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MEMORANDUM

**To:** Deborah T. Fleischaker, Director  
**Death Penalty Moratorium Implementation Project**  
**American Bar Association**

**From:** Roy Occhiogrosso, James Delorey, Gretchen Wagner  
**Global Strategy Group**

**Re:** Tennessee Statewide Survey – Overview

**Date:** February 21, 2007

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*Global Strategy Group conducted a statewide survey among registered voters in Tennessee to probe attitudes regarding the death penalty, and specifically, a statewide moratorium on the death penalty. 457 interviews were conducted February 15-19, 2007. The margin of error at the 95% confidence interval is +/-4.6%. The margin of error for subsamples is larger.*

Two of three Tennesseans support continuing the temporary halt on executions in the state beyond the ninety-day period announced by Governor Bredesen on February 1, 2007. Fully 66% believe the statewide moratorium should be extended while the issue of the death penalty's fairness and accuracy is studied. Just 29% oppose extending the moratorium.

- Support for continuing the moratorium is highest among: women (71%), young people under the age of 45 (71%), seniors (71%), Democrats (76%), self-described Liberals (86%), Catholics (78%), and college graduates (70%).
  - There is strong support for continuing the moratorium in all parts of the state, including the Hamilton County area (74% support) and the Nashville metro area (68%).
  - Majorities of Democrats, Independents (63%) and Republicans (58%) support continuing the moratorium on executions.
  - Self-described liberals, moderates (67%) and conservatives (59%) alike support continuing the temporary halt to executions.
- A majority of death penalty supporters (58%) also support continuing the temporary halt, and just 37% oppose it. Support for continuing the moratorium is nearly universal among death penalty opponents, among whom 86% support continuing the moratorium, and just 10% oppose it.

Despite support for continuing the Governor's announced halt in executions, support for the death penalty in Tennessee is strong. More than two-thirds of voters statewide (68%) endorse the death penalty for murder, including 50% who strongly support it. One in five Tennesseans (20%) oppose the death penalty.

- Support for the death penalty is strongest among men (77% support) and among 45-54 year olds, 75% of whom support the death penalty.
  - Republicans (80%-11%) are more likely than Independents (69%-20%) or Democrats (58%-31%) to support the death penalty.
- That DNA evidence can be destroyed while a defendant is still on Death Row raises major doubts about the fairness of the death penalty in Tennessee among 63% of voters, including 60% of death penalty supporters, and 53% of moratorium opponents. This is the most compelling statement we tested on the fairness of the death penalty in Tennessee.
- That interrogations are not taped by most law enforcement offices in Tennessee, including the Tennessee Bureau of Investigation, raises major doubts about the fairness of the death penalty among a majority of voters (51%), including 47% of death penalty supporters and 35% of moratorium opponents.
- Other messages that raise major doubts about the way the death penalty is applied in Tennessee today include:
  - The fact that few defendants in death penalty cases can afford their own attorneys, and court-appointed attorneys may be overworked, underpaid, and underqualified; and
  - That insufficient safeguards to protect the rights of mentally ill and mentally-retarded defendants has consequently put people with severe mental disabilities on death row.
- Just 40% of voters believe the death penalty is applied fairly in Tennessee.
  - Republicans (44%) are more likely than Democrats (39%) or Independents (38%) to believe this, just as men (44%) are more likely than women (35%) to think the penalty is applied fairly.
- An astonishingly high percentage of voters (37%) believes innocent people have been sentenced to death in the last 5 years. Just 19% believe this has never happened.
  - Two-thirds (65%) of Tennessee voters believe that 1% or more of those executed are innocent of the crime they were charged with. Respondents' median estimate to this question is 3%.