery and burglary are between 5-9 times higher. Note that the estimate for murder ($8.0 to $10.4 million) is at the upper end of the range of Viscusi's (1998) most recent range for the value of a statistical life, between $3 million and $9 million.

Table VI-11
Comparison of Implied Willingness-to-Pay to Previous Estimate of Crime Cost

Crime	Prior Estimates			Current Study		Ratio (Current to Prior)	
	Victim Costs	Criminal Justice Costs	Total Cost	Low	High	Low	High
Burglary	$1,780	$2,580	$3,360	$ 17,500	$ 29,000	5.2	8.6
Armed robbery	$24,100	$7,730	$31,800	$ 162,000	$ 285,000	5.1	9.0
Serious Assaults	$30,480	$5,150	$35,600	$ 45,000	$ 79,000	1.3	2.2
Rape and Sexual Assaults	$110,490	$3,250	$114,000	$ 172,000	$ 303,000	1.5	2.7
Murder	$3.7 mil.	$183,000	$3.9 mil.	$ 8,000,000	$ 10,400,000	2.1	2.7

Note: Victim costs taken from Miller, Cohen and Wiersema, updated to 2000 dollars. "Armed robbery" is based on the "Robbery with injury" category in Miller, Cohen & Wiersema, and "Serious Assaults" is based on the "Assault with injury" category. Criminal justice costs are based on the probability that an offender will be detected and punished, and are based on Table 3 of Cohen (1998). See text.

Theoretically, some economists have argued that the WTP estimates should be smaller since they are based on *ex ante* estimates and they are willingness-to-*pay*, compared to prior estimates that are *ex post* compensation (willingness-to-*accept*)

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approach to updating the cost of crime estimates - since it assumes the distribution of injuries in the crimes committed during the 1987-90 time period used by Miller, Cohen and Wiersema (1996) is unchanged in 2000. In addition, while the inflation factor is based on wages, a portion of the cost of crime in Miller, Cohen and Wiersema includes medical losses and lost quality of life.

measures (see Section VI A of this Report). At this point, we can only conjecture why the implied WTP estimates are significantly higher than previous cost of crime estimates. Part of the reason might simply be due to lack of information by survey respondents about the magnitude and severity of current crime rates. Thus, for example, if the typical survey respondent overestimated their risk of being a crime victim, they would tend to overstate their willingness-to-pay to reduce crime. Future studies should provide more background information and context to ensure that the responses truly reflect public opinion.

Another possible explanation for the higher estimates using the contingent valuation method, however, is that prior estimates were too small. As Nagin (2001a and 2001b) has noted, the prior estimates of Cohen (1988a) and Miller, Cohen and Wiersema (1996) are based on the cost to one individual - and thus ignore the external social costs associated with crime that are endured by people other than victims. In particular, they ignore the reduced quality of life to neighborhoods, non-victims, and society in general. Since the survey asked people to consider a 10% reduction in crime - not a single crime - respondents might reasonably consider the external benefits to non-victims. A study by Anderson (1999) estimates and aggregates many of these external costs, including the cost of the criminal justice system, private security costs, the opportunity cost of time spent by people in locking homes and other prevention measures, etc. Anderson estimates the aggregate burden of crime to be between $1.1 and $1.7 trillion, compared to the $450 billion of victim costs estimated by Cohen, Miller and Wiersema - about three to four times victim costs. Thus, the per-crime figures estimated here are plausible and consistent with the Anderson study and Nagin critique of earlier crime cost estimates.

Although we are reluctant to use the new WTP estimates as the definitive "cost of crime" in policy analysis, until further refinements improve upon the estimates reported here, researchers should conduct sensitivity analysis using both the prior estimates in Miller, Cohen and Wiersema (1996) and those presented here. Such a sensitivity analysis is important because one can otherwise draw incorrect policy conclusions. For example, Cohen (1998) estimated that a high risk youth that goes down a life of crime on average causes $1.3 to $1.5 million (1997 dollars) in crime-related costs including victim costs, productivity losses and criminal justice related costs. Using the WTP estimates from this study instead of the crime cost estimates used in Cohen (1998), we calculate that this figure would increase to between $2.8 and $3.3 million (2000 dollars) using the point estimates, or $2.1 and $4.4 million using the 95% confidence intervals.

Existing cost-benefit analyses often use the victim cost figures in Miller, Cohen and Wiersema (1996). For example, Levitt (1997) found that increased hiring of police reduces crime. However, based on the cost of hiring a sworn officer and the monetary value of crimes averted, he concluded that only in one of his model specifications did the benefits unequivocally exceed the costs. Thus, while Levitt was particularly cautious about drawing policy conclusions from his analysis, the case for more police officers would be significantly strengthened if these new crime cost estimates were substituted in his benefit-cost ratios.

Perhaps more importantly, this project has demonstrated the viability of using the contingent valuation method for estimating the costs of crime. Further refinements should focus on clearly articulating the risks and consequences of victimization to survey respondents, and in expanding the scope of crimes.

VII. Conclusion and Future Research

This study tested several new methodologies designed to elicit meaningful public input on criminal justice policy issues such as the appropriate sentence for convicted offenders, the parole decision, allocation of government funds towards crime prevention programs, and the public's willingness to pay to reduce crime. While the study objectives were largely to pilot test new approaches to eliciting meaningful information from public surveys – and were not focused on broad policy conclusions – we found several overriding themes that cut across our survey findings and have broad policy implications. Overall, we found strong support for spending more money than currently to reduce crime below current levels.[32] Much of that support is for increased prevention programs targeted at high-risk youth, more police on the street, and for drug treatment programs for nonviolent offenders, as opposed to more prisons. The public largely concurs with current sentencing decisions about incarceration and sentence length - with the exception of certain crimes – particularly drug offenses (which the public believes are dealt with too harshly) and certain white collar crimes (which the public believes are not dealt with harshly enough).

More specific policy relevant implications we can draw from our nationally representative sample of 1300 U.S. residents, include:

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[32] This support is evidenced by the findings in Part 4 of the survey, where the majority of the public is willing to pay their own money to reduce the crimes of rape, armed robbery, burglary, serious assault, and murder. It is also consistent with Part 3 of the survey where individuals would put the bulk of a proposed tax rebate into crime prevention programs instead of their own pocket.

(1) The public's preferred incarceration rate for most street crimes appeared to be largely consistent with - but slightly less harsh than current practice.

(2) The public's preferred incarceration rate for drug crimes appeared to be consistently lower than current practice.

(3) There was little support for enhancing the sentence of a hate-crime motivated robbery beyond the punishment for a generic robbery.

(4) There was little support for the imprisonment of illegal aliens who do not have a prior criminal record in the U.S. Only 24.4% of respondents deemed prison to be an appropriate punishment. 35.8% of respondents called for deportation.

(5) Offenders without any prior criminal record who are convicted of crimes of identity theft and counterfeiting of currency are deemed worthy of prison, with about 2/3 of respondents calling for prison terms of an average length between 4 and 5 years.

(6) When confronted with the option of a tax rebate or spending more on crime prevention programs, the majority of respondents would allocate money to either high-risk youth programs (36.6%), drug treatment for nonviolent offenders (22.1%), or police (21.0%). Little additional money would be spent on prisons (8.4%). Only 11.9% would be allocated to a tax rebate.

(7) The typical household would be willing to pay between $75 and $150 per year for crime prevention programs that reduced crimes by 10% in

their communities. In the aggregate, these amounts imply a willingness to pay to reduce crime of about $23,000 per burglary, $60,000 per serious assault, $213,000 per armed robbery, $225,000 per rape and sexual assault, and $9.1 million per murder. These figures represent average values across the U.S. and might not necessarily apply to the value that members of any one community might place on crime in their area.

The study raised numerous questions for future research. While previous authors have found open-ended questions on the appropriate sentence for convicted offenders to result in sanctions that were overly punitive, we found responses to be largely in line with current sentencing practice. We also designed a series of questions focused on the parole decision in order to make the scenario more realistic. This approach yielded mixed results. Although the parole decisions were largely consistent with the open-ended in/out decisions, some inconsistencies were noted. In particular, there appears to be an anchoring effect for some crimes - whereby the sentences are lengthened beyond current time-served. For example, while a majority of respondents might not want to impose incarceration on a first time fraud violator, a majority would refuse to parole a fraud offender who has already spent 12 months in prison. This suggests that future studies need to carefully specify the details of the crime and offender as well as provide more contexts for the sentencing decision.

The results of the pilot study of willingness-to-pay provide support for continuing this line of research. Respondents appeared to be able to distinguish between crime types

and vary their willingness-to-pay accordingly. Preliminary estimates of the cost per crime using this methodology appear to be reasonable. However, since this was a pilot study, it could only elicit information on broad crime categories and was unable to provide details on each crime. Future studies that attempt to refine the contingent valuation methodology should pay close attention to providing clear definitions and some understanding of the baseline risks and consequences for each crime type evaluated.

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APPENDIX A

APPROPRIATE PRISON SENTENCES QUESTIONNAIRE

SCREENER:

Hello, my name is _____, and today we're conducting a study on crime and punishment for Vanderbilt University and the National Institute of Justice. I would like to ask you a few questions. Your opinions are very important to us, and they will become part of our report to the government on America's view of crime and punishment. Please be assured that your responses are totally confidential and we will not try to sell you anything.

S1. May I speak with the adult in your household who is over 18 and who has had the most recent birthday?

1 SPEAKING WITH PERSON – CONTINUE
2 NOT AVAILABLE – ASK FOR NAME AND ARRANGE A CALLBACK. IF A NEW RESPONDENT GETS ON LINE, REPEAT INTRODUCTION ABOVE.

SECTION A: PRELIMINARY BACKGROUND INFORMATION

A1. We are faced with many problems in this country, none of which can be solved easily or inexpensively. For each of the following, please tell me whether you think we're spending too much money on it, too little money, or about the right amount.

a. Police on the street?

1 TOO MUCH
2 TOO LITTLE
3 ABOUT RIGHT
7 DON'T KNOW
8 REFUSED

b Programs designed to get people off drugs?

1 TOO MUCH
2 TOO LITTLE
3 ABOUT RIGHT
7 DON'T KNOW
8 REFUSED

A2. How much do you personally worry about you or a loved one becoming a victim of a crime? Would you say that you worry. . .?

1 A lot,
2 Some, or
3 Not at all
7 DON'T KNOW
8 REFUSED

A3. Next, I'd like to ask you about the amount of influence or power different groups have. Let's start with . . .

a) Minority groups in the United States and their Civil Rights. Would you say that they have too few Civil Rights, about the right amount, or too many Civil Rights?

1 TOO FEW
2 ABOUT RIGHT AMOUNT
3 TOO MANY
7 DON'T KNOW
8 REFUSED

b) And how about people accused of serious crimes and their legal rights? Would you say they have too few legal rights, about the right amount, or too many legal rights?

1 TOO FEW
2 ABOUT RIGHT AMOUNT
3 TOO MANY
7 DON'T KNOW
8 REFUSED

c) And how about police departments and the freedom that they have in investigating crimes? Would you say they have too little freedom, about the right amount, or too much freedom?

1 TOO LITTLE
2 ABOUT RIGHT AMOUNT
3 TOO MUCH
7 DON'T KNOW
8 REFUSED

SECTION B: TEST SCREENER

B1. Please consider the following crimes. I am going to ask you if the offender should serve time in prison and if so, for how long.

CATI: PRESENT SCENARIO FROM LIST OF B1 SCENARIOS

B1a. Should this offender be sent to prison?

1 YES
2 NO – GO TO B1c
7 DON'T KNOW – GO TO B1c
8 REFUSED – GO TO B1c

B1b. How much time do **you** believe this offender should **actually spend** in prison?

_____MONTHS
_____YEARS

94 94 OR MORE YEARS
95 LIFE
96 DEATH
97 DON'T KNOW
98 REFUSED

GO TO B2

B1c. Why?

CATI: IF SCENARIO #2 IS BEING ASKED ABOUT CONTINUE, OTHERWISE SKIP TO B2

B1d. INTERVIEWER: DID RESPONDENT SAY "DEPORT"?

1 YES
2 NO – GO TO B2
7 DON'T KNOW – GO TO B2
8 REFUSED – GO TO B2

B1e. Should the offender spend time in prison before being deported?

1 YES – RETURN TO B1b
2 NO
7 DON'T KNOW
8 REFUSED

CATI: PRESENT SCENARIO FROM LIST OF B2 SCENARIOS. IF SCENARIO #2 IN B1 THAN PRESENT SCENARIO #4 OR #5. IF SCENARIO #1 IN B1 THEN PRESENT #3]

B2a. Should this offender be sent to prison?

1 YES
2 NO – GO TO B2c
7 DON'T KNOW – GO TO B2c
8 REFUSED – GO TO B2c

B2b. How much time do **you** believe this offender should **actually spend** in prison?

_____MONTHS
_____YEARS

94 94 OR MORE YEARS
95 LIFE
96 DEATH
97 DON'T KNOW
98 REFUSED

GO TO INSTRUCTIONS BEFORE B3

B2c. Why?

CATI: IF SCENARIO #3 IS BEING ASKED ABOUT CONTINUE, OTHERWISE SKIP TO INSTRUCTIONS BEFORE B3.

B2d. INTERVIEWER: DID RESPONDENT SAY "DEPORT"?

1 YES
2 NO – GO TO B2
7 DON'T KNOW – GO TO B2
8 REFUSED – GO TO B2

B2e. Should the offender spend time in prison before being deported?

1 YES - RETURN TO B1b
2 NO
7 DON'T KNOW
8 REFUSED

CATI: IF THE PRISON TIME IN B2b IS GREATER THAN THE PRISON TIME IN B1b, CONTINUE, OTHERWISE GO TO PART 1.

B3. Let me recap what you have just reported. You sentenced the person convicted of [bank robbery; being an illegal immigrant to [YEARS&MONTHS/94 OR MORE YEARS/ LIFE/DEATH], and the person convicted of [making counterfeit drivers licenses; making counterfeit dollars; illegal immigration] to [YEARS&MONTHS/94 OR MORE YEARS/LIFE/DEATH]. Can you tell me why you sentenced the second offender to a more severe sentence than first one?

PART 1: IMPRISONMENT DECISIONS

The next series of questions concerns convicted offenders who have spent time in prison. We want to know if they have served long enough and should be let out. When they are let out of prison, offenders normally spend time under supervision. If you need me to repeat any portion of any of the questions, please ask me. We value your opinion and hope you will be able to answer these questions.

CATI: RANDOMLY ASSIGN EACH RESPONDENT TO EITHER Q1 OR Q2. ASK EACH QUESTION THREE TIMES — THREE SETS OF TWO SCENARIOS.

Please consider the following offender and think about whether he has served long enough.

CATI: PRESENT SCENARIO FROM LIST OF MAIN SCENARIOS – OFFENDER ONE]

Q1a. Would you let this offender out of prison after serving [INSERT YEARS] years?

1 YES
2 NO
7 DON'T KNOW
8 REFUSED

Now, please consider a second offender and think about whether he has served long enough.

CATI: PRESENT SCENARIO FROM LIST OF MAIN SCENARIOS – OFFENDER TWO]

Q1b. Would you let this offender out of prison after serving [INSERT YEARS] years?

1 YES
2 NO
7 DON'T KNOW
8 REFUSED

CATI:
IF Q1A OR Q1B IS "YES" (1) GO TO NEXT SET OF SCENARIOS OR PART TWO
IF Q1A AND Q1B ARE "NO" (2) ASK Q1C
OTHERWISE ASK Q1D

Q1c. I realize you would prefer to keep them both in prison longer. However, now I want you to consider that the state only has bed space for one of the two offenders and one must be let out. Which prisoner should be let out? If you need me to repeat any of the details of their crimes, I will be happy to do so.

1 OFFENDER ONE, WHO WAS CONVICTED OF _____
2 OFFENDER TWO, WHO WAS CONVICTED OF _____
3 BOTH
7 DON'T KNOW
8 NEITHER (REFUSED)

CATI: GO TO NEXT SET OF SCENARIOS OR PART TWO

Q1d. Please consider that the state only has bed space for one of the two offenders and one must be let out. Which prisoner should be let out? If you need me to repeat any of the details of their crimes, I will be happy to do so.

1 OFFENDER ONE, WHO WAS CONVICTED OF _____
2 OFFENDER TWO, WHO WAS CONVICTED OF _____
3 BOTH
7 DON'T KNOW
8 NEITHER (REFUSED)

CATI: GO TO NEXT SET OF SCENARIOS OR PART TWO

Please consider the following offender and think about whether he has served long enough. To keep this offender in prison another year will cost the government $25,000. It would cost the average household $25 next year to keep offenders of this type of crime in prison for one more year.

CATI: PRESENT SCENARIO FROM LIST OF MAIN SCENARIOS – OFFENDER ONE

Q2a. With this in mind would you let this offender out of prison after serving [INSERT YEARS] years?

1 YES
2 NO
7 DON'T KNOW
8 REFUSED

Now, please consider a second offender and think about whether he has served long enough. Remember, that to keep this offender in prison another year will cost the government $25,000 and it would cost the average household $25 next year to keep offenders of this type of crime in prison for one more year.

CATI: PRESENT SCENARIO FROM LIST OF MAIN SCENARIOS – OFFENDER TWO

Q2b. With this in mind would you let this offender out of prison after serving [INSERT YEARS] years?

1 YES
2 NO
7 DON'T KNOW
8 REFUSED

CATI:
IF Q2A OR Q2B IS "YES" (1) GO TO NEXT SET OF SCENARIOS OR PART TWO
IF Q2A AND Q2B ARE "NO" (2) ASK Q2C
OTHERWISE ASK Q2D

Q2c. I realize you would prefer to keep them both in prison longer. However, now I want you to consider that the state only has bed space for one of the two offenders and one must be let out. Which prisoner should be let out? If you need me to repeat any of the details of their crimes, I will be happy to do so.

1 OFFENDER ONE, WHO WAS CONVICTED OF _____
2 OFFENDER TWO, WHO WAS CONVICTED OF _____
3 BOTH
7 DON'T KNOW
8 NEITHER (REFUSED)

Q2d. Please consider that the state only has bed space for one of the two offenders and one must be let out. Which prisoner should be let out? If you need me to repeat any of the details of their crimes, I will be happy to do so.

1 OFFENDER ONE, WHO WAS CONVICTED OF _____
2 OFFENDER TWO, WHO WAS CONVICTED OF _____
3 BOTH
7 DON'T KNOW
8 NEITHER (REFUSED)

CATI: GO TO NEXT SET OF SCENARIOS OR PART TWO

PART 2: CRIMINAL RESPONSE DECISIONS

CATI: ASK Q3 THROUGH Q6 FOR EACH OF TWO SCENARIOS

Q3. Now I would like you to think about each of the following possible crimes and help us determine the appropriate punishment. If you decide that punishment is needed, you may choose between one - prison followed by supervision, two - supervision where he is monitored by the courts and must keep out of trouble, three - payment of fine or restitution, or four - confining the offender to his home using electronic monitoring.

CATI: PRESENT SCENARIO FROM LIST OF MAIN SCENARIOS

Do you think the offender of this crime should be punished?

1 YES
2 NO – GO TO NEXT SCENARIO OR Q7
7 DON'T KNOW – GO TO NEXT SCENARIO OR Q7
8 REFUSED – GO TO NEXT SCENARIO OR Q7

Q4. Which punishment **or punishments** would you choose? Would you choose . . .

01 Prison, followed by supervision
02 Supervision
03 Payment of fine or restitution
04 Electronic monitoring & home confinement
05 DEATH PENALTY
95 OTHER (SPECIFY): _____
97 DON'T KNOW
98 REFUSED

CATI: IF DEATH PENALTY IS CHOSEN IN Q4, DO NOT ALLOW OTHER RESPONSES AND GO TO NEXT SCENARIOS OR Q7.

CATI: ASK Q5a IF "PRISON" (01) AND/OR "MONITORING" (04) CHOSEN IN Q4, ONCE FOR "PRISON" AND ONCE FOR "MONITORING."

Q5a. How much time do **you** believe this offender should actually spend [in prison/being electronically monitored]?

_____MONTHS
_____YEARS

94 94 OR MORE YEARS
95 LIFE
97 DON'T KNOW
98 REFUSED

CATI: ASK Q5b IF "PRISON" (01) AND/OR "MONITORING" (04) CHOSEN IN Q4 AND "FINE OR RESTITUTION" (03) OR "OTHER" (95) IS NOT CHOSEN IN Q4 AND Q5a WAS NOT ANSWERED AS "DON'T KNOW" (97) OR "REFUSED" (98). ASK ONCE FOR "PRISON" AND ONCE FOR "MONITORING."

Q5b. You told me that this offender should be [sent to prison for/electronically monitored for] (INSERT YEARS AND MONTHS/94 or more years/life). If you have the option of reducing [that time in prison/the time electronically monitored] in exchange for a requirement that the offender pay a fine or restitution, would you do so?

1 YES
2 NO
7 DON'T KNOW
8 REFUSED

CATI: ASK Q5c IF Q5b IS "YES" (01)

Q5c. Instead of [INSERT YEARS AND MONTHS/94 or more years/life], how [long a prison time/much time electronically monitored] would you impose?

_____MONTHS
_____YEARS

94 94 OR MORE YEARS
95 LIFE
97 DON'T KNOW
98 REFUSED

CATI: IF YEARS AND MONTHS IN Q5c IS < OR = TO Q5a REMIND THE RESPONDENT THAT IF HE/SHE WANTS TO REQUIRE THE OFFENDER TO PAY MONEY, THE TIME SERVED IN PRISON MUST BE REDUCED.

CATI: ASK Q5d IF Q5b IS "YES" (01)

Q5d. How much money should be paid?

1 RESPONDENT GIVES PAYMENT AMOUNT – RECORD AMOUNT
2 THE AMOUNT OF THE MEDICAL BILLS
3 THE AMOUNT STOLEN
4 THE AMOUNT OF DAMAGES
5 OTHER (SPECIFY):
7 DON'T KNOW
8 REFUSED

CATI: ASK Q5d1 IF Q5d IS "DON'T KNOW" (7)

Q5d1. What more would you need to know to give me an amount?

CATI: ASK Q5e IF Q5b IS "YES" (01)

Q5e. Should that money go to the government, or to the victim?

1 GOVERNMENT
2 VICTIM
3 BOTH
5 OTHER (SPECIFY): _____
7 DON'T KNOW
8 REFUSED

CATI: ASK Q5e1 AND Q5e2 IF Q5e IS "BOTH" (3)

Q5e1. How much money should go to the government?

_____PERCENT

97 DON'T KNOW
98 REFUSED

Q5e2. How much should go to the victim?

_____PERCENT

97 DON'T KNOW
98 REFUSED

CATI: ASK Q5f IF "PRISON" (01) AND "FINE OR RESTITUTION" (03) ARE CHOSEN IN Q4

Q5f. Many offenders are unable to pay a fine or restitution. If this offender could not pay the fine or restitution, would you change the prison sentence of [YEARS & MONTHS/94 or more years/life]?

1 YES
2 NO
7 DON'T KNOW
8 REFUSED

CATI: ASK Q5g IF "YES" (1) IN Q5f

Q5g. Previously, you told me the offender should spend (YEARS & MONTHS/94 or more years/life) in prison. Now that you know he is unable to pay the [fine/restitution], how much time do **you** believe this offender should **actually spend** in prison?

_____MONTHS
_____YEARS

94 94 OR MORE YEARS
95 LIFE
97 DON'T KNOW
98 REFUSED

CATI: IF AMOUNT IS < AMOUNT GIVEN IN Q5, REMIND RESPONDENT THAT THIS AMOUNT SHOULD BE EQUAL TO OR GREATER THAN THE AMOUNT THEY PREFERRED WHEN THE OFFENDER COULD PAY THE FINE/RESTITUTION.

CATI ASK Q6a AND Q6b IF Q4 IS "FINE OR RESTITUTION" (3) ONLY:

Q6a. How much money should be paid?

1 RESPONDENT GIVES PAYMENT AMOUNT - RECORD AMOUNT
2 THE AMOUNT OF THE MEDICAL BILLS
3 THE AMOUNT STOLEN
4 THE AMOUNT OF DAMAGES
5 OTHER (SPECIFY):
7 DON'T KNOW
8 REFUSED

CATI: ASK Q5a1 IF Q6a IS "DON'T KNOW" (7)

Q6a1. What more would you need to know to give me an amount?

Q6b. Should that money go to the government or the victim?

1 GOVERNMENT
2 VICTIM
3 BOTH
5 OTHER (SPECIFY): _____
7 DON'T KNOW
8 REFUSED

CATI: ASK Q6b1 AND Q6b2 IF Q6b IS "BOTH" (3)

Q6b1. How much money should go to the government?

_____PERCENT

97 DON'T KNOW
98 REFUSED

Q6b2. How much should go to the victim?

_____PERCENT

97 DON'T KNOW
98 REFUSED

PART 3: CRIME PREVENTION DECISIONS

CATI: INSERT EITHER $100/$1000 FOR PART 3

For the next few questions, I want you to put yourself in the shoes of your local mayor. The Federal government has given your city [$100, $1,000] per household. You may spend all or part of that money on crime control or crime prevention, or you may give all or part of it back to your local residents.

Four different crime control strategies have been recommended to you: one - add more prisons, two - add more drug and alcohol treatment programs for offenders convicted of nonviolent crimes, three - add more police on the street, and four - add more prevention programs to help keep youth out of trouble.

Once again, you have [$100/$1,000] per household to allocate to these programs or to rebate to local residents.

CATI: ROTATE Q7 THROUGH Q10. KEEP THE SAME ORDER FOR THE FOLLOW UP QUESTIONS.

Q7. Would you spend any of this money to add more prisons?

1 YES
2 NO
7 DON'T KNOW
8 REFUSED

Q8. Would you spend any of this money to add drug and alcohol treatment programs for offenders convicted of nonviolent crimes?

1 YES
2 NO
7 DON'T KNOW
8 REFUSED

Q9. Would you spend any of this money to add more police on the street?

1 YES
2 NO
7 DON'T KNOW
8 REFUSED

Q10. Would you spend any of this money to add more prevention programs to help keep youth out of trouble?

1 YES
2 NO
7 DON'T KNOW
8 REFUSED

Q11. Would you give any of this money to taxpayers in your city?

1 YES
2 NO
7 DON'T KNOW
8 REFUSED

CATI: IF MORE THAN ONE STRATEGY IS "YES" CONTINUE, OTHERWISE GO TO PART 4.

Now thinking about the strategies that you have approved, I would like you to think about how much of the [$100/$1000] you would spend on each program. The strategies you approved of were:

[IF Q7 IS YES DISPLAY: "Add more prisons"]
[IF Q8 IS YES DISPLAY: "Add more drug and alcohol treatment programs for offenders convicted of nonviolent crimes"]
[IF Q9 IS YES DISPLAY: "Add more police on the street"]
[IF Q10 IS YES DISPLAY: "Add more prevention programs to help keep youth out of trouble"]
[IF Q11 IS YES DISPLAY: "Give money to taxpayers in your city"]

You can give me $ numbers or percentages.

1 CONTINUE
2 ALLOCATE MONEY EVENLY – GO TO INSTRUCTIONS BEFORE Q17
7 DON'T KNOW – GO TO INSTRUCTIONS BEFORE Q17

Would you prefer to give your answers in numbers or percents?

1 NUMBERS
2 PERCENTAGES

CATI: BEFORE EACH OF Q12 THROUGH Q15, PRESENT THE STATEMENT, "OK, that leaves $_____/_____%." IF IT IS THE LAST OPTION PRESENTED, PRESENT THE QUESTION AS FOLLOWS. "Would you then give the remaining $_____/_____% to [INSERT STRATEGY]?

12. How much would you give to add more prisons?

_____ DOLLARS
_____ PERCENT

13. How much would you give to add more drug and alcohol treatment programs for nonviolent offenders?

_____ DOLLARS
_____ PERCENT

14. How much would you give to add more police on the street?

_____ DOLLARS
_____ PERCENT

15. How much would you give to add more prevention programs to help keep youth out of trouble?

_____ DOLLARS
_____ PERCENT

16a. Would you then give the remaining $_____/_____% to local residents?

1 YES
2 NO
7 DON'T KNOW
8 REFUSED

CATI: IF Q16a OR QUESTION FOR LAST STRATEGY IS IS "NO" (2) DON'T KNOW" (7), OR "REFUSED" (8), ASK Q16b, OTHERWISE, GO TO INSTRUCTIONS BEFORE Q17

16b. Where would you like me to allocate the remaining $_____/_____%?

ADD MORE PRISONS
$_____/___%

ADD MORE DRUG AND ALCOHOL TREATMENT PROGRAMS FOR OFFENDERS CONVICTED OF NONVIOLENT CRIME
$_____/___%

ADD MORE POLICE ON THE STREET
$_____/___%

ADD MORE PREVENTION PROGRAMS TO HELP KEEP YOUTH OUT OF TROUBLE
$_____/___%

GIVE TO LOCAL RESIDENTS
$_____/___%

PART 4: HOW MUCH WOULD YOU BE WILLING TO PAY?

CATI: ASK ONLT THREE OF Q17 THROUGH Q21 AND ROTATE THE ORDER. FOR MONETARY VALUES, USE ONLY $25 THROUGH $225 FOR RANDOMIZATION. FOR INCREASE THE MONETARY INCREMENT BY ONE FOR Q17a, Q18a, Q19a, Q20a, AND Q21a. DECREASE THE MONETARY INCREMENT BY ONE FOR Q17b, Q18b, Q19b, Q20b, AND Q21b. USE $10 TO DECREASE FROM $25 AND $250 TO INCREASE FROM $225.

Now I want to ask you how much of your own money you would be willing to pay to reduce certain crimes. In each case, I am going to ask you to vote "yes" or "no" to a proposal that would require your household and each household in your community to pay money to prevent crime in your community.

Remember that any money you agree to spend on crime prevention is your money that could otherwise be used for your own food, clothing, or whatever you need. Unlike the previous question, where the government was planning to give you money back, now I want you to think about actually taking more money out of your pocket.

Q17. Last year, a new crime prevention program supported by your community successfully prevented one in every ten armed robberies from occurring in your community. Would you be willing to pay [INSERT AMOUNT] per year to continue this program?

1 YES
2 NO – GO TO Q17b
7 DON'T KNOW – GO TO Q17b
8 REFUSED – GO TO Q17b

Q17a. Would you be willing to pay [INSERT AMOUNT]?

1 YES – GO TO Q17c
2 NO – GO TO Q17c
7 DON'T KNOW – GO TO Q17c
8 REFUSED – GO TO Q17c

Q17b. Would you be willing to pay [INSERT AMOUNT]?

1 YES
2 NO
7 DON'T KNOW
8 REFUSED

Q17c. And can you please explain why you [would be willing/would not be willing/don't know if you'd be willing] to pay [INSERT AMOUNT]?

Now, please disregard the crime prevention strategy that we just discussed and think of this.

Q18. Last year, a new crime prevention program supported by your community successfully prevented one in every ten serious assaults from occurring in your community. Would you be willing to pay [INSERT AMOUNT] per year to continue this program?

1 YES
2 NO – GO TO Q18b
7 DON'T KNOW – GO TO Q18b
8 REFUSED – GO TO Q18b

Q18a. Would you be willing to pay [INSERT AMOUNT]?

1 YES – GO TO Q18c
2 NO – GO TO Q18c
7 DON'T KNOW – GO TO Q18c
8 REFUSED – GO TO Q18c

Q18b. Would you be willing to pay [INSERT AMOUNT]?

1 YES
2 NO
7 DON'T KNOW
8 REFUSED

Q18c. And can you please explain why you [would be willing/would not be willing/don't know if you'd be willing] to pay [INSERT AMOUNT]?

Now, please disregard the crime prevention strategy that we just discussed and think of this.

Q19. Last year, a new crime prevention program supported by your community successfully prevented one in every ten burglaries from occurring in your community. Would you be willing to pay [INSERT AMOUNT] per year to continue this program?

1 YES
2 NO – GO TO Q19b
7 DON'T KNOW – GO TO Q19b
8 REFUSED – GO TO Q19b

Q19a. Would you be willing to pay [INSERT AMOUNT]?

1 YES – GO TO Q19c
2 NO – GO TO Q19c
7 DON'T KNOW – GO TO Q19c
8 REFUSED – GO TO Q19c

Q19b. Would you be willing to pay [INSERT AMOUNT]?

1 YES
2 NO
7 DON'T KNOW
8 REFUSED

Q19c. And can you please explain why you [would be willing/would not be willing/don't know if you'd be willing] to pay [INSERT AMOUNT]?

Now, please disregard the crime prevention strategy that we just discussed and think of this.

Q20. Last year, a new crime prevention program supported by your community successfully prevented one in every ten rapes or sexual assaults from occurring in your community. Would you be willing to pay [INSERT AMOUNT] per year to continue this program?

1 YES
2 NO – GO TO Q20b
7 DON'T KNOW – GO TO Q20b
8 REFUSED – GO TO Q20b

Q20a. Would you be willing to pay [INSERT AMOUNT]?

1 YES – GO TO Q20c
2 NO – GO TO Q20c
7 DON'T KNOW – GO TO Q20c
8 REFUSED – GO TO Q20c

Q20b. Would you be willing to pay [INSERT AMOUNT]?

1 YES
2 NO
7 DON'T KNOW
8 REFUSED

Q20c. And can you please explain why you [would be willing/would not be willing/don't know if you'd be willing] to pay [INSERT AMOUNT]?

Now, please disregard the crime prevention strategy that we just discussed and think of this.

Q21. Last year, a new crime prevention program supported by your community successfully prevented one in every ten murders from occurring in your community. Would you be willing to pay [INSERT AMOUNT] per year to continue this program?

1 YES
2 NO – GO TO Q21b
7 DON'T KNOW – GO TO Q21b
8 REFUSED – GO TO Q21b

Q21a. Would you be willing to pay [INSERT AMOUNT]?

1 YES – GO TO Q21c
2 NO – GO TO Q21c
7 DON'T KNOW – GO TO Q21c
8 REFUSED – GO TO Q21c

Q21b. Would you be willing to pay [INSERT AMOUNT]?

1 YES
2 NO
7 DON'T KNOW
8 REFUSED

Q21c. And can you please explain why you [would be willing/would not be willing/don't know if you'd be willing] to pay [INSERT AMOUNT]?

Q22. I realize that I asked you to evaluate each crime prevention strategy individually. However, **now** I'd like you to think of adding all of the money you have spent on each strategy together. You said that you'd pay up to [INSERT AMOUNT] to prevent one in ten armed robberies, up to [INSERT AMOUNT] to prevent one in ten serious assaults, up to [INSERT AMOUNT] to prevent one in ten burglaries, up to [INSERT AMOUNT] to prevent one in ten rapes or sexual assaults, and up to [INSERT AMOUNT] to prevent one in ten murders in your community. Now, if I were to add all that up it comes to [INSERT AMOUNT]. Would you be willing to pay this amount **out of your own pocket** to prevent all of the crimes we have just talked about?

1 YES
2 NO
7 DON'T KNOW
8 REFUSED

Q23. Has someone ever broken into or somehow illegally gotten into your home or apartment?

1 YES
2 NO – GO TO 25
7 DON'T KNOW – GO TO 25
8 REFUSED – GO TO 25

Q24. Did this event in any way affect the way that you answered the questions in this interview?

1 YES
2 NO
7 DON'T KNOW
8 REFUSED

Q25. Has someone ever taken something directly from you or a member of your household by using force – such as a stick-up, mugging, or threat?

1 YES
2 NO – GO TO 27
7 DON'T KNOW – GO TO 27
8 REFUSED – GO TO 27

Q26. Did this event in any way affect the way that you answered the questions in this interview?

1 YES
2 NO
7 DON'T KNOW
8 REFUSED

Q27. Have you or a member of your household ever been a victim of any other kind of crime?

1 YES
2 NO – GO TO 29
7 DON'T KNOW – GO TO 29
8 REFUSED – GO TO 29

Q28. Did this event in any way affect the way that you answered the questions in this interview?

1 YES
2 NO
7 DON'T KNOW
8 REFUSED

Q29. Have you ever served on a jury in a criminal trial?

1 YES
2 NO
7 DON'T KNOW
8 REFUSED

Q30. Have you ever reported a crime to the police?

1 YES
2 NO
7 DON'T KNOW
8 REFUSED

Q31. Have you ever testified as a witness in a criminal trial?

1 YES
2 NO
7 DON'T KNOW
8 REFUSED

Q32. Have you ever been arrested?

1 YES
2 NO – SKIP TO Q.34
7 DON'T KNOW
8 REFUSED

Q33. Have you ever served time in jail or prison after having been convicted of a crime?

1 YES
2 NO
7 DON'T KNOW
8 REFUSED

Q34. How old were you on your last birthday?

_____ YEARS

97 DON'T KNOW
98 REFUSED

Q35. INTERVIEWER: RECORD SEX OF RESPONDENT. IF UNSURE, ASK: "I am required to ask, are you male of female?"

1 MALE
2 FEMALE
7 DON'T KNOW
8 REFUSED

Q36. Are you of Hispanic, Latino, or Spanish descent?

1 YES
2 NO
7 DON'T KNOW
8 REFUSED

Q37. Which of these racial/ethnic groups best describes you?

1 White
2 Black or African-American
3 American Indian/Alaskan Native
4 Asian or Pacific Islander
5 Other (SPECIFY): _____
7 DON'T KNOW
8 REFUSED

Q38. What is the highest grade or year that you completed in school or college?

1 Less than 12 years,
2 12 years/High school graduate/GED,
3 1 or 2 years of college or junior college degree,
4 3 or more years of college but no degree,
5 College graduate, or an
6 Advanced degree?
7 DON'T KNOW
8 REFUSED

Q39. Are you currently . . .? (RECORD ALL MENTIONS)

1 Working full-time,
2 Working part-time,
3 Unemployed,
4 Retired,
5 Keeping house, or
6 A student
7 DON'T KNOW
8 REFUSED

Q40. Are you currently . . .?

1 Married,
2 Separated,
3 Divorced,
4 Widowed,
5 Or have you never been married
7 DON'T KNOW
8 REFUSED

Q41. Counting yourself, how many adults age 18 or older live in this household?

_____ NUMBER

11 MORE THAN 10
97 DON'T KNOW
98 REFUSED

Q41a. How many children age 17 or younger live in this household?

_____ NUMBER

11 MORE THAN 10
97 DON'T KNOW
98 REFUSED

Q41b. How many of these [NUMBER FROM 41a] children are age 9 or younger?

_____ NUMBER

11 MORE THAN 10
98 REFUSED

Q42. Do you live in a city, suburb, small town, or rural area?

1 CITY
2 SUBURB
3 SMALL TOWN
4 RURAL AREA
7 DON'T KNOW
8 REFUSED

Q43. Are there any other **residential** telephone lines used in this household? Please do not include phone numbers used for computers, faxes, or cell phones.

1 YES - CONTINUE
2 NO – GO TO 44
7 DON'T KNOW – GO TO 44
8 REFUSED – GO TO 44

Q43a. **Including this one,** how many **residential** phone lines are there?

_____ NUMBER
7 DON'T KNOW
8 REFUSED

Q44. Thinking of the income that your household earned or received from all sources in 1999, was the total amount before taxes and other deductions $35,000 or more?

1 YES, $35,000 OR MORE – GO TO Q.44a
2 NO, LESS THAN $35,000 – GO TO Q.44b
7 DON'T KNOW – THANK AND TERMINATE
8 REFUSED – THANK AND TERMINATE

Q44a. Please stop me when I read the category that your household income falls into. Is it?

1 $35,000 up to $49,999,
2 $50,000 up to $59,999,
3 $60,000 up to $74,999, or
4 $75,000 or more?
7 DON'T KNOW
8 REFUSED

GO TO Q45

Q44b. Please stop me when I read the category that your household income falls into. Is it . . .?

1 Less than $15,000,
2 $15,000 up to $19,999,
3 $20,000 up to $24,999, or
4 $25,000 up to $34,999?
7 DON'T KNOW
8 REFUSED

Q45. And finally, may I please have your name for verification purposes?

NAME: _____

Thank you for taking the time to participate in our study! Have a nice day.

Q46. INTERVIEWER: DID YOU GET THE FEELING THAT YOUR RESPONDENT WAS RUSHING OR DELIBERATELY ANSWERING QUESTIONS TO TRY AND SHORTEN THIS INTERVIEW AT ANY POINT?

1 YES
2 NO

CATI: ASK Q47 IF Q46 IS "YES" (1), OTHERWISE END INTERVIEW.

Q47. Please indicate at which part of the interview you felt this happened.

B1 SCENARIOS

1) A 28-year-old single man was convicted of robbing a bank at gunpoint and threatening to kill the teller if she did not give him the money in her drawer. He escaped with $10,000. Prior to this offense, he had served 2 previous prison sentences each more than a year.

2) A 28-year-old single man, a citizen of another country, was convicted of illegally entering the United States. Prior to this offense, he had served two previous prison sentences each more than a year. One of these previous sentences was for a violent crime and he had been deported back to his home country.

B2 SCENARIOS

3) A 28-year-old single man, a citizen of another country, was convicted of illegally entering the United States. Prior to this offense, he had never been imprisoned before.

4) A 28-year-old single man was convicted of making 10 counterfeit driver's licenses that had his own picture on them, but used the names and Social Security numbers of other persons. He was caught before he could use these fake IDs. Prior to this offense, he had never been imprisoned before.

5) A 28-year-old single man was convicted of making $400 of counterfeit U.S. dollars on his home computer and printer. He tried to spend the counterfeit money at the shopping mall. Prior to this offense, he had never been imprisoned before.

MAIN SCENARIOS

1) A 28-year-old, single man has been convicted of beating a stranger. No weapon was used. The victim was seriously injured, but will recover fully. [So far the offender has spent 2 years in prison for this offense.] Prior to this offense, he *[had never been imprisoned before/had served 2 previous prison sentences each more than a year]*.
"beating a stranger"

2) A 28-year-old, single man has been convicted of possession of 1 gram of cocaine, worth about $150. [So far the offender has spent 1 year in prison for this offense.] Prior to this offense, he *[had never been imprisoned before/had served 2 previous prison sentences each more than a year]*.
"possession of 1 gram of cocaine, worth about $150."

3) A 28-year-old, single man has been convicted, with several others, of taking part over a four-month period in selling marijuana. He was caught with 10 pounds of marijuana, worth about $10,000. The offender was a street-level dealer who bought drugs from a wholesale dealer and sold directly to users. [So far the offender has spent 2 years in prison for this offense.] Prior to

this offense, he *[had never been imprisoned before/had served 2 previous prison sentences each more than a year]*.
"selling marijuana, and was caught with 10 pounds, worth about $10,000."

4) A 28-year-old, single man has been convicted of robbing a 28 year old male stranger at gunpoint, stealing $400 from him. The victim was not hurt. [So far the offender has spent 3 1/2 years in prison for this offense.] Prior to this offense, he *[had never been imprisoned before/had served 2 previous prison sentences each more than a year]*.
"robbing a stranger at gunpoint and stealing $400 from him."

5) A 28-year-old, single man has been convicted of robbing a 28-year-old [homosexual, black, Jewish] male at gunpoint, stealing $400 from him. The victim was not hurt. The offender waited outside a [gay book store, black church, synagogue] to rob the first [gay, black, Jewish] person he saw. [So far the offender has spent 3 1/2 years in prison for this offense.] Prior to this offense, he *[had never been imprisoned before/had served 2 previous prison sentences each more than a year]*.
"robbing a [homosexual, black, Jewish] male at gunpoint and stealing $400 from him."

6) A 28-year-old, single man has been convicted of breaking into a stranger's home and stealing $500 when no one was home. [So far the offender has spent 1 1/2 years in prison for this offense.] Prior to this offense, he *[had never been imprisoned before/had served 2 previous prison sentences each more than a year]*.
"breaking into a stranger's home and stealing $500."

7) A 40-year-old single male doctor was convicted of submitting $400,000 in false Medicare claims to the government. [So far the offender has spent 1 year in prison for this offense.] The offender has never been imprisoned before.
"submitting $400,000 in false Medicare claims to the government."

8) A 28-year-old male was convicted of charging $30,000 on credit cards stolen from strangers. [So far the offender has spent 1 year in prison for this offense.] Prior to this offense, *[he had never been imprisoned before/had served 2 previous prison sentences each more than a year]*.
"charging $30,000 on stolen credit cards"