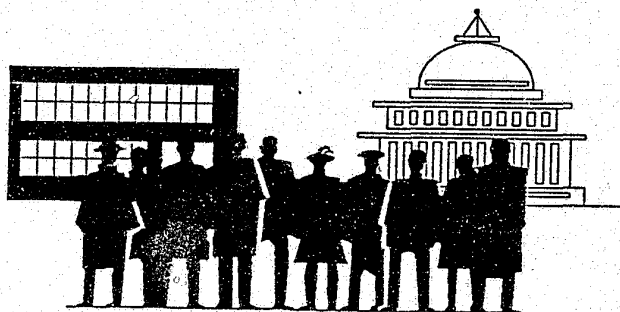


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# THE EFFECT OF PUBLIC OPINION ON CORRECTIONAL POLICY:

## A COMPARISON OF OPINIONS AND PRACTICE



JUNE 1989

COLORADO DEPARTMENT OF PUBLIC SAFETY

DIVISION OF CRIMINAL JUSTICE

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# THE EFFECT OF PUBLIC OPINION ON CORRECTIONAL POLICY:

A COMPARISON OF OPINIONS AND PRACTICE

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# THE EFFECT OF PUBLIC OPINION ON CORRECTIONAL POLICY: A COMPARISON OF OPINIONS AND PRACTICE

## EXECUTIVE SUMMARY

Public opinion is often cited, particularly by public officials, as the reason for changes in policy and legislation. But who is the "public," what is "public opinion," and to what extent does—or should—public opinion influence corrections policy? According to the media, legislators, and other officials, the public demands a "get tough on crime" policy, which is synonymous with sending more offenders to prison for longer terms of incarceration. As a result of this perceived demand, prison terms in Colorado have doubled in the last three years.

The literature shows, however, that the public supports structured community sentencing options such as residential community corrections, intensive supervision probation, and jail and probation. How can this contradiction be explained?

There are two primary ways that public opinion might affect correctional policy:

- Citizens may believe their interests are not being represented, and may, therefore, communicate frequently with their representatives to advocate for their views. If this is the case, then we should expect to see inconsistent attitudes between the public and practitioners, with a high number of reported contacts. Actual sentencing patterns should also be inconsistent with public opinion.

- Criminal justice practitioners may be representative of public opinion. That is, judges, district attorneys and others may be in their positions as a result of public



support. If this is the case, then we should expect to see generally consistent attitudes between the public and the practitioners, and actual sentencing patterns should reflect this consistency.

It is unlikely that either of the primary models explains how public opinion affects correctional policy. In a pluralistic society composed of groups with very diverse interests, it is more likely that the majority of the public has no intense interest in correctional policy. Public opinion, as it is expressed to representatives on any particular issue, is created by a small group of citizens with a strong interest in the issue—the salient public. The guiding proposition for this study, then, is that a small segment of the public with strongly held attitudes engages in persistent and aggressive advocacy for their views. If this is the case, we should see somewhat consistent attitudes between the public and practitioners, as well as a segment of the public with more extreme attitudes than the norm, and more frequent contacts of officials. Also, we should see inconsistency between the extreme group attitudes and actual sentencing practices, and possibly some inconsistency between public opinion and criminal justice policy or legislation.

To explore these issues, a mail survey was sent to registered voters and officials; telephone interviews were conducted with officials; and data were collected from felony court case files. Fifty-one percent ( $N = 1328$ ) of the mail surveys were completed and returned. The survey included questions about public perception of the crime problem, the criminal justice system, correctional philosophy, opinions on sentencing, and contacts with system officials.

A mail survey was also sent to officials in each district who may affect criminal sentencing policy or decisions. Further, a telephone survey of officials was conducted to obtain more in-depth information about contacts with the public.

In addition to the surveys and interviews, sentencing data were analyzed to compare consistency of attitudes with actual sentencing practices.

### **Criminal Justice Interest Group Affects Sentencing Policy**

The findings suggest that the public affects criminal justice law, policy and practice through the opinions and activities of a small segment of the public which has much more severe attitudes toward sentencing than the norm. The attitudes of this small segment of the public, which constitutes a criminal justice interest group, are closer to practitioners' opinions, however, than to those of the general public. Also, interest group members' sentencing recommendations for prison placement and length of sentence are closer, compared to overall public recommendations, to actual sentencing practices. Interest group members, more likely to have experienced a household victimization in the last 12 months, are also more likely to report contacts with officials. Further, officials report that while contacts do not generally affect their decisions, contacts by victims have the strongest effect. Interest group members are more likely to believe their opinions to be inconsistent with general public opinion. They are also more likely to see court sentencing decisions as inconsistent with their opinion about appropriate sentencing decisions.

We found actual sentencing practices to be somewhat representative of public opinion on decisions to incarcerate, although criminal justice officials and criminal

justice interest group members were more likely than the general public to recommend prison sentences in several cases, and to recommend longer terms for those recommended for prison, in several scenarios. A major difference between actual and recommended sentencing decisions was found in sentences to straight probation. While most convicted felons are actually sentenced to probation, the public seldom recommended this option, electing instead sentences to residential community corrections, intensive supervision probation, or jail and probation.

We also found that citizen respondents who say that the sentences imposed by judges in Colorado are "soft" most often recommend structured community placement. Thus, "soft on crime" does not mean the public believes that more offenders should be sentenced to prison for longer terms; rather, the data imply that "soft on crime" means too many sentences of felony offenders to straight probation.

The issues on which the public is consistent or inconsistent with criminal justice officials are listed below:

### **Consistent Opinions**

- Crime is one of our nation's most pressing social problems.
- Incapacitation is the most important purpose of sentencing decisions; rehabilitation is the second most important purpose.
- Sentences to structured community placement are appropriate for some first-time violent offenders.
- Structured community placements are appropriate for treating offenders with substance abuse problems.
- Community placement is appropriate for first and second time property offenders.

## Inconsistent Opinions

- A higher proportion of citizens than officials believe crime will increase in the future.
- A higher proportion of citizens than officials fear crime.
- 70 percent of the citizen respondents continue to indicate that Colorado judges impose sentences that are "too soft," compared to 28 percent of criminal justice respondents. Thus, citizens are unaware of the tougher sentencing enacted in House Bill 1320 (1985) which doubled sentence lengths, or they believe that too many offenders are sentenced to straight probation.
- The public does not recommend straight probation placements.
- When prison was recommended, the median sentence length recommended by criminal justice officials exceeded that recommended by the public in 10 out of 14 scenarios.
- Criminal justice officials, compared to citizen respondents, recommended longer prison terms when the victim was vulnerable.
- A much larger majority of citizens are in favor of capital punishment.

## Contacts

- Eight to 13 percent of the citizen respondents reported contacts with a criminal justice official.
- The group reporting contacts was more likely to have reported a household victimization in the last 12 months and to recommend harsher sentences than the overall public. This group is also more likely to perceive their opinion as different from that of the general public as well as inconsistent with actual sentencing practices.
- 54 percent of the criminal justice officials surveyed reported being contacted by a citizen not directly involved in an active case.
- 67 percent of the officials say that public contacts never affect their decisions; however, they indicate that victim contacts have the most impact. Of those contacted, 62 percent say contacts by victims have a "strong" or "somewhat strong" effect.

## Comparison with Actual Sentencing Practices

- Public opinion and actual sentencing practice are consistent in three areas: prison for those with two prior convictions; community corrections for property offenders with one prior conviction, and community corrections for property offenders with no prior convictions.
- Public opinion and actual sentencing practice are inconsistent in three areas: in many cases, felons are sentenced to straight probation, but the public recommends structured community placement; most first-time robbers are sentenced to prison, but the public recommends structured community placement; overall, prison terms are longer than those recommended by the public, even when cutting in half the actual sentence imposed.
- Actual sentences imposed were about 12.5 percent longer (overall) than those recommended by citizens.

## Implications

This report started with several questions: Who is the public? What is "public opinion"? To what extent does—or should—public opinion influence corrections policy? We have found indications of a public opinion, as represented by registered voters, which holds opinions contrary to those reported in the media, and those heard most frequently by legislators, district attorneys, and other criminal justice officials.

We also found, however, a small portion of the public that holds the opinions reported by the media and officials. This is the public that most affects public policy. It is the salient public that is most likely to be actively involved in the political process regarding criminal justice policy. It is not especially surprising that respondents who reported household victimization are over-represented in this interest group.

Thus, there are many publics: the general public that holds attitudes on many topics--then the salient public that emerges around a particular issue. And, in the political process, the more important the issue to the interest group member, the stronger the effect on policy. In criminal justice politics, for example, a district attorney or legislator may be defeated by the negative votes of one issue voters if the candidate is perceived to be "soft on crime." A judge may not be retained if thought to impose "soft" sentences. The more moderate voters, however, do not tend to vote against a candidate who assumes a "tough on crime" position even though it may not reflect their attitudes.

This brings us to the final question: to what extent should public opinion affect criminal justice policy?

In Colorado, millions of dollars are being invested in prison facilities based on the belief that the public demands greater use of prison for convicted offenders. Rather, the data imply that a less costly but publicly acceptable option is to increase surveillance and treatment of most offenders in the community.

The data further suggest that official misperception of public opinion is created by public responses to abstract questions as well as by contacts with a criminal justice interest group advocating for more severe sentences.

Both newsprint and broadcast media entertain the public with stories about sensational crimes. The crimes are often described in blood-chilling detail, and the prosecution and sentencing of the offender is reported day by day. Thus, when respondents are asked an abstract question such as a question about "soft" or

"severe" sentencing decisions, they are likely to recall the stories about heinous crimes and to respond with these cases in mind.

As the data show, however, when case details are provided for less sensational cases, the public supports structured community options. Nothing in this research indicates a predominant "lock 'em up and throw away the key" mentality.

The criminal justice interest group attitudes may, nevertheless, be unduly influential in their effect on criminal justice policies and practices. That is to say, unduly influential in their effect on rational and cost-effective criminal justice policies. But as long as politicians can win votes, judges be retained, and media products sold using a "get tough on crime" line, no change is likely to be seen.

To change would require political candidates to educate themselves on the issues and to risk educating their constituents to accept reasonable positions--the support is there to be tapped. It would require the media to refrain from sensationalizing crime cases, and to present a more balanced picture of crime and the system's ability to deal with it.

# **THE EFFECT OF PUBLIC OPINION ON CORRECTIONAL POLICY: A COMPARISON OF OPINIONS AND PRACTICE**

## **ORGANIZATION OF THIS REPORT**

The first section of this report describes the research question and the research design, and later sections detail the findings. The findings, conclusions and implications of this study are presented at the beginning of this report, in the Executive Summary.

In the methods section that immediately follows, our research design is presented. Chapter One examines relevant public opinion research as described in the literature. Chapter Two describes similarities and differences in attitudes between the public and criminal justice practitioners. Chapter Three presents the findings regarding contacts between the public and practitioners. Finally, Chapter Four considers the consistency of public opinion with actual sentencing practices.



## METHODS

To assess the effect of public opinion on criminal justice policy, data were collected from four sources:

1. Mail Survey of Registered Voters. For the purpose of this survey, the public is defined as registered voters. For conducting mail surveys, there is no exhaustive list of "the public" from which researchers can sample. Our previous surveys used regional telephone directories; however, because of the focus of this survey on policy issues, we selected registered voters as the "public" most likely to affect criminal justice policies. Thus, a list of registered voters was obtained and questionnaires were mailed to 800 registered voters in each of the following Colorado counties: Denver; Colorado Springs; Grand Junction; and Larimer. A total of 3200 surveys were mailed, with an overall return rate of 51 percent. Of the questionnaires delivered (N=2590), 1328 were completed and returned. The survey included questions about public perception of the crime problem, the criminal justice system, correctional philosophy, sentencing philosophy, and contacts with system practitioners. A copy of the questionnaire is attached.

2. Survey of System Practitioners. In each of the four study districts, surveys were mailed to all state legislators and judges, the elected district attorney, chief assistant district attorney and staff investigator, all deputy state public defenders and

district court probation officers. These are the system officials that most directly affect sentencing decisions. Over 200 surveys were mailed to practitioners, and 112 (52 percent) were completed and returned. Almost half the respondents in the practitioner sample are probation officers. Practitioners were asked the same questions as the public. In addition, the practitioner questionnaire also asked about the frequency and type of contacts from the public, as well as how these contacts influenced their decisions.

3. System Practitioner Interviews. To obtain specific information about the nature and impact of public-initiated contacts, semi-structured follow-up telephone interviews were conducted with 43 practitioners who either indicated on their survey that they had been contacted by the public within the past 12 months or who left the question unanswered.

4. Court Dispositions of Felony Cases. The research design called for a sample of felony case dispositions from the four counties studied, and a 20 percent sample was collected for 1987; unfortunately, preliminary data analysis revealed an insufficient number of cases similar to the sentencing scenarios in the questionnaire. In order to complete the analysis, then, we assumed that the four counties selected for the study were representative of the state, and used data from our existing statewide court database for analysis of actual sentencing practices. The statewide court database consists of a sample of felony filings from Colorado's district courts (data collection form attached). Since full-year data were not available for 1987, we used fiscal year data for 1986-1987.

## Sample Bias

The necessity to substitute statewide data for county specific data weakens the research design. We had planned to compare voter opinion to practitioner opinion and to actual sentencing decisions in each county studied. However, the analysis using statewide data on actual sentencing decisions should be very useful. The 1984 statewide survey, when compared to the 1988 survey, shows that sentencing recommendations made by the public have been fairly consistent. As shown in three of the cases used to compare "recommended" to "actual" sentencing decisions (English and Crouch, 1988), in the "armed robber of a company payroll" case, four percent fewer respondents recommended prison in 1988; for the "assault with a gun on a stranger," 87 percent of the public respondents recommended prison in both 1984 and 1988; and in the "burglary of a home by a offender with two prior burglaries" case, eight percent fewer public respondents recommended prison in 1988. For the criminal justice official respondents, 11 to 12 percent fewer respondents recommended prison in 1988. Thus, there is a weak indication that the respondents in the four districts sampled in the 1988 survey express less punitive attitudes than would be found in a statewide sample. There is a stronger indication that criminal justice officials in the four districts express less punitive attitudes than would be found in a statewide sample. Another possibility is that sentencing attitudes have changed since 1984. In the 1984 survey, 75 percent of the respondents were from the four counties selected for this study (Mande and Crouch, 1984).

We further compared, using the court data base, the actual sentencing practices of the four sample counties to the sentencing practices in the rest of the State. The data show that in the survey counties, 26 percent of the cases were sentenced to prison compared to 24 percent in the non-survey counties. This difference is not statistically significant. Survey counties sentenced 54 percent of their convicted felons to straight probation compared to 51 percent in the non-survey counties, also not a statistically significant difference.

So in terms of public opinion measured on a statewide basis in 1984, and public opinion measured in the four counties in 1988, there are some small differences which may point to a sample which cannot be generalized to the state. Also, there are greater differences between criminal justice official attitudes between 1984 and 1988. Actual sentencing practices, however, are not significantly different between the survey and non-survey counties. The possible effect of these differences in attitudes will be discussed as the findings are reported.

### Analysis

The data were analyzed using the Statistical Package for the Social Sciences for personal computers (SPSS PC). Frequencies were run to obtain distributions on all variables including percents and measures of central tendency. Two and three way contingency tables (crosstabs) were used to examine relationships between variables within a data set. Where a finding is reported as "significant," the chi-square is significant at .05 or less. However, to examine relationships between data sets,

distributions were compared. No significance tests were computed because of the comparability problem with different data sets.

The findings are reported in the following chapters.

## **CHAPTER ONE**

### **A REVIEW OF THE LITERATURE .**

#### **Introduction: The Preeminence of Crime as a Social Issue**

For at least two decades, the public's fear of crime has been a significant concern of policymakers. Lyndon Johnson's war on crime led to the creation of The President's Commission on Law Enforcement and the Administration of Justice (1967) which had as its focus crime and criminal justice system reform. The Commission report states that (1967:49):

A chief reason that this commission was organized as that there is widespread public anxiety about crime. In one sense, this entire report is an effort to focus that anxiety on the central problems of crime and criminal justice. A necessary part of that effort has been to study as carefully as possible the anxiety itself.

A dramatic increase in reported crime, victimization reports that reflect a fairly stable but largely unreported crime rate, and fear of crime are but a few of the social trends occurring since Johnson's "War on Crime." In the last two decades, we have also observed the deinstitutionalization of the mentally ill, racial unrest, the Viet Nam war, the drug problem, demographic changes, and severe economic changes. However, regardless of changing social issues, the Roper Polls, which have measured public opinion on national issues since 1974, consistently show crime and

lawlessness as one of the two or three issues of most concern (Sourcebook of Criminal Justice Statistics, 1985). For example, 84 percent of the respondents in a recent Roper Poll selected crime and drugs as the problem to which government should give top priority (Kelly, 1984:1A). The 1986 Sourcebook of Criminal Justice Statistics (published by the U.S. Department of Justice) reported that in 1985, 39 percent of the population polled thought that crime had increased in the past year, while 43 percent responded that crime remained the same, and only 18 percent stated that they thought it had decreased. With such concern about both current and future levels of crime, it follows that crime and lawlessness have become major concerns to politicians and legislators, as measured by their focus on crime in platforms and debates since the 1960's (Finckenauer, 1978).

The present research also focuses on anxiety about crime, social trends, and attitudes about punitiveness and rehabilitation. In this literature review, we will discuss fear of crime, its possible correlates, and the relationship between fear and punitive attitudes. Finally, the impact of public opinion on criminal justice policies will be addressed in light of the lack of empirical data in this area and the need for this particular research focus.

### **Fear of Crime and the Crime Rate**

Although the public is very concerned about crime, the data show that crime rates have fallen. According to a federal study by the U.S. Bureau of Justice Statistics (1988) of "households touched by crime," the crime rate has decreased throughout the past 12 years. Specifically, violent crimes such as robbery, rape, and

assault decreased by 21 percent between 1975 and 1987. In the same period burglary decreased by 33 percent and personal theft without contact by 31 percent. Overall, crime has decreased by 24 percent.

Despite the decrease in crime rates throughout the last 12 years, fear of crime continues to rise. The most commonly measured indicator of fear has been fear of walking alone at night within a mile of home. National studies indicate that this form of fear continued to rise in the 1970's except for a brief dip in 1979 (Sourcebook of Criminal Justice Statistics, 1982). More recent data from the Colorado public opinion survey indicates a large proportion of the public fears walking in their neighborhood. Currently, 55 percent of those surveyed report that there is a place within a mile of their residence where they would be afraid to walk alone at night, while in 1984 only 48 percent reported fear of walking alone within a mile of home at night. The percentages indicate fear of crime has continued to rise in the 1980's, as well.

Why does fear of crime continue to rise when the statistics show that crime rates are actually decreasing?

### Media and Fear

Several things contribute to public attitudes about crime. One obvious component is media coverage of crime news. According to Mande (1985:18), "It is to be expected that people are concerned about an issue which threatens to affect them so directly; however, the data on the relatively stable level of victimization as compared to the dramatic increases in reported crime suggests that much of the



concern is created by publicity about increased crime rather than an actual increase."

In 1981, Garofalo (1981) reported that the amount of time or space spent on crime news coverage bears very little correlation to the actual amount of crime being committed. However, Gordon and Heath (1981) found there is a relationship between the amount of space used for crime stories in newspapers and fear of crime by women and the elderly. Even when controlling for sex and age, they found a significant relationship between percentage of space devoted to crime news and level of fear (1981:246). This research supports Davis's well known findings on the relationship of crime news to the reality of crime. Specifically, Davis found some support, although inconclusive, for the hypothesis that public opinion may be related to the crime news reported in the paper rather than to actual reported crime (1952).

Similarly, the mass media is a tool used to portray the "values, goals and conflicts of society" (Gerbner, 1980:705). According to Garofalo (1981), weapon use and illegal activity occur so frequently in television drama that we are presented with a distorted view of society. Such a distorted display of violence and crime as a portrayal of our society is bound to affect the public's perception of their own chances of victimization, according to Garofalo.

Additionally, Garofalo has found that citizens are exposed to the same messages about crime and violence through television entertainment as they are through crime news coverage, and both are likely to affect perceptions of the crime problem. This seems to be the case whether the viewer is a "heavy" or "light" (as measured by hours of viewing) television viewer. In fact, Garofalo has determined from his studies

that "light" viewers tend to watch the more violent programming; while "heavy" viewers take in the gamut of television drama (Garofalo, 1981). Garofalo summarizes his position on the impact of the media on crime and fear as follows (1981:343): "The media's potential effects range from stimulating specific antisocial behaviors to reinforcing a particular ideology about crime and justice."

Interestingly, some studies indicate the public agrees with Garofalo's position regarding antisocial behavior. A 1987 Arkansas study showed that 73 percent of the respondents believed the crime and violence shown on television has some relationship to the increase in the crime rate (Arkansas Crime Poll, 1987:16). The same study reported that citizens ranked violence on television in the top ten as a major cause of crime (1987:21).

In sum, citizens are exposed to both informational and entertaining media messages about crime that may not be accurate representations of the crime problem. Hence, levels of fear continue to escalate despite actual decreasing crime rates.

### **Fear and Punitive Attitudes**

Is there a causal relationship between fear of crime and punitive attitudes?

According to Stinchcombe et al. (1980), while the public seems to report punitive attitudes toward crime, there is little empirical evidence to support the causal relationship between fear and punitiveness. Specifically, Stinchcombe et al. (1980:69) found that white women who are less frequently victimized are most afraid. However, they are less punitive than the rest of the white population, indicating that

those who are most afraid are not necessarily the most punitive. Furthermore, Stinchcombe found that citizens with more liberal beliefs have a difficult time holding punitive attitudes regardless of their fear level. Recent research by Bynum, Greene and Cullen (1986) produced similar findings.

However, for some people, fear is related to punitiveness. Stinchcombe found a small proportion of respondents (5.3 percent) who reported their fear had a positive correlational effect on their punitive attitudes (1980). Also Mande (1985) found fear and punitiveness to be correlated among women.

Yet, since the "war on crime" in the 1960's, some surveys have shown that attitudes toward crime have hardened (Rankin, 1979; Stinchcombe et al., 1980). That is, citizens have become less tolerant of crime and criminals. Similarly, 85 percent of Roper Poll respondents from 1975 to 1986 stated that the courts are "not dealing harshly enough" with criminals (Sourcebook of Criminal Justice Statistics, 1986). The Colorado Division of Criminal Justice found similar results in the 1984 Public Opinion survey. Seventy-three percent of the respondents felt that judges are too "soft" in their sentencing practices (Mande and Crouch, 1984:21).

But what is "harshly enough"? And what is the definition of "soft"? According to Bynum, Greene and Cullen (1986), policymakers may interpret an attitude toward punitiveness to mean that the public wants more incarceration and/or longer sentences. This interpretation did, in fact, occur in Colorado in 1985. Perceiving the public to want increased penalties, legislators passed Colorado House Bill 1320, which doubled the sentencing range for most felony offenses. Since that legislation passed, average sentence lengths in the state have more than doubled and the

state prison population has increased nearly 50 percent in three years. In 1988, Colorado respondents were again asked the "soft sentences" question. Again, in spite of recent significant changes resulting from HB 1320, the majority (69 percent) of the public respondents reported they think judges are "too soft" on criminals. Perhaps concerns about officials being "soft" on crime exist regardless of actual criminal justice practices.

In spite of the assumed relationship between fear and punitiveness, research suggests that the "punitive" public (defined by Cullen et al., 1988 as those with attitudes in favor of deterrence, retribution and incapacitation) favors community placements over prison in many cases. According to the Sourcebook of Criminal Justice Statistics (1986), 76 percent of citizen respondents agreed that judges should use probation for certain offenders as an alternative to prison. Furthermore, when asked to solve the prison overcrowding problem, 67 percent agreed with diverting more offenders into alternative programs. A public opinion report recently released by the Arkansas Crime Information Center shows that in 1987, 53 percent of the respondents in that state favored house incarceration for non-violent offenders as an alternative to prison (1987).

This trend also holds for Colorado. Findings from the 1984 public opinion survey conducted by the Colorado Division of Criminal Justice showed that when respondents were asked to designate sentences for specific crimes (with no information about the offender), the majority sentenced offenders to prison (Mande and Crouch, 1984). However, when given information about both the crime and the offender, a large majority preferred community supervision to prison. Additionally,

Gottfredson and Taylor found similar results from a Maryland study and concluded that the public, even if fearful, is not especially punitive (1983:14).

It would appear, then, that while the public may desire a "tough on crime" policy framework, the literature suggests that we cannot necessarily conclude that this means support for prison rather than for community alternatives. In sum, the issues may be too complex to simply claim causal relationships between fear of crime, attitudes toward crime, and punitiveness.

### **Punitive Attitudes and Rehabilitation**

In 1974, Robert Martinson published an article entitled "What Works? Questions and Answers About Prison Reform." This article captured the attention of many criminal justice practitioners as had no previous article on rehabilitation (Cullen and Gendreau, 1988:3). Martinson concluded that , with few exceptions, the rehabilitative efforts that took place between 1945 and 1967 had "no appreciable effect on recidivism" (1974:25). As a result, "nothing works" has become the catch phrase of all rehabilitative efforts. It is believed, as noted by Cullen and Gendreau (1988), that this "nothing works" attitude is also widely held by the punitive public and that such attitudes leave little or no room for rehabilitation as an approach to the crime problem (Gottfredson and Taylor, 1983). The attacks on rehabilitation since the 1960's indeed seem to have had an adverse effect (Cullen et al., 1988).

Contrary to this belief, however, Cullen et al. (1988:10) found that "rehabilitation is not dead": only about a fourth of the respondents in their study felt that "treatment is ineffective" (1988:10). Cullen et al. (1988:15) concluded that,

...the appeal of the rehabilitative ideal has proven fairly robust, especially among citizens, the group often said to be most opposed to offering human services to inmates.

Also noting the public's interest in rehabilitation, Cullen and Gendreau (1988) cite the 1982 Harris Poll in which 44 percent of the sample still favored rehabilitation as the purpose of imprisonment. This percentage is higher than that for "punishment" (19 percent) and for the "protection of society" (32 percent).

Finally, Cullen et al. (1988:5) summarized their findings:

There is a duality to the public's sanctioning ideology: While citizens clearly want offenders punished, they continue to believe that offenders should be rehabilitated.

In light of the research reviewed here, it seems particularly pressing to raise the issue of the impact of public opinion on criminal justice policy.

### **Why Is Public Opinion Research of This Sort Important?**

As Bynum, Greene and Cullen (1986:254) point out, in recent times the American criminal justice system has become "highly visible" in the public debate, due in part to the political harangue around "law and order" during the past two decades. And, as Rothman (1980) points out, in the past 40 years, decisions regarding the punishment of criminal offenders have been left to correctional officials, judicial officers, and parole authorities, but in more recent times has shifted from the agency level into the hands of the legislatures (Bynum, Greene and Cullen, 1986). The work of Bynum and his associates in examining the correlates of legislative crime control ideology reflects the importance of investigating the impact of public opinion on policymakers. In their words (1986:255),

The apparent and growing pivotal role of legislatures, in defining public policy options with regard to crime control and criminal justice, suggest the need for empirical investigation. Legislator's beliefs and ideologies, their perceptions of their constituents, beliefs, and their actual behavior in supporting or opposing crime control strategies have been largely ignored by social scientists.

Further, they found that "constituent concerns are associated with the legislator's expressed views on crime control" (1986:264). Thus, the question might be raised: "Are the legislators impacting the public's view or is public opinion influencing the legislators' perceptions?"

As the literature suggests, crime rates continue to drop, yet, for whatever reasons, fear of crime does not seem to diminish. As noted above, public decisions regarding the fate of offenders are often in the legislatures' realm of responsibility. However, while legislatures continue to get tough on crime "in response" to the "punitive" public, the public continues to respond as if no political action has been taken toward the crime problem.

It would appear, then, that major policy changes are having little or no significant effect on public sentiment.

Why is this?

Are policymakers responding to public opinion and are they interpreting public opinion correctly? Or, is the public uninformed about political action taken by legislatures to control crime?

These very relevant issues are not addressed in the literature. A study designed to determine the relationship between public opinion and correctional policies is therefore both timely and appropriate.

## CHAPTER TWO

### CRIMINAL JUSTICE PRACTITIONERS AND THE PUBLIC: DO THEY AGREE?

Do legislators, judges, district attorneys, public defenders, and probation officers hold opinions consistent with those of the public? To pose this question, we must assume the existence of a group opinion. Of course, there is variation between as well as within criminal justice agencies, just as there is variation between and within various strata of the public. Even though there is variation, however, the daily decisions made by these individuals culminate in decisions about the sentence of each offender. Thus, for the purposes of this analysis, these very diverse agency officials are viewed as a group with an opinion that can be measured.

The purpose of exploring the question of practitioner/public opinion consistency is, as explained earlier, to help understand how public opinion affects public policy. Do the public and practitioners agree? Yes, they do, in most cases. The findings to be discussed in more detail in the following pages show little disagreement between practitioners and the public. We found that a slightly larger proportion of the citizen sample, compared to the practitioners, fears crime and victimization. We also found that for offenders sentenced to the community, the public prefers a highly structured and supervised option such as residential community corrections or intensive supervision probation rather than the straight probation sentence that most offenders receive. Results are reported below on opinions regarding crime seriousness, fear of



crime, philosophy of punishment and funding for jails and prisons, and, most importantly, attitudes toward sentencing options for specific criminal cases.

### **Concern About Crime**

In what ways might different levels of concern about crime explain how public opinion affects correctional policy? If the public were to see crime as a much more serious problem than criminal justice practitioners, such a major difference in attitude might lead to public dissatisfaction with the way criminals are handled in the criminal justice system. This, however, is not the case. Both public and practitioner see crime as a major social problem.

The "crime problem" has many dimensions, some concrete and empirical, others perceptual. Thus, several measures were included in the survey. The results of the first measure, "most pressing social problem," show that both public and practitioner rank crime as one of the top three most pressing social problems; however, public respondents ranked crime first and criminal justice respondents second. As shown in Table One below, officials ranked the federal budget deficit as the most pressing social problem. Crime was ranked second, and drug abuse, third. The public respondents ranked crime as the most serious, followed by drug abuse and having money enough to pay the bills. So even though the seriousness rankings were not directly consistent, these three issues, crime, drug abuse, and the economy, are seen as serious social problems for both groups.

What are the implications of the similarity of perception? The data show minimal differences in the perception of the seriousness of the crime problem. Although the

public gives crime a higher ranking by one position, there is overall agreement. This finding, then, implies that criminal justice practitioners are representative of the public in terms of definition of the crime problem.

**TABLE 1**  
**THE PUBLIC AND PRACTITIONERS AGREE: CRIME, DRUG ABUSE, AND THE ECONOMY ARE CONSIDERED OUR MOST PRESSING SOCIAL PROBLEMS**

Social Problem:	Percent Ranking 1, 2 or 3			
	Public		Officials	
	Percent	Rank	Percent	Rank
Crime	51	( 1)	40	( 2)
Drug Abuse	48	( 2)	38	( 3)
Money enough to pay bills	41	( 3)	31	( 6)
Recession	40	( 4)	36	( 4)
Budget deficit	37	( 5)	46	( 1)
Inflation	35	( 6)	13	(12)
Pollution	33	( 7)	34	( 5)
The Homeless	23	( 8)	22	( 8)
AIDS	22	( 9)	22	( 9)
Getting into another war	16	(10)	18	(10)
Alcoholism	14	(11)	13	(13)
Prison construction	13	(12)	23	( 7)
Nuclear War	10	(13)	15	(11)
The war in Nicaragua	7	(14)	5	(14)
<b>TOTAL NUMBER</b>	<b>1325</b>		<b>112</b>	

Additional measures of the crime problem included questions about level of seriousness in the community and state; fear of crime and fear of victimization; reactions to crime; and victimization experiences.

Colorado citizens and criminal justice officials see crime as a serious problem in the community and in the state, and believe crime will increase in the future. The data in Table Two show that while 96 percent of the respondents in both groups see crime as a moderate or serious problem in the state, 84 percent of criminal justice respondents compared with 71 percent of public respondents see crime as a

moderate or serious problem in the community. Of the public respondents, 26 percent see crime as a "slight problem" in the community, compared with 15 percent of the criminal justice respondents. Since for criminal justice respondents, the prevention and control of crime is the objective of their jobs, and is done at the community level, their awareness of the seriousness of crime in the community is understandable. There is also a plausible political explanation for the larger proportion of practitioners who see crime in the community as more serious. It may be that individuals who emphasize the seriousness of the crime problem are selected for these positions. Although many citizens see the crime problem as less serious than criminal justice officials, they are not likely to support criminal justice officials who view crime as not very serious.

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**TABLE 2**  
**PERCEPTIONS OF THE CRIME PROBLEM**  
**IN COLORADO AND THE COMMUNITY**

Level of Concern:	Crime in Colorado		Crime in Community	
	Public	Officials	Public	Officials
	(Percent)		(Percent)	
Not a Problem	1	0	3	1
Slight Problem	3	4	26	15
Moderate Problem	43	38	50	51
Serious Problem	53	58	21	33
<b>TOTAL PERCENT</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
<b>TOTAL NUMBER</b>	<b>1318</b>	<b>112</b>	<b>1316</b>	<b>112</b>

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Another difference in opinions about future crime trends may reflect the availability of information on actual crime trends to practitioners: as shown in Table Three, fewer practitioners than public respondents believe crime will increase; twice

as many practitioners think crime will stay the same in the state; and twice as many practitioners believe crime will increase in both the state and in the community.

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TABLE 3  
MOST RESPONDENTS BELIEVE CRIME WILL INCREASE IN  
COLORADO AND THE COMMUNITY

In the future, crime will...	Public (Percent)		Officials (Percent)	
	Colorado	Community	Colorado	Community
Increase	84	74	68	68
Remain the Same	13	23	26	26
Decrease	3	3	6	6
	<hr/>	<hr/>	<hr/>	<hr/>
TOTAL PERCENT	100	100	100	100
	<hr/>	<hr/>	<hr/>	<hr/>
TOTAL NUMBER	1312	1314	110	112

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Even though practitioners are less likely to see an increase in crime, it is somewhat surprising that most of them do believe crime is increasing. Reported index crimes in Colorado have declined steadily from 1980 to 1984 (7825 to 6274 per 100,000 people), rose in 1986 to 6939, dropped to 6357 in 1987 and 6025 in 1988. Thus, there has been a 23 percent decline in crime rate from 1980 to 1988 (Colorado Bureau of Investigation, 1980 - 1988).

To summarize, criminal justice practitioners and Colorado citizens both ranked crime, drug abuse and the economy as the most serious social problems. Over half of each group believe the crime problem in Colorado is serious, but a greater proportion of citizens compared to officials believes crime will increase. Crime in the community is also seen as a serious problem, although not by as large a majority of respondents as see crime in the state as a serious problem. Also a slightly larger proportion of citizens than practitioners believes crime in their community will

increase. Overall, then, the data show that the public and criminal justice officials hold similar perceptions of the seriousness of the crime problem. Thus, on these indicators also, the practitioners appear to be representative of public opinion.

### Fear of Crime

Another indicator of seriousness is fear of crime. We expected that criminal justice officials would feel more safe than citizens because of their knowledge, training, and experience concerning crime and criminals. There was only a 10 percent difference, however: 85 percent of the officials compared with 75 percent of citizens reported they feel safe or very safe (see Table Four).

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TABLE 4  
FEAR OF CRIME: OFFICIALS AND CITIZENS

How safe do you feel?*	Public (Percent)	Officials (Percent)
Very Safe	17	22
Safe	57	63
Unsafe	20	14
Very Unsafe	6	1
	---	---
TOTAL PERCENT	100	100
TOTAL NUMBER	1314	112

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- \* This measure of fear is an index created from four questions pertaining to feelings of safety during the day/at night/at home/in the community.

We also asked about fear of walking alone at night within a mile of home, and, as shown in Table Five, a larger difference was found: 38 percent of the officials compared with 55 percent of the public reported being afraid. When we asked about fear for other family members, the difference disappeared. Table Six shows

that .85 percent of both groups were afraid for children, and 66 and 65 percent were afraid for other adults in the home.

TABLE 5

ARE YOU AFRAID TO WALK ALONE AT NIGHT  
WITHIN A MILE OF YOUR HOME?

	Public	Officials
Yes	55	38
No	45	62
TOTAL PERCENT	100	100
TOTAL NUMBER	1315	112

TABLE 6

ARE YOU AFRAID FOR ADULT OR CHILD MEMBERS  
OF YOUR FAMILY TO WALK ALONE AT NIGHT  
WITHIN A MILE OF YOUR HOME?

	Adults		Children	
	P <sup>a</sup>	O <sup>a</sup>	P <sup>a</sup>	O <sup>a</sup>
	(Percent)		(Percent)	
Yes	65	66	85	85
No	35	34	15	15
TOTAL PERCENT	100	100	100	100
TOTAL NUMBER	1242	112	1142	112

<sup>a</sup>P - Public  
<sup>a</sup>O - Officials

Thus, on this indicator of seriousness also, criminal justice officials appear to see the crime problem at about the same level of seriousness as the public. The "fear of walking alone at night" question indicates, however, that practitioners see themselves as less personally vulnerable than the public.

We turn now to a comparison of the two groups on attitudes toward sentencing philosophy and practice.

## Sentencing Philosophy and Sentencing Practice

We have seen that criminal justice officials and the public both define crime as a serious social problem, so we can conclude that public dissatisfaction with the criminal justice system does not stem from different definitions of the crime problem. Other areas of disagreement could be sentencing philosophy and sentencing practices. Citizens may hold a much different sentencing philosophy than officials, or, if given the opportunity, might sentence the same case much more severely than criminal justice officials.

To measure consistency of opinion about sentencing philosophy, public and practitioner respondents were asked to rank the different purposes of sentencing. These include retribution, incapacitation, general deterrence, rehabilitation, just deserts, and specific deterrence. Opinions of the two groups were fairly similar. Over half of both groups ranked incapacitation as the most important purpose for imposing sentences, and over 20 percent of both groups ranked rehabilitation as the most important purpose. However, as shown in Table Seven, more public (57 percent) than practitioner (52 percent) respondents ranked incapacitation highest and more practitioner (30 percent) than public (21 percent) respondents ranked rehabilitation as highest. Also, a slightly larger proportion of the public (11 percent compared with seven percent) ranked just deserts as the most important purpose of sentencing.

This indicates that slightly more criminal justice practitioners than public respondents support rehabilitation purposes.

TABLE 7

## PUBLIC AND PRACTITIONERS: SENTENCING PHILOSOPHIES

Reason for Imposing Sentences:	Public (Percent)		Officials (Percent)	
	1988	1984	1988	1984
It is society's way of getting even with the offender for harm done to the victim	3	5	1	2
It removes the criminal from the community and protects citizens against further crimes	57	68	52	70
It deters other people from committing crimes	6	10	7	6
It places the criminal in an environment where he can be reformed through job training, work experience, education, etc.	21	12	30	3
It is the way the law promises that those who commit crimes will get what they deserve	11	13	7	15
Prison is a harsh experience that will discourage that person from committing another crime	9	7	8	6

\*NOTE: May not total 100 percent. Some respondents gave the same ranking to more than one reason.

Another view of sentencing philosophy was obtained by asking respondents their perception of the severity of sentences imposed by judges in Colorado. The public and practitioners disagreed considerably on the question of sentencing. As indicated in Table Eight, only five percent of the public believes Colorado judges

TABLE 8

## A MAJORITY OF THE PUBLIC THINKS JUDGES ARE "SOFT"

Sentences are:	Public	Officials
Extremely Severe	1	5
Moderately Severe	4	27
About Right	25	40
Moderately Soft	53	23
Extremely Soft	17	5
TOTAL PERCENT	100	100
TOTAL NUMBER	1258	110



sentence severely compared to 31 percent of criminal justice practitioners. Further, 28 percent of the practitioners believe judges are soft compared to 70 percent of the public.

This information about "soft" sentences is most interesting when viewed in light of previous findings on this issue. In 1984, a majority of both groups believed sentences were either moderately soft or extremely soft: 73 percent of the public believed sentences were soft compared to 60 percent of the officials (Mande and Crouch, 1984). But, as shown in Table Nine, the 1988 data reflect a dramatic shift: the public's opinion is virtually unchanged in 1988 with 70 percent indicating that sentences are soft; however, only 28 percent of the criminal justice practitioners now see sentences as soft.

TABLE 9  
VIEWS OF PUBLIC AND OFFICIAL RESPONDENTS  
ON SEVERITY OF SENTENCES

Sentences are:	Public		Officials	
	1988	1984	1988	1984
Extremely severe	0	1	5	0
Moderately severe	4	4	27	7
About right	26	22	39	33
Moderately soft	53	59	23	48
Extremely soft	17	14	6	12
TOTAL PERCENT	100	100	100	100
TOTAL NUMBER	1258	•	110	•

• • Information not available

In fact, sentences actually imposed by judges have changed dramatically since the 1984 survey. In July 1985, a new sentencing law doubled the top of the presumptive sentencing ranges, and sentences immediately began to increase in

length. Actual length of stay in prison also increased because the mandatory minimum in Colorado is half the sentence imposed. Thus, we can infer that the public is either unaware of this change, or is thinking of some aspect of sentencing other than sentence length. As Chapter Five will show, attitudes change significantly when the specific circumstances of the case are given. Although the majority of the public indicates that sentences are "soft," the sentences actually imposed by the courts are more severe (both the in/out of prison decision and sentence length) than the public recommends when case details are provided.

#### **Appropriate Sentences: Public and Practitioner Recommendations**

To measure public and practitioner perceptions of appropriate sentences, the survey asked two different types of questions about crimes and sentences. The first set of questions listed five crimes without detailed information about the case and asked the respondent to recommend the most appropriate placement: probation, jail and probation, intensive supervision probation (ISP), community corrections or prison. The second set of questions provided more detailed information about the case including crime committed, criminal history, mental health, alcohol or drug problems, marital status and employment history.

When respondents were given information only about the type of crime committed, a large majority recommended prison sentences for violent crimes. For property and drug crimes, the majority of both public and practitioner respondents favored structured community placements such as jail and probation, ISP, or community corrections. As shown in Table 10, "cashed a stolen pay check" was the

only crime for which probation was recommended by either group: 59 percent of criminal justice practitioners favored probation.

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TABLE 10  
**RESPONDENTS GIVEN CRIME TYPE ONLY:  
THE SENTENCE FOR VIOLENT CRIMES  
SHOULD BE PRISON**

Case		Prob	Jail/Prob	ISP (Percent)	ComCor	Prison	Months to Prison
Assault	(P)	1	3	2	7	87	48
	(O)	0	5	4	7	84	60
Armed Rob.	(P)	0	3	4	8	85	48
	(O)	1	2	6	8	83	48
Cashed Stolen Pay Check	(P)	14	28	20	21	17	24
	(O)	59	25	8	5	3	27
Heroin Use	(P)	6	6	29	47	12	22
	(O)	44	15	21	16	4	18
Burglary	(P)	6	21	17	27	29	24
	(O)	16	29	17	20	18	48

---

However, as the following paragraphs demonstrate, sentencing recommendations changed—particularly for violent offenses—when respondents were given more information about the criminal case. As previously described, the second type of question presented additional information about the offender. For these more fully described criminal cases, the data indicate that a majority of the public would use community corrections for many offenders. And usually, where the majority recommendation was prison, about 10 percent more criminal justice practitioners than public respondents made the prison recommendation. Further, the public consistently sentenced the offender for a shorter average prison term compared to criminal justice officials. (This may be due, in part, to practitioner's familiarity with current sentencing laws which allow the offender to become eligible for parole at half

of the sentence imposed.)

For example, although robbery, a violent crime, is the offense described in Scenario One, Table 11, less than 30 percent of both public and practitioner respondents (29 percent and 25 percent respectively) recommended prison. Thus, as indicated earlier, when more case information is given to the respondents, the sentencing recommendations change dramatically.

The distribution of responses to the community placement options is also very interesting. For this case, only two percent of the public and three percent of the officials recommended probation. So although 60 percent of the officials and 70 percent of the public recommended community placement, the programs preferred were jail and probation, ISP or community corrections. Community corrections was the community program favored by the largest proportion of the public (29 percent), and the officials favored Jail/Probation and ISP equally (21 percent for each).

When respondents selected prison as the most appropriate placement for an offender, we then asked for a recommended sentence length. For the robbery with no priors, the 39 percent who selected prison as the best placement recommended, on average, a five year sentence. The 30 percent of the citizen respondents choosing prison recommended three years, on average. Again, this difference may well be due to practitioner knowledge of sentence law provisions governing parole eligibility date.

Scenario Two is the same as Scenario One, except the offender now has one prior conviction for robbery. When this prior violent felony conviction is added, the percent of respondents favoring prison increases to 66 percent of the public and 74

TABLE 11

**SCENARIO ONE: The offender is convicted of robbery, had a gun, is 24 years old, unemployed, has an average IQ, no prior record, and has an alcohol problem**

Placement:	Public (Percent)	Officials (Percent)
Probation	3	2
Jail-Probation	18	21
ISP*	20	22
Community Corrections	29	16
Prison	30	39
TOTAL PERCENT	100	100
TOTAL NUMBER	1304	110
Median prison term	36 Months	60 Months

**SAME AS SCENARIO ONE: But offender has one prior similar conviction**

	Public (Percent)	Officials (Percent)
Probation	0	0
Jail-Probation	12	2
ISP*	8	12
Community Corrections	14	12
Prison	66	74
TOTAL PERCENT	100	100
TOTAL NUMBER	1295	111
Median prison term	48 Months	72 Months

**SAME AS SCENARIO ONE: But offender is addicted to heroin and wants drug treatment**

	Public (Percent)	Officials (Percent)
Probation	1	4
Jail-Probation	7	6
ISP*	19	25
Community Corrections	37	28
Prison	36	37
TOTAL PERCENT	100	100
TOTAL NUMBER	1301	112
Median prison term	48 Months	60 Months

\*ISP = Intensive Supervision Probation

percent of officials. Only one citizen respondent chose probation for this case; however, 26 percent of the officials and 34 percent of the public favored a structured community placement, even for a robber with a prior robbery conviction. Again, sentence lengths recommended by officials exceeded the public's recommendations, in this case by 24 months.

Still another variation in the scenario produced different results. For a robber with no prior convictions who is addicted to heroin and requests drug treatment, most respondents recommended structured community placement. Over two-thirds of both groups recommended community supervision, and the placements were fairly equally distributed between the two groups of respondents, although a few more criminal justice officials recommended intensive supervision probation (25 percent compared to 19 percent) and slightly more of the public recommended community corrections (37 percent compared to 29 percent). Again, of those who recommended prison sentences, criminal justice respondents recommended longer sentences: five years compared to the four years recommended by the public.

The second crime scenario involves an 18 year old unemployed male who approached a woman from the rear, knocked her to the ground, grabbed her purse, and ran. As shown in Table 12, more than 50 percent of both criminal justice officials and voters recommended structured community placements for the 18 year old robber described in Scenario Two, even when the victim was elderly or handicapped. Ten to 15 percent more of the public than the criminal justice

TABLE 12

**SCENARIO TWO: Offender is convicted of assault and robbery (purse-snatching), is unemployed, 18 years old, has average IQ, is a school dropout, has juvenile record, and victim is female**

Placement	Public (Percent)	Officials (Percent)
Probation	2	6
Probation/Jail	23	30
ISP*	23	15
Community Corrections	27	21
Prison	25	28
TOTAL PERCENT	100	100
TOTAL NUMBER	1306	112
Median prison term	36 Months	36 Months

**SAME AS SCENARIO TWO: But victim is in a wheelchair**

	Public (Percent)	Officials (Percent)
Probation	1	4
Probation/Jail	19	16
ISP*	18	14
Community Corrections	26	19
Prison	36	47
TOTAL PERCENT	100	100
TOTAL NUMBER	1307	112
Median prison term	36 Months	48 Months

**SAME AS SCENARIO TWO: But victim is elderly**

	Public (Percent)	Officials (Percent)
Probation	1	4
Probation/Jail	18	17
ISP*	17	12
Community Corrections	26	18
Prison	38	49
TOTAL PERCENT	100	100
TOTAL NUMBER	1302	112
Median prison term	36 Months	40 Months

\* - Intensive Supervision Probation

respondents chose the community corrections sentencing option, a pattern consistent with many of the other scenarios.

Approximately three-quarters of both groups recommended structured community placements for this offender when the victim was described as female. Although the percent of both groups recommending community placement decreased when the victim was especially vulnerable, the majority still recommended probation and jail, ISP, or residential community corrections. For example, when the victim was in a wheelchair, 47 percent of the practitioners indicated they would send the offender to prison compared to 36 percent of the public. The practitioners sentenced this case to four years compared to the three years recommended by the public.

When the victim was elderly, nearly half (49 percent) of the practitioners recommended a prison sentence compared to 38 percent of the public. Median prison terms recommended by both groups were fairly close: 40 months recommended by practitioners compared to 36 months recommended by voters.

Additionally, regarding the different versions of Scenario Two, it is interesting to note that the length of prison terms recommended by the public does not vary by victim type. Criminal justice officials, however, recommended longer sentences when the victim was described as vulnerable: 33 percent longer for the wheelchair-bound victim and 10 percent longer for the elderly victim. This finding suggests that criminal justice policy-makers may again have misunderstood public opinion about vulnerable victims. The data indicate that a greater proportion of the public would recommend prison as the placement option, but would not recommend a longer prison sentence related to type of victim.



The third scenario describes an offender who pled guilty to theft over \$300 for stealing jewelry valued at \$5,000. She is 28 years old, has two children, was regularly employed until four months ago, and has no prior criminal record. As presented in Table 13, in this case, less than four percent of the respondents in either group recommended prison. Even when there had been a previous conviction for a similar offense, the majority of both groups (90 percent of the officials and 70 percent of the public) recommended jail and probation, ISP or community corrections. However, as the data just reported show, the relationship we have been seeing between criminal justice and public opinions is reversed: while 30 percent of the public respondents recommended prison when the offender had a prior theft conviction, only 10 percent of the practitioners did so. This implies that criminal justice practitioners are more tolerant of non-violent repeat offenders than the public. However, when prison was recommended by practitioners, the median term was longer, three years compared to two years recommended by the public.

This theft scenario is informative in another respect. The responses reflect the greatest disparity between the public and criminal justice officials regarding probation supervision. For the first version of the case (no priors, no alcohol problem), 68 percent of the officials recommended probation compared to 33 percent of the public. Further, when this offender had a severe drinking problem, 49 percent of the practitioners recommended probation compared to six percent of the public. Thus, it can be inferred that while the voters support structured community placements (80 percent favored placing the woman in jail and probation, ISP or community corrections), they do not favor placing felons on probation only.

TABLE 13

**SCENARIO THREE: Offender pled guilty to theft over \$300  
(she stole \$5,000 worth of jewelry), she is 28 years old,  
has two children, regularly employed until four  
months ago, has no prior record**

Placement:	Public (Percent)	Officials (Percent)
Probation	33	68
Probation/Jail	14	15
ISP*	35	8
Community Corrections	15	7
Prison	3	2
TOTAL PERCENT	100	100
TOTAL NUMBER	1308	112
Median prison term	24 Months	42 Months

**SAME AS SCENARIO THREE: But offender has a  
severe drinking problem**

	Public (Percent)	Officials (Percent)
Probation	6	49
Probation/Jail	9	14
ISP*	40	21
Community Corrections	40	15
Prison	5	1
TOTAL PERCENT	100	100
TOTAL NUMBER	1309	112
Median prison term	24 Months	60 Months

**SAME AS SCENARIO THREE: But offender has previous  
conviction for theft**

	Public (Percent)	Officials (Percent)
Probation	1	1
Probation/Jail	23	35
ISP*	20	19
Community Corrections	28	35
Prison	28	10
TOTAL PERCENT	100	100
TOTAL NUMBER	1306	112
Median prison term	24 Months	36 Months

\* = Intensive Supervision Probation

In the fourth scenario, the offender who pled guilty to manslaughter, was drinking at the time of the offense, was employed at the oil fields, 25 years old, married with a three-year-old child, and had no prior convictions.

In the first version, official and public recommendations are virtually identical for both placement and sentence length. However, the data shown in Table 14 shows a difference in attitude observed earlier appears again: officials are less tolerant of violence, especially where there is a history of violence. When the scenario was changed to give the offender a prior assault conviction, 60 percent of the officials recommended prison compared to 49 percent of the public, and officials recommended a 48 months sentence compared to 36 months recommended by the public.

The fifth and final scenario describes an offender who pled guilty to burglary. He has no prior felony convictions but has one non-violent misdemeanor conviction. He is 30 years old, unemployed, and separated from his wife and children. Responses to this scenario reflect sentencing patterns consistent with the previous scenarios (see Table 15). The majority of respondents recommended community placement for a first time property offender (92 percent of the officials and 88 percent of the public), but the public did not recommend probation as the sentencing option (42 percent of the officials recommended probation compared to 10 percent of the public).

When the burglar had two prior convictions for burglaries, however, 66 percent of the officials and 56 percent of the public recommended prison. Again, criminal

TABLE 14

**SCENARIO FOUR: Offender pled guilty to manslaughter, was drinking at the time of the offense, is employed at the oil fields, is 25 years old, married with a three-year-old child, and has no prior convictions**

Placement:	Public (Percent)	Officials (Percent)
Probation	18	20
Probation/Jail	18	21
ISP*	22	21
Community Corrections	25	24
Prison	17	14
TOTAL PERCENT	100	100
TOTAL NUMBER	1307	112
Median prison term	36 Months	36 Months

**SAME AS SCENARIO FOUR: But he has a prior conviction for assault**

	Public (Percent)	Officials (Percent)
Probation	1	2
Probation/Jail	19	5
ISP*	11	12
Community Corrections	20	21
Prison	49	60
TOTAL PERCENT	100	100
TOTAL NUMBER	1283	112
Median prison term	36 Months	48 Months

**SAME AS SCENARIO FOUR: But he is currently participating in a rehabilitation program for problem drinkers**

	Public (Percent)	Officials (Percent)
Probation	4	12
Probation/Jail	12	12
ISP*	22	26
Community Corrections	29	29
Prison	33	21
TOTAL PERCENT	100	100
TOTAL NUMBER	1291	112
Median prison term	36 Months	36 Months

\* = Intensive Supervision Probation

TABLE 15

**SCENARIO FIVE: The offender pled guilty to burglary, he has no prior felony convictions, but has one non-violent misdemeanor conviction, he is 30 years old, unemployed, separated from his wife and children**

Placement:	Public (Percent)	Officials (Percent)
Probation	10	42
Probation/Jail	31	29
ISP*	24	14
Community Corrections	23	7
Prison	12	8
TOTAL PERCENT	100	100
TOTAL NUMBER	1301	112
Median prison term	24 Months	24 Months

**SAME AS SCENARIO FIVE: But offender has two prior convictions for similar crimes**

	Public (Percent)	Officials (Percent)
Probation	0	0
Probation/Jail	16	3
ISP*	10	8
Community Corrections	18	23
Prison	56	66
TOTAL PERCENT	100	100
TOTAL NUMBER	1292	112
Median prison term	30 Months	48 Months

\* Intensive Supervision Probation

justice practitioners recommended longer sentence lengths: 48 months compared to the 30 months recommended by the public.

However, a large proportion—but not a majority—of the public continued to opt for community placement (other than probation) for this three-time burglar: 44 percent of the public and 34 percent of officials recommended structured community placement.

Review of all five scenarios indicates several sentencing patterns. Responses to the three scenarios involving alcohol or drug problems indicate that the majority of both the public and criminal justice respondents favor structured community placement (not straight probation, in the public view) for offenders with substance abuse problems. Data from the robbery case and the jewelry theft case indicate a tolerance for offenders with prior non-violent convictions. The jewelry theft case and the burglary case responses show the public's lack of support for straight probation. We also saw that a greater proportion of the public, compared to practitioners, recommends structured community placement of some violent offenders where there is no victim injury or there is unintended injury and that a greater proportion of system officials, compared to the public, recommends community placement of a repeat theft offender.

The preference by the public for structured community placement for repeat property offenders, some first-time violent offenders and offenders with drug and alcohol problems is an important and consistent finding. It implies that legislators and criminal justice officials believe the public demands tougher sentencing than it actually does.

In the methods section, we discussed the generalizability of the four-county/district sample to the state. As you may recall, when comparing a 1984 statewide sample to the 1988 four-county sample, citizen representatives were found to be slightly less severe, and officials significantly less severe, in their 1988 sentencing recommendations. If, in fact, a current statewide sample would reflect this difference, then the finding that "legislators and criminal justice officials believe

the public demands tougher sentencing than it actually does" would still be supported, perhaps more strongly than in the four county sample, because the gap between "official" and public opinion, in terms of severity, would be even greater.

### **Perceptions of Soft Sentences**

Given the results from the scenarios, how do we explain the finding that 70 percent of the public believe that judges impose sentences which are "moderately soft" or "extremely soft?" To answer this question, crosstabs were run on "softness-severity" of sentencing responses and scenario recommendations. As shown in Tables 16 to 20, in all but three cases, the majority of the public respondents who expressed the view that the sentences imposed by judges in Colorado are "extremely or moderately soft" recommended community placement sentences. The three cases in which a majority of the "soft" sentence perceivers recommended prison were (1) robber with a prior conviction for robbery (71 percent); (2) the manslaughter with a prior conviction for assault (51 percent); and (3) the burglar with two prior burglary convictions (61 percent). Of the cases in which a majority of the "soft" sentence perceivers recommended community placement, perhaps the most surprising is for the first-time robber: 64 percent recommended community placement, and if the robber was a heroin addict who wants drug treatment, 67.5 percent recommended community programs. For an assault and robbery (purse-snatching from elderly woman) 70 percent of the "soft" perceivers recommended community placement; for the theft case, 95 percent recommended community.

TABLE 16

### SEVERITY OF SENTENCES IMPOSED IN COLORADO COURTS BY SENTENCE RECOMMENDATIONS

Scenario One: The offender is convicted of robbery, had a gun, is 24 years old, unemployed, has an average IQ, no prior record, and has an alcohol problem

Severity of Sentences:		Probation	ISP*	Community Corrections	Prison	Total Percent
Severe	N = 51	28	29	25	18	100
About Right	N = 328	20	27	35	18	100
Soft	N = 868	20	17	27	36	100

Same as Scenario One: But offender has one prior similar conviction

Severity of Sentences:		Probation	ISP*	Community Corrections	Prison	Total Percent
Severe	N = 51	17	12	14	57	100
About Right	N = 322	17	9	20	54	100
Soft	N = 866	11	7	11	71	100

Same as Scenario One: But offender is addicted to heroin and wants drug treatment

Severity of Sentences:		Probation	ISP*	Community Corrections	Prison	Total Percent
Severe	N = 52	15	25	39	21	100
About Right	N = 326	8	23	48	21	100
Soft	N = 865	8	17	33	42	100

\* Intensive Supervision Probation



TABLE 17

### SEVERITY OF SENTENCES IMPOSED IN COLORADO COURTS BY SENTENCE RECOMMENDATIONS

Scenario Two: Offender is convicted of assault and robbery (purse-snatching), is unemployed, 18 years old, has average IQ, is a school dropout, has juvenile record, and victim is female

Severity of Sentences:		Probation	ISP*	Community Corrections	Prison	Total Percent
Severe	N = 52	19	23	42	16	100
About Right	N = 327	23	31	30	16	100
Soft	N = 868	25	20	25	30	100

Same as Scenario Two: But victim is in a wheelchair

Severity of Sentences:		Probation	ISP*	Community Corrections	Prison	Total Percent
Severe	N = 52	19	17	33	31	100
About Right	N = 327	20	24	29	27	100
Soft	N = 869	19	15	25	41	100

Same as Scenario Two: But victim is elderly

Severity of Sentences:		Probation	ISP*	Community Corrections	Prison	Total Percent
Severe	N = 50	18	18	32	32	100
About Right	N = 327	21	24	27	28	100
Soft	N = 866	19	14	25	42	100

\* Intensive Supervision Probation

TABLE 18

### SEVERITY OF SENTENCES IMPOSED IN COLORADO COURTS BY SENTENCE RECOMMENDATIONS

Scenario Three: Offender pled guilty to theft over \$300 (she stole \$5,000 worth of jewelry), she is 28 years old, has two children, regularly employed until four months ago, has no prior record

Severity of Sentences:		Probation	ISP*	Community Corrections	Prison	Total Percent
Severe	N = 51	63	31	6	0	100
About Right	N = 328	51	33	14	2	100
Soft	N = 869	45	35	15	5	100

Same as Scenario Three: But offender has a severe drinking problem

Severity of Sentences:		Probation	ISP*	Community Corrections	Prison	Total Percent
Severe	N = 52	19	60	19	2	100
About Right	N = 327	16	41	41	2	100
Soft	N = 870	16	38	40	6	100

Same as Scenario Three: But offender has previous conviction for theft

Severity of Sentences:		Probation	ISP*	Community Corrections	Prison	Total Percent
Severe	N = 52	35	29	21	15	100
About Right	N = 328	27	28	27	18	100
Soft	N = 866	22	16	28	34	100

\* Intensive Supervision Probation

TABLE 19

### SEVERITY OF SENTENCES IMPOSED IN COLORADO COURTS BY SENTENCE RECOMMENDATIONS

Scenario Four: Offender pled guilty to manslaughter, was drinking at the time of the offense, is employed at the oil fields, is 25 years old, married with a three-year-old child, and has no prior convictions

Severity of Sentences:		Probation	ISP •	Community Corrections	Prison	Total Percent
Severe	N = 52	40	23	16	21	100
About Right	N = 329	35	28	25	12	100
Soft	N = 867	37	19	26	18	100

Same as Scenario Four: But offender has a prior conviction for assault

Severity of Sentences:		Probation	ISP •	Community Corrections	Prison	Total Percent
Severe	N = 51	17	12	20	51	100
About Right	N = 325	21	12	23	44	100
Soft	N = 864	20	11	18	51	100

Same as Scenario Four: But he is currently participating in a rehabilitation program for problem drinkers

Severity of Sentences:		Probation	ISP •	Community Corrections	Prison	Total Percent
Severe	N = 51	23	24	33	20	100
About Right	N = 325	16	27	35	22	100
Soft	N = 859	14	20	28	38	100

• Intensive Supervision Probation

TABLE 20

### SEVERITY OF SENTENCES IMPOSED IN COLORADO COURTS BY SENTENCE RECOMMENDATIONS

Scenario Five: The offender pled guilty to burglary, he has no prior felony convictions, but has one non-violent misdemeanor conviction, he is 30 years old, unemployed, separated from his wife and children

Severity of Sentences:	Probation	ISP*	Community Corrections	Prison	Total Percent
Severe	N = 51 49	27	16	8	100
About Right	N = 326 45	25	23	7	100
Soft	N = 866 39	24	23	14	100

Same as Scenario Five: But offender has two prior convictions for similar crimes

Severity of Sentences:	Probation	ISP*	Community Corrections	Prison	Total Percent
Severe	N = 50 18	12	20	50	100
About Right	N = 324 18	15	22	45	100
Soft	N = 862 15	8	16	61	100

\* Intensive Supervision Probation

Given the large disparity between perceived softness of sentencing and sentencing recommendations, it is safe to infer that (1) when respondents express the opinion that Colorado judges impose soft sentences, they are not saying that more offenders should go to prison for longer terms; and (2) the sentencing recommendations imply that soft sentences mean, to the public, sentences to straight probation.

## Summary

The analysis of sentencing scenario data found that:

- Given little information about the criminal, at least 84 percent of the public and criminal justice officials recommended prison for violent offenders. Given more detail about the offender, the majority of both officials and the public recommended structured community placement for a first time robber and for a robber/assaulter with a juvenile record. This suggests that when specific offender information is missing, respondents tend to "fill in" with "worst case" items. The result is tougher sentencing recommendations.
- Among those who chose community alternatives, a greater proportion of the public recommended placement in community corrections and intensive supervision probation while a greater proportion of criminal justice practitioners recommended straight probation. Thus, while the data indicate that the public prefers community placement, they favor higher levels of community supervision/custody than officials, and they do not recommend straight probation for most cases.
- A two-thirds majority of the public and criminal justice practitioners recommended structured community placements for offenders with substance abuse problems.
- When prison was recommended, about 10 percent more of the criminal justice respondents opted for this placement compared to the public.
- When citizen and criminal justice respondents recommended prison, the median sentence length suggested by criminal justice practitioners exceeded the median sentence length recommended by the public in ten out of the 14 scenarios.
- Although the majority of both groups recommended structured community placement, the proportion recommending prison increased when the victim of a violent crime was elderly or handicapped. However, for citizen respondents, the length of the prison terms remained the same for these cases regardless of the type of victim, while criminal justice officials added four to 12 months to the prison sentence.
- In all but three cases, those citizen respondents who indicated that sentences were "too soft" recommended structured community placement rather than prison. Thus, we can infer that in most cases, when citizens indicate that sentences are "too soft," they are referring to a sentence to straight probation.

## Do Officials and the Public Agree?

At the beginning of the chapter, the question was posed about criminal justice practitioner and citizen agreement on opinions about criminal justice issues. We found two differences of opinion that might indicate to the public that system decisionmakers are not acting in their interests:

1. Citizen respondents do not recommend straight probation as a correctional option. Officials are likely to recommend probation for the less serious offense profiles.

2. Although a majority of both officials and the public favor the death penalty for premeditated murder, a much higher proportion of the public approves of capital punishment.

Since no capital offenses were included in the sentencing scenarios in the questionnaire, this difference should not affect the findings regarding how public opinion affects correctional policy.

The data reflect other smaller differences between public and official opinion. A higher proportion of public respondents than officials report feeling unsafe because of crime, and, surprisingly, those public respondents who recommend prison sentences recommend shorter average sentences than official respondents recommend.

The next question, addressed in the following chapter, concerns contacts between citizens and criminal justice officials.

## **CHAPTER THREE**

### **CONTACT BETWEEN CITIZENS AND CRIMINAL JUSTICE OFFICIALS**

In Chapter Two, we compared criminal justice/correctional attitudes, opinions and philosophies to help understand how public opinion affects criminal justice policy. Three ways this might occur were discussed:

1. The public may believe that its interests are not represented, and may, therefore, frequently communicate with the criminal justice officials and representatives in their district to advocate for their views. If this is the case, then public and official attitudes should be inconsistent, with a high number of reported contacts. Also, actual sentencing practices should be inconsistent with public opinion.

2. The public may perceive that their attitudes are consistent with official attitudes. If this is the case, then we should see infrequent contacts between citizens and officials. Also, criminal justice officials' attitudes and actual sentencing practices should be generally consistent with the attitudes of the public.

3. A third way that public opinion might affect public policy, that serves as the guiding proposition for this study, is through the persistent and aggressive advocacy of a small segment of the public with strongly held attitudes (a criminal justice interest group). If this is the case, we should find generally consistent attitudes between the public and officials, a small segment of the public with more extreme attitudes than average, and more frequent contacts of officials by members of the criminal justice interest group. Also, sentencing practices should be generally consistent with public opinion, but with some

differences which are consistent with the opinions of the "salient" correctional issue public.

In the preceding chapter, we found that public and official attitudes were generally consistent. A difference, however, is seen in recommendations for type of placement in the community. In terms of recommendations for sentences to prison, officials are slightly more likely (about 10 percent) to recommend prison sentences, although this difference may be explained by official knowledge of sentencing laws. However, when the recommendation is for a community sentence, as it is in most cases, the public recommends a higher level of surveillance such as jail and probation, community corrections, or intensive supervision probation. A very small percent of the public respondents recommend straight probation for any case, while official respondents are much more likely to recommend straight probation for first or second-time property offenders.

Excluding public support for the death penalty for premeditated murder, this finding indicates that the major area where officials are not representative of the widely acclaimed public desire for more severe sentences is in sentences to straight probation. It also implies that the public is more "soft" than officials when considering the decision to imprison or to sentence to the community, as well as in length of sentence; but less "soft" when considering specific community placement options.

What about citizen contacts of criminal justice officials? Do most citizens contact their district attorney or judge? What about the public defender, or a probation officer? Are those who contact officials different in some way from citizens who report no contacts? What effect do officials believe citizen contacts have on their decisions? What does the pattern of reported contacts between public and official respondents reveal about how public opinion affects public policy?



## The Pattern of Contacts

The questionnaires sent to registered voters and officials included questions about number of contacts made by voters and received by officials. In the official's version of the questionnaire, we asked if they had been contacted in the past 12 months by "someone in your community who is not a criminal justice practitioner or who is not involved in a particular case."

## Citizen Responses

Data from the citizen's questionnaire indicate that eight to 13 percent—depending on type of official—ever contacted one of the five officials listed. District Attorneys were more likely to be contacted than other officials. As shown in Table 21, 13 percent of the respondents reported contacting District Attorneys, 12 percent reported contacting legislators about criminal justice issues, nine percent said they contacted probation officers, and eight percent said judges were contacted.

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TABLE 21

### FREQUENCY OF CONTACTING CRIMINAL JUSTICE OFFICIALS

Have you ever contacted a...	Yes	No	Total Percent	Total Number
District Attorney	13	87	100	1288
Legislator	12	88	100	1286
Probation Officer	9	91	100	1283
Judge	8	92	100	1285

---

## Who Contacts Officials?

Was the eight to 13 percent of respondents who reported contacting officials representative of the total sample? To answer this question, the group which reported

contacts was compared to those who reported no contacts on the following items: ethnicity, sex, political party, political ideology (conservative, moderate, liberal), household victimization in the last 12 months, opinion on consistency of court decisions with public opinion, as well as consistency of respondent's opinion with general public opinion, and responses to the sentencing scenarios described in the preceding chapter.

### Interest Group Characteristics

The data reflect differences between the groups on four of the variables. These were reported victimizations in the last 12 months, opinion of consistency between court decisions and public opinion, perception of consistency of respondent's opinion with general public opinion, and responses to three of the sentencing scenarios. As shown in Table 22, the "contacts" group was more likely to have reported a household victimization in the past 12 months: of those who had never contacted an official, 16 percent reported a household victimization, compared to 29.5 percent of those who had reported a victimization.

**TABLE 22**  
**CROSSTABULATION: EVER CONTACTED OFFICIAL BY**  
**HOUSEHOLD VICTIMIZATION**

Ever Contacted an Official:*	Household Victimized** in Last 12 Months	
	Yes	No
Never Contacted	63	79
Contacted	37	21
	---	---
TOTAL PERCENT	100	100
TOTAL NUMBER	246	1030

\* Official = Legislator, District Attorney, Judge, or Probation Officer

\*\* Household Victimized = Member of household victim of a murder, rape, robbery, or assault

The "contacts" group was also less likely to perceive that their opinions about crime reflect general public opinion. As shown in Table 23, of those who believed their opinions reflect general public opinion, 23 percent had contacted officials compared to 33 percent of those who see their opinions as different.

TABLE 23

**CROSSTABULATION: EVER CONTACTED OFFICIAL BY  
RESPONDENT ATTITUDE**

	Did Respondents Think Their Crime Attitudes Were Similar to the Public-At-Large?	
	Yes (Percent)	No (Percent)
Ever Contacted an Official: *		
Never Contacted	77	68
Contacted	23	32
	---	---
TOTAL PERCENT	100	100
TOTAL NUMBER	169	1054

\* Official = Legislator, District Attorney, Judge, or Probation Officer

Further, the "contacts" group was less likely to say that court decisions reflect public opinion. Table 24 shows that among those who believe court decisions reflected their opinions, 19 percent had contacted officials, compared to 29 percent who said court decisions do not reflect their opinion.

TABLE 24

**CROSSTABULATION: EVER CONTACTED OFFICIAL BY  
PUBLIC PERCEPTIONS OF COURT DECISIONS**

	Did Respondents Think Court Decisions Reflected Public Opinion?	
	Yes (Percent)	No (Percent)
Ever Contacted an Official: *		
Never Contacted	81	71
Contacted	19	29
	---	---
TOTAL PERCENT	100	100
TOTAL NUMBER	564	622

\* Official = Legislator, District Attorney, Judge, or Probation Officer

## Sentences Recommended by Group Which Contacts Officials

The data show that the group that reported contacts with criminal justice officials was more likely to recommend prison for (1) a robber who is an addict and wants treatment, (2) an offender convicted of assault and robbery (purse-snatching) of a handicapped person, and (3) the assault and robbery offender whose victim was an elderly woman. The results are displayed in Tables 25 - 27.

TABLE 25

### CROSSTABULATION: EVER CONTACTED OFFICIAL BY SCENARIO 1B\*

Ever Contacted Official:**		Placement (Percent)			
		Probation	ISP***	Community Corrections	Total Percent
Never Contacted	(n = 950)	10	18	39	100
Contacted	(n = 309)	7	19	32	100

\*Scenario = The offender is convicted of robbery, where a gun was present, is 24 years old, unemployed, has an average IQ, no prior record, has an alcohol problem, is addicted to heroin, and wants drug treatment

\*\*Official = Legislator, District Attorney, Judge, or Probation Officer

\*\*\*ISP = Intensive Supervision Probation

TABLE 26

### CROSSTABULATION: EVER CONTACTED OFFICIAL BY SCENARIO 2A\*

Ever Contacted Official:**		Placement (Percent)			
		Probation	ISP***	Community Corrections	Total Percent
Never Contacted	(n = 954)	21	17	28	100
Contacted	(n = 309)	17	19	22	100

\*Scenario = Offender is convicted of assault and robbery (purse-snatching), is unemployed, 18 years old, has average IQ, is a school dropout, has juvenile record, victim is female and in a wheelchair

\*\*Official = Legislator, District Attorney, Judge, or Probation Officer

\*\*\*ISP = Intensive Supervision Probation

TABLE 27

**CROSSTABULATION: EVER CONTACTED OFFICIAL BY  
SCENARIO 2B\***

		Placement (Percent)				Total Percent
		Probation	ISP***	Community Corrections	Prison	
Ever Contacted Official:**						
Never Contacted	(n = 954)	21	17	28	34	100
Contacted	(n = 309)	16	19	21	44	100

\*Scenario = Offender is convicted of assault and robbery (purse-snatching), is unemployed, 18 years old, has average IQ, is a school dropout, has juvenile record, victim is female and is elderly

\*\*Official = Legislator, District Attorney, Judge, or Probation Officer

\*\*\*ISP = Intensive Supervision Probation

It is interesting that official opinion is closer to the contact groups opinion than to general public opinion on two of these cases. (See Table 12)

To summarize to this point, the data on contacts between citizens and officials show that citizens who contacted criminal justice officials are not representative of the average citizen. They were more likely to have reported a household victimization in the last 12 months, less likely to perceive their attitudes and opinions as consistent with general public opinion and sentences actually imposed by the court. Further, they were significantly more likely than the group that did not report contacts to recommend prison as the appropriate sentence for a wider range of offenders.

#### **Contacts Reported by Officials**

Although only eight to 13 percent of the respondents reported contacts with criminal justice officials, 54 percent of the officials surveyed reported being contacted by a citizen

not directly involved in an active case. As reported in Table 28, 44 percent of the 112 practitioners indicated they had not been contacted; 18 percent indicated they had been contacted between one and three times, and 24 percent responded they had been contacted 20 or more times.

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TABLE 28

**FIFTY-SIX PERCENT OF THE CRIMINAL JUSTICE RESPONDENTS  
REPORTED CONTACTS BY THE PUBLIC**

Number of Contacts Reported by Criminal Justice Respondents (in last 12 months):		Percent
1 to 3 times		18
4 to 10 times		9
11 to 19 times		5
20 or more times		24
Not Contacted		44
TOTAL PERCENT		100
TOTAL NUMBER		87

---

It is important to recognize that nearly half of the official respondents are probation officers who are less likely than district attorneys and legislators to be contacted by the public. We also asked respondents if contacts from the public regarding criminal justice issues affected their official decisions. Practitioners indicated that public contacts rarely affect decisions: 67 percent responded that such contacts never affect their decisions; 15 percent said contact affected their decision in only one instance. These data are presented in Table 29.

TABLE 29

**OFFICIALS REPORT THAT CONTACTS BY THE PUBLIC DO NOT  
AFFECT THEIR DECISION MAKING**

Have Public Contacts Affected Officials Decisions? *	Percent
Never	67
Once	15
At least three times	6
Many times	12
TOTAL PERCENT	100

\*Over one-third (35 percent) of the 112 practitioners did not answer this question

Officials were also asked about the extent to which contacts with victims, friends; unknown parties, and interest groups affect their decisions. Their responses, shown in Table 30, indicate that victim contacts have the most impact: 62 percent of the respondents reported the affect to be "somewhat strong" or "strong." Friends were the next most influential group, with 24 percent of the officials reporting "somewhat strong" or "strong" level of influence. Contacts with interest groups appeared minimally influential with only eight percent of the respondents registering a "somewhat strong" response and none reporting a "strong" response. Contacts from unknown parties had the least impact, with only five percent of the respondents indicating a "somewhat strong" or "strong" response.

Finally, the questionnaire asked respondents if, over the past three years, their organization's policies had changed as a result of changing public opinion. Policy changes were reported by 51 percent of the respondents.

**TABLE 30**  
**CONTACT WITH VICTIMS HAS THE STRONGEST**  
**EFFECT ON OFFICIAL'S DECISIONS**

Extent of Effect:	Contact with:			
	Victims (Percent)	Friends (Percent)	Persons not Known* (Percent)	Interest Groups (Percent)
Weak	10	21	40	42
Somewhat Weak	7	26	25	15
Neutral	21	29	30	35
Somewhat Strong	24	20	4	8
Strong	38	4	1	0
TOTAL PERCENT	100	100	100	100
Percent of missing responses for each question:	28	29	32	30

\* Person not known by offender of victim

### Interviews with Practitioners

To obtain further information on contacts, follow-up telephone interviews were conducted with 43 practitioners. Practitioners were selected for the telephone follow-up if they reported on the survey that they had been contacted, or if they did not respond to the question about public contacts.

Interview questions asked about the purpose of public contacts, the type of person most likely to contact the official, and the extent to which the contacts affected decisions.

The 43 interviews provided the following information:

1. All of the judges contacted believe Colorado is getting tough on crime.
2. Forty-four percent of those interviewed agreed that contacts with the public have affected their decisions. All of these respondents indicated that such contacts had a positive influence in that they reinforced or confirmed decisions, provided important new information, or changed their perspective in terms of the importance of a particular issue.



3. The majority of the officials interviewed said their organization's policies changed as a result of public opinion. Specifically, changes in the law were attributed to public opinion as were expansion of probation and intensive supervision probation.

Although the number of officials interviewed was small, the interviews support the findings obtained from questionnaire data. Over half the officials report contacts from citizens; they indicate that victims and interest groups have some influence on their decisions, and over half the respondents report that organizational policies have changed as a result of public opinion.

#### **Conclusion: Public Contact with Officials**

The data reveal that the public which contacted officials is more likely than those who do not make such contacts to have reported a household victimization in the last 12 months and to recommend sentences to prison for several of the cases described in the sentencing scenarios. They are also more likely to see themselves as unlike the general public and to believe that court decisions do not reflect their views. Surveys and interviews with system officials indicate that victims have more influence on their decisions than others who communicate with them. We have seen that the public and officials hold similar opinions and attitudes about the seriousness of crime, and that officials are more likely than the registered voter respondents to recommend sentences to prison. In this chapter, we learned also that the sentencing recommendation for cases involving a vulnerable victim are similar between officials and the group of citizens that contacts them, but that the general public recommends less severe sentences for these cases. Thus, up to this point, the

findings suggest that public policy is influenced by a criminal justice interest group that includes many victims. The next chapter presents the findings on consistency between public and official opinion and actual sentencing practices.

PLACEMENT: \_\_\_\_\_

**PROBATION**

- 01 Probation Only
- 02 Probation Concurrent with Earlier Sentence to Probation
- 03 Probation with Jail Sentence
- 04 Deferred Judgment; Other
- 05 Other Sentence to Probation

**JAIL**

- 11 Jail Only
- 12 Jail and Fine
- 13 Jail with Work Release
- 14 Other Sentence to Jail

21 Unspecified Commitment to Prison

06 Unspecified Sentence to Probation

**COMMUNITY CORRECTIONS**

- 07 Comm. Corr.'s. as Condition of Probation
- 08 Direct Sentence to Community Corrections
- 09 Other Type of Sentence to Community Corr.'s.

15 Unspecified Sentence to Jail

**PRISON**

- 16 Prison Only
- 17 Prison Plus Probation
- 18 As Result of Conviction for New Offense While on Probation
- 19 As Result of Conviction for New Offense While on Parole
- 20 Other Commitment to Prison

22 SUSPENDED SENTENCE ONLY  
23 FINE ONLY  
24 RESTITUTION ONLY

**SENTENCE LENGTH:**

Prison Sentence (Months) \_\_\_\_\_ Jail Sentence (Days) \_\_\_\_\_ Jail Credit (Days) \_\_\_\_\_ Community Corrections (Months) \_\_\_\_\_

Probation Supervision \_\_\_\_\_ Months \_\_\_\_\_

- 1 Supervised
- 2 Unsupervised

**MULTIPLE CONVICTIONS OFFENSES**

- 1 Concurrent Sentence
- 2 Consecutive Sentence
- 1 Single Case
- 2 Between Cases: Same Judicial District
- 3 Between Cases: Different Judicial District

**CONDITIONS:**

Fine \_\_\_\_\_ Amount \_\_\_\_\_  
1 Yes (Actual) \$ \_\_\_\_\_  
2 No amount - by 100)

**SENTENCE IN AGGRAVATED RANGE:**

- 1 Top of Range + 1 Day
- 2 2 Days to 6 Months
- 3 Over 6 Months to 1 yr.
- 4 Over 1 Year
- 5 Consecutive Sentence
- 6 Both Agg. & Consecutive Sentences

**ANY PRIOR ADULT CONVICTIONS OR JUVENILE ADJUDICATIONS FOR ANY OF THE FOLLOWING OFFENSES?**  
(For each offense, Code 1 for Yes; Code 2 for No)

- \_\_\_\_\_ Burglary \_\_\_\_\_ Drug Offense \_\_\_\_\_ Assault with/without Weapon (last 5 yrs.)
- \_\_\_\_\_ Theft \_\_\_\_\_ Sex Offense (last 5 yrs.) \_\_\_\_\_ Assault with/without Weapon (more than 5 yrs. ago)
- \_\_\_\_\_ Auto Theft \_\_\_\_\_ Sex Offense (more than 5 yrs. ago) \_\_\_\_\_ Forgery or Bad Checks
- \_\_\_\_\_ Robbery

**INCARCERATED A TOTAL OF 5 YRS OR MORE FOR PRIOR CONVICTIONS: (Jail and Prison)**

- 1 Yes
- 2 No

**STATUS AT ARREST:**

- 1 Bond
- 2 Probation/Deferred Judgment
- 3 Parole
- 4 Community Corrections
- 5 Prison/Jail
- 6 Escape Status

**Notes/Comments:**

**OFFENDER**

RECORD OF ABUSE AS A CHILD: \_\_\_\_\_  
1 Yes  
2 No

SUBSTANCE ABUSE AS A JUVENILE: \_\_\_\_\_  
1 None  
2 Drugs  
3 Alcohol  
4 Both 2 and 3

RECORD OF NEGLECT: \_\_\_\_\_  
1 Yes  
2 No

DO \_\_\_\_\_

STABILITY: \_\_\_\_\_  
1 Always Lived in Same Area of Moved Occasionally  
2 Moved Frequently  
3 Military

**VICTIM (Violent Crime)**

MULTIPLE: \_\_\_\_\_  
1 Yes  
2 No

AGE: \_\_\_\_\_  
1 Child  
2 Adolescent  
3 Adult  
4 Elderly

SEX: \_\_\_\_\_  
1 Male  
2 Female

RELATIONSHIP: \_\_\_\_\_  
1 Related to Offender  
2 Friend of Offender  
3 Acquaintance  
4 Stranger

**PROBATION OFFICER'S RECOMMENDATION:** \_\_\_\_\_  
(Use Placement Codes Above)

ALIAS: NAME \_\_\_\_\_ DOB \_\_\_\_\_ Month \_\_\_\_\_ Day \_\_\_\_\_ Year \_\_\_\_\_

NAME \_\_\_\_\_ DOB \_\_\_\_\_ Month \_\_\_\_\_ Day \_\_\_\_\_ Year \_\_\_\_\_

SID \_\_\_\_\_ FBI \_\_\_\_\_

**COLORADO DIVISION OF CRIMINAL JUSTICE**  
**Court Data Collection**

SUBJECT # \_\_\_\_\_ County      I.D. #      Year      JUDICIAL DISTRICT      COUNTY     

CASE #: \_\_\_\_\_

NAME Last _____ First _____ Middle _____			DATES OF FILING: Month _____ Day _____ Year _____		BIRTH: Month _____ Day _____ Year _____		OFFENSE Month _____ Day _____ Year _____		ARREST DATE: Month _____ Day _____ Year _____		
SEX: _____ 1 Male 2 Female		ETHNICITY: _____ 1 Anglo/White 2 Black 3 Hispanic 4 Amer. Indian 5 Other		MARITAL STATUS: _____ 1 Single 2 Married 3 Sep./Div. 4 Widowed		# OF DEPENDENTS: _____ Actual # _____ 8 or More, Enter 8		EMPLOYMENT AT TIME OF ARREST: _____ 1 Full Time 2 Part Time 3 Unemployed 4 Sporadic		SENTENCE: _____ 1 N/A-Less than 6 Mos. 2 Odd Jobs 3 Unskilled 4 Migrant 5 Blue Collar 6 White Collar 7 Professional 8 Military	
DEADLY WEAPON: _____ 1 Gun 2 Knife 3 Other		PHYSICAL INJURY: _____ 1 Yes 2 No		FOR THOSE INJURED: _____ 1 No Treatment 2 First Aid/Doctor 3 Sexual Assault 4 Hospitalization 5 Emergency Room 6 Permanent Injury 7 Death		OFFENDER NEEDS. MH _____ ALCOHOL _____ DRUGS _____ 1 None 2 Yes - Reported by Self, Parent, Friend, Officer 3 Yes - Recognized by Court/Condition of Placement 4 Yes - Per File		EDUCATION H.S./GED: _____ 1 Yes 2 No		EDUCATION LAST GRADE COMPLETED: _____ 00-11 Actual Grade 12 High School Diploma 13 Some College 14 College Degree 15 Some Grad School 16 Grad Degree	
JUVENILE ARRESTS: Violent _____ Non-Violent _____ 0-7 Actual # _____ 8 8 or More		JUVENILE CONVICTIONS: Violent _____ Non-Violent _____ Misd. _____ Fel. _____ 0-7 Actual # _____ 8 8 or More		PROBATION/PAROLE SUPERVISIONS: _____ 0-7 Actual # _____ 8 8 or More		PROBATION/PAROLE REVOCATIONS: _____ 0-7 Actual # _____ 8 8 or More		PLACEMENTS IN SHELTER/GROUP HOMES: _____ 0-7 Actual # _____ 8 8 or More		COMMITMENTS TO STATE INSTITUTIONS: _____ 0-7 Actual # _____ 8 8 or More	
ADULT ARRESTS: Violent _____ Non-Violent _____		ADULT CONVICTIONS Violent _____ Non-Violent _____ Misd. _____ Fel. _____		SUPERVISIONS Probation _____ Parole _____		REVOCATIONS Probation _____ Parole _____		INCARCERATIONS Prison _____ Jail _____			
OFFENSE CHARGED: 1st Most Serious _____ # Counts _____  Felony Class: _____ Statute: _____  Offense: _____			OFFENSE AT CONVICTIONS: 1st Most Serious _____ # Counts _____  Felony Class: _____ Statute: _____  Offense: _____			DISPOSITION: _____ 01 Deferred Judgment 02 Guilty or Nolo Plea 03 Trial Conviction 04 Incompetent 05 Not Guilty (Insanly) 06 Deferred Prosecution 07 Not Guilty by Jury 08 Dismissed 09 Fugitive Extradition 10 Other Court _____ 11 Other _____ 12 Pending 13 Charges Dismissed for Plea in Another Case 14 FTA, Never Arrested, No Action Taken			FOR THOSE CONVICTED _____ 1 Guilty as Charged 2 Guilty to Lesser Felony 3 Guilty to Misdemeanor 4 Incompetent to Stand Trial 5 Not Guilty by Reason of Insanly		
2nd Most Serious _____ # Counts _____  Felony Class: _____ Statute: _____  Offense: _____			2nd Most Serious _____ # Counts _____  Felony Class: _____ Statute: _____  Offense: _____								
3rd Most Serious _____ # Counts _____  Felony Class: _____ Statute: _____  Offense: _____			3rd Most Serious _____ # Counts _____  Felony Class: _____ Statute: _____  Offense: _____								
SENTENCE/DISPOSITION EFFECTIVE DATE Month _____ Day _____ Year _____			TOTAL COUNTS CHARGED _____ CONVICTED _____			OFFENDER STATUS AT SENTENCE/DISPO: _____ 1 Summons 2 PR Bond 3 Secured Bond 4 Jail/Prison 5 At Large 6 Other _____			BOND AMOUNT: _____ BOND VIOLATION THIS CASE: 1 Under \$1000 2 \$1000-\$1999 3 \$2000-\$4999 4 \$5000-\$9999 5 \$10,000-\$49,999 6 \$50,000-\$99,999 7 \$100,000 or More 1 Yes 2 No		

APPENDIX B

## **CHAPTER FOUR**

### **CONSISTENCY OF PUBLIC OPINION WITH SYSTEM DECISIONS**

To assess the difference between actual sentencing patterns and public opinion, actual case dispositions were compared to the sentencing recommendations discussed in Chapter Three. This chapter is concerned with the final set of questions we have posed in attempting to understand how public opinion affects criminal justice policies: Are actual sentencing patterns inconsistent with public opinion? If so, in what ways? What are the implications of observed differences? The Chapter will begin with a description of methods used for this analysis, then findings and conclusions will be presented.

#### **Methods for this Chapter**

Data were obtained from two sources: (1) the public's questionnaire responses regarding case dispositions for the crime scenarios described in Chapter Three, and (2) actual district court dispositions for felony cases similar to the case scenarios.

As described earlier in the methods section, the court data consists of a 1986 and 1987 statewide sample of felony filings from the district courts. We selected three of the most common crime types for comparison: robbery, theft, and burglary. The number of court cases available for analysis was limited by the small number of cases involving violent crimes. Only three percent of the felony cases filed in 1986 and 1987 in the four study

districts were for a robbery charge. Matching actual cases to the specific details in scenario cases also limited the number of cases available for analysis. For example, actual cases were selected only if the conviction charge matched the scenario charge. Although ideally, cases would have been selected according to offender characteristics described in the scenarios (marital and employment status, substance abuse history, and sex), this type of matching would not produce enough cases for analysis. Thus, the validity of the analysis is affected to the extent that these characteristics affect sentencing recommendations. Additionally, the small number of cases obtained for several of the scenarios in the analysis is a threat to reliability. Therefore, the findings presented in this chapter should be viewed as exploratory. The consistency of the findings do, however, give us some confidence in their reliability.

#### **The Findings: Actual Sentencing Dispositions and Public Opinion**

The data show that actual sentencing practices and the sentences recommended by citizen respondents are consistent in terms of the decision to sentence offenders with two prior felony convictions to prison, as well as the decision to sentence property offenders to residential community corrections.

The data reflect inconsistency, however, for the robbery case. The majority of offenders convicted of aggravated robbery were actually sentenced to prison (robbery is classified as a violent offense requiring a mandatory prison sentence), while less than one-third of the public respondents recommended prison. Another inconsistency was found in sentences to straight probation. As discussed in Chapter Four, citizen respondents rarely recommended straight probation as a sentencing option, but the court data for all offenders

changed with felonies show that over 50 percent are actually sentenced to probation.

A third inconsistency was found in lengths of sentence recommended for those sentenced to prison. Because of parole eligibility laws, offenders may be paroled at half the sentence imposed. Therefore, to compare sentence lengths recommended by the public to those actually imposed, we divided the citizen's recommended sentences in half. Even so, the sentences actually imposed require a length of stay in prison which will exceed the public's recommended terms (half the recommended sentence length) by 12.5 percent. These findings are discussed more fully in the following paragraphs.

#### **Actual and Recommended: Robbery**

The greatest disparity between actual practice and public opinion occurred in the robbery with a weapon case. For the robbery scenario (no criminal history), there were 21 actual cases in the sample of felony filings for 1986 and 1987 that met the analysis

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TABLE 31

#### **ACTUAL CASE DISPOSITIONS COMPARED TO PUBLIC OPINION: AGGRAVATED ROBBERY, NO PRIORS**

Sentence Disposition	Actual Sentences (Percent)	Public Opinion (Percent)
Probation	5	3
Jail and Probation	5	18
Community Corrections	14	46
Prison	76	30
	---	---
TOTAL PERCENT	100	100
TOTAL NUMBER	21 Cases	1304 Respondents
Median Prison Term	96 Months	36 Months

---

\*Intensive Supervision Probation was not a sentencing option in some of the districts in 1986 and 1987 and was thus combined with the community corrections category to make the data comparable.

selection criteria. Because of the small number of cases available for this analysis, the findings should be viewed with special caution.

As shown in Table 31, 76 percent of the actual robbery cases were sentenced to prison and 24 percent were sentenced to community placements. Public opinion on this case swung in the opposite direction: 30 percent recommended prison, and 70 percent recommended community placement for this first time robber.

### Theft

The disparity between actual and the public's recommended sentences is clearly seen in the theft case. As shown in Table 32, 63 percent of the theft cases were actually sentenced to probation, compared to 33 percent recommended by the public; 22 percent were sentenced to jail and probation, while the public recommended this placement for 13 percent; only seven percent were actually sentenced to residential community corrections, compared to the 50 percent recommended by the public; and eight percent were sent to prison by the courts, which is double the four percent recommended by the public. For those actually sentenced to prison, the actual prison term was 42 months compared to 24 months recommended by the public respondents who would send this offender to prison. Thus, in this case, the time served would be less ( $42 \div 2 = 21$  months) than the public recommended assuming that parole is granted at first parole eligibility date for all offenders convicted of theft. This theft case is one of the least serious cases presented in the scenarios, and further analysis revealed that the four percent of the public respondents who recommended prison represent the group that is most likely to recommend prison sentences for all felons.



TABLE 32

**ACTUAL CASE DISPOSITIONS COMPARED TO PUBLIC OPINION:  
FELONY THEFT, NO PRIORS**

Sentence Disposition	Actual Sentences (Percent)	Public Opinion (Percent)
Probation	63	33
Jail and Probation	22	13
Community Corrections	7	50
Prison	8	4
TOTAL PERCENT	100	100
TOTAL NUMBER	135 Cases	1308 Respondents
Median Prison Term	42 Months	24 Months

**ACTUAL CASE DISPOSITIONS COMPARED TO PUBLIC OPINION:  
THEFT, ONE PRIOR PROPERTY CONVICTION**

Sentence Disposition	Actual Sentences (Percent)	Public Opinion (Percent)
Probation	45	1
Jail and Probation	24	23
Community Corrections	16	48
Prison	16	28
TOTAL PERCENT	100	100
TOTAL NUMBER	38 Cases	1306 Respondents
Median Prison Term	36 Months	24 Months

\*Intensive Supervision Probation was not a sentencing option in some of the districts in 1986 and 1987 and was thus combined with the community corrections category to make the data comparable.

The disparity between actual and recommended sentences to probation is again clearly indicated in the second theft scenario. For a theft case with one prior conviction for a property offense, only one percent of the public respondents recommended probation while 45 percent of the felony cases selected for this analysis were actually sentenced to

probation. Seventy-one percent of the public recommended structured community placement, compared to 40 percent actually placed there; and 28 percent of the public recommended prison while the court data show that 16 percent were sentenced to prison.

These results reflect the pattern identified elsewhere: the public does not like straight probation. The public does support structured community placement; however, the support for structured community placement decreases for repeat offenders. Actual sentencing patterns differ in that straight probation is the most frequently used disposition for non-violent offenders with no prior convictions, and is still frequently used for non-violent offenders with one prior non-violent offense. Further, the proportion of actual sentences to prison is much lower than the proportion of public respondents who recommend prison. Thus, prior criminal history strongly influences public opinion about sentencing.

## **Burglary**

The pattern of differences between public opinion and actual court dispositions is also seen in the burglary cases. For a burglary case with no criminal history record, 45 percent were actually sentenced to probation while only 10 percent of the public recommended straight probation.

As in the theft case, most (78 percent in this case) public respondents recommended structured community placement. However, as presented in Table 33, 39 percent were actually sentenced to a structured community corrections program. Also, 16 percent of offenders convicted of a burglary are actually sentenced to prison, compared to the 12 percent recommended for prison by public respondents. The actual median prison sentence is double the median sentence recommended by the public: 48 months

compared to 24 months. Thus, the actual time served is equivalent to the term recommended by the public, assuming that all burglars are paroled at first parole eligibility date. Since all burglars are not paroled at first parole eligibility date, burglars serve longer terms than recommended by the 12 percent of the public that would sentence this type of case to prison.

TABLE 33

**ACTUAL CASE DISPOSITIONS COMPARED TO PUBLIC OPINION:  
BURGLARY, NO PRIORS**

Sentence Disposition	Actual Sentences (Percent)	Public Opinion (Percent)
Probation	45	10
Jail and Probation	26	31
Community Corrections	13	47
Prison	16	12
TOTAL PERCENT	100	100
TOTAL NUMBER	80 Cases	1301 Respondents
Median Prison Term	48 Months	24 Months

**ACTUAL CASE DISPOSITIONS COMPARED TO PUBLIC OPINION:  
BURGLARY, TWO PRIORS**

Sentence Disposition	Actual Sentences (Percent)	Public Opinion (Percent)
Probation	17	41
Jail and Probation	22	16
Community Corrections	6	29
Prison	55	55
TOTAL PERCENT	100	100
TOTAL NUMBER	18 Cases	1292 Respondents
Median Prison Term	96 Months	30 Months

\*Intensive Supervision Probation was not a sentencing option in some of the districts in 1986 and 1987 and was thus combined with the community corrections category to make the data comparable.

The results of comparing the actual sentencing to recommended sentences for the burglary case where the offender has two prior burglary convictions are reported here, although the number of cases available was again very small. We found only 18 cases in the court data that were comparable. These data, however, reflect a pattern consistent with previous findings and provide further information on effect of prior convictions on public opinion toward sentencing dispositions.

For burglary cases with two prior property convictions, 55 percent were actually sentenced to prison. As you can see in Table 33, 55 percent of the public respondents recommended sentences to prison. However, the median prison sentence actually imposed was 96 months, compared to the 30 months recommended by the public. Thus, assuming parole of all three-time burglars at first parole eligibility date, they would serve 48 months, or 18 months longer than recommended by the public.

Seventeen percent of the burglars were actually placed on probation while nearly none of the citizen respondents recommended this placement; and 28 percent were sentenced to structured community placement compared to 45 percent of the public respondents.

#### **Summary: Actual and Recommended Sentencing Dispositions**

The data presented above have shown that public opinion and actual sentencing practices are consistent in three areas: prison for those with two prior convictions; community corrections for those with one prior conviction; and community corrections for property offenders. We also found three areas of inconsistency: sentences of felons to

straight probation; prison for first-time robbers; and length of sentence to prison.

---

TABLE 34

**SUMMARY OF FINDINGS: CONSISTENCY  
BETWEEN PRACTICES AND OPINIONS**

Item:	Consistent	Inconsistent
Prison for those with two prior convictions	X	
Community corrections for those with one prior conviction	X	
Community corrections for property offenders	X	
Use of probation (public does not favor)		X
Length of prison terms (actual sentences longer)		X
Prison for first-time robber (public recommended structured community placements)		X

---

Actual sentences to prison, as measured by the median, are considerably longer than those recommended by the public. However, because offenders are eligible for parole at half the sentence imposed, actual sentences were cut in half for comparison to the terms recommended by the public. This is an extremely conservative comparison because it assumes that all offenders will be paroled at first parole eligibility date. Currently, only about 35 percent of eligible inmates are being paroled. Using these assumptions, actual sentences imposed are longer than those recommended by public respondents for the first-time aggravated robber and third-time burglar, equal for the first-time burglar, and shorter than recommended for the theft cases. On the average, actual sentences imposed are 12.5 percent longer (based on half the sentence actually imposed) than those recommended by the public respondents that recommended prison for these cases.

TABLE 35

**ACTUAL PRISON TERMS EXCEED PUBLIC RECOMMENDATIONS**

Crime Type:		Actual Case Dispositions divided by 2 (Months)	Public Opinion
Aggravated robbery	(n= 21)	48	36
Theft, no priors	(n=150)	21	24
Theft, one prior nonviolent felony	(n= 47)	18	24
Burglary, no priors	(n= 80)	24	24
Burglary, two prior nonviolent, felonies	(n= 18)	48	30

Thus, the findings clearly indicate differences between public opinion and actual sentencing patterns. One difference is of major importance: Most felons are sentenced to straight probation; however, the public rarely recommends this placement for convicted felony offenders as represented by the sentencing scenarios used in this study. A summary of the findings and conclusions are presented in the Executive Summary at the beginning of this report.

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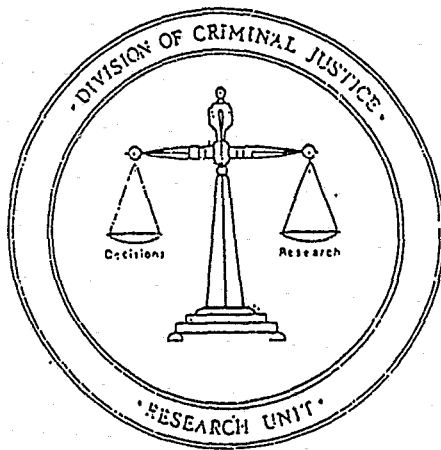
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# CRIME IN COLORADO

## A SURVEY OF COLORADO CITIZENS ABOUT CRIMINAL JUSTICE ISSUES



This survey is being conducted in order to better understand what Colorado voters think about crime, how crime affects them, and what they think public policy ought to be. Please answer all the questions. If you wish to comment on any questions or qualify your answers, please feel free to use the space in the margins or the back cover. Your comments will be read and taken into account.

Thank you for your help.



APPENDIX A

Department of Public Safety  
Division of Criminal Justice  
700 Kipling, Suite 3000  
Denver, CO 80215  
(303) 239-4442

CRIMINAL JUSTICE SURVEY OF COLORADO CITIZENS

The first few questions ask about the seriousness of the crime problem in Colorado and in your community. There are no "right" answers to these questions or to any of the other criminal justice questions herein--we are interested in your opinions.

(Please answer each question as best as you can be circling the number next to the answer which best reflects your opinion.)

1. To what extent do you think that crime is a problem in Colorado?

- 1 NOT A PROBLEM AT ALL
- 2 A SLIGHT PROBLEM
- 3 A MODERATE PROBLEM
- 4 A SERIOUS PROBLEM

2. In the future, do you think crime in Colorado will

- 1 GREATLY INCREASE
- 2 INCREASE
- 3 STAY THE SAME
- 4 DECREASE
- 5 GREATLY DECREASE

3. To what extent do you think crime is a problem in the community where you live?

- 1 NOT A PROBLEM AT ALL
- 2 A SLIGHT PROBLEM
- 3 A MODERATE PROBLEM
- 4 A SERIOUS PROBLEM

4. In the future, do you think crime in your community will

- 1 GREATLY INCREASE
- 2 INCREASE
- 3 STAY THE SAME
- 4 DECREASE
- 5 GREATLY DECREASE

5. Here is a list of things people have told us they are concerned about today. (Please rank as 1, 2 and 3 the three issues you personally are most concerned about today.)

RANK

- \_\_\_ Inflation and high prices
- \_\_\_ The homeless
- \_\_\_ Money enough to live right and pay the bills
- \_\_\_ A recession and rising unemployment
- \_\_\_ Crime and lawlessness
- \_\_\_ Prison building

RANK

- \_\_\_ The budget deficit
- \_\_\_ Getting into another war
- \_\_\_ AIDS
- \_\_\_ Pollution of the environment
- \_\_\_ Nuclear war
- \_\_\_ Alcoholism
- \_\_\_ The war in Nicaragua
- \_\_\_ Drug abuse

6. Do you have a friend or acquaintance who uses any of the following drugs? (For each drug please circle number of your answer.)

- |           |       |      |
|-----------|-------|------|
| MARIJUANA | 1 YES | 2 NO |
| CRACK     | 1 YES | 2 NO |
| COCAINE   | 1 YES | 2 NO |
| ECSTASY   | 1 YES | 2 NO |
| METHADONE | 1 YES | 2 NO |

In addition to finding out what you think about the seriousness of the crime problem, we would also like to know more specifically how crime affects your daily life. (For each of the following questions, please circle the numbers of the responses which most accurately represent your behavior and thoughts.)

7. In general, how safe do you feel in your community during the day and at night?

HOW SAFE DO YOU FEEL

DURING THE DAY

- 1 VERY SAFE
- 2 SAFE
- 3 UNSAFE
- 4 VERY UNSAFE

DURING THE NIGHT

- 1 VERY SAFE
- 2 SAFE
- 3 UNSAFE
- 4 VERY UNSAFE

8. In general, how safe do you feel in your home?

HOW SAFE DO YOU FEEL

DURING THE DAY

- 1 VERY SAFE
- 2 SAFE
- 3 UNSAFE
- 4 VERY UNSAFE

DURING THE NIGHT

- 1 VERY SAFE
- 2 SAFE
- 3 UNSAFE
- 4 VERY UNSAFE

9a. Is there anywhere around your home--that is within a mile--where you would be afraid to walk alone at night because of crime?

- 1 YES
- 2 NO

b. How about other family members? Would you be afraid for them to walk alone at night because of crime?

OTHER ADULTS

- 1 Yes
- 2 NO

CHILDREN

- 1 YES
- 2 NO

10. At night, I'm afraid someone is going to break into my home and threaten me.

- 1 FREQUENTLY
- 2 SOMETIMES
- 3 RARELY
- 4 NEVER

11. Before I open the door to my home, I determine who is there.

- 1 FREQUENTLY
- 2 SOMETIMES
- 3 RARELY
- 4 NEVER

12. How often do you worry about the following:

<u>Getting Murdered</u>	<u>Getting Robbed</u>	<u>Getting Raped</u>	<u>Getting Beaten</u>
-------------------------	-----------------------	----------------------	-----------------------

- |              |              |              |              |
|--------------|--------------|--------------|--------------|
| 1 FREQUENTLY | 1 FREQUENTLY | 1 FREQUENTLY | 1 FREQUENTLY |
| 2 SOMETIMES  | 2 SOMETIMES  | 2 SOMETIMES  | 2 SOMETIMES  |
| 3 RARELY     | 3 RARELY     | 3 RARELY     | 3 RARELY     |
| 4 NEVER      | 4 NEVER      | 4 NEVER      | 4 NEVER      |

13. Are there neighborhood places where you used to go at night, but are now afraid to go because of the threat of crime?

- 1 YES
- 2 NO

14. To what extent have you limited your activities in the past two years because of fear of crime?

LIMITED ACTIVITIES

DURING THE DAY

- 1 NOT AT ALL
- 2 VERY LITTLE
- 3 QUITE A LOT
- 4 VERY MUCH

AFTER DARK

- 1 NOT AT ALL
- 2 VERY LITTLE
- 3 QUITE A LOT
- 4 VERY MUCH

15a. In the last 12 months, has anyone in your household been a victim of crime?

- 1 YES
- 2 NO -- IF NO, SKIP TO QUESTION 18 → ON NEXT PAGE →

b. If Yes, was this a

- 1 VIOLENT CRIME--such as assault, rape, murder, kidnapping
- 2 PROPERTY CRIME--such as burglary without a weapon or injury, theft, forgery

16a. How many times have you or a member of your household been the victim of a crime?

- 1 ONCE
- 2 TWICE
- 3 THREE TIMES
- 4 FOUR TIMES
- 5 FIVE OR MORE TIMES

b. What was (were) the crime(s)?

c. Did you report the crime(s)?

- 1 YES, each time
- 2 YES, most of the time
- 3 YES, some of the time
- 4 NO

d. In general, how well do you think the police and courts did their job in this case (these cases)?

POLICE

- 1 VERY WELL
- 2 ADEQUATELY
- 3 UNDECIDED
- 4 INADEQUATELY
- 5 VERY POORLY

COURTS (If applicable.)

- 1 VERY WELL
- 2 ADEQUATELY
- 3 UNDECIDED
- 4 INADEQUATELY
- 5 VERY POORLY

17a. In the last 12 months, has anyone in your household been a victim of a murder, rape, robbery or assault? Note: Many people confuse burglary and robbery. Burglary is breaking into and entering a building or dwelling for the purpose of committing theft; robbery is direct confrontation of the victim by the offender for the purpose of taking something of value by the use of force, threats or intimidation.

- 1 YES
- 2 NO -- IF NO, SKIP TO QUESTION 18 → ON NEXT PAGE →

h. If yes, what was the crime?

- 1 MURDER
- 2 RAPE
- 3 ROBBERY
- 4 ASSAULT

c. If yes, what were the age and sex of the victim?

AGE

SEX

1 MALE

2 FEMALE

10. Which of the following actions have you taken to protect yourself or your property? (For each action, please circle number of your answer.)

Installed special locks	1 YES	1 NO
Installed a burglar alarm	2 YES	2 NO
Joined a neighborhood watch program	3 YES	3 NO
Marked valuable items (Operation I.D.)	4 YES	4 NO
Installed bars on windows or doors	5 YES	5 NO
Bought a gun	6 YES	6 NO
Got a dog	7 YES	7 NO
Other _____	8 YES	8 NO

(Please specify)

The next section deals with how offenders are sentenced. Please read the following information before going on to the sentencing questions.

Currently, our prisons are full--with a population of about 5200. Prison terms vary from 12 months, for less serious crimes, up to life for First Degree Murder. Every month added to the average prison term increases the prison population by about 200 inmates.

Prison construction costs average between \$60,000 to \$80,000 per bed, and it costs \$10,000 per inmate per year in operating costs. Thus, operating the prison system requires an increasing share of the state budget.

Prison is one of several sentencing options available to the court. Offenders can be punished in many ways, and prison is the most severe of the commonly used options. (Although the death penalty may be imposed in some premeditated murder cases, these cases are so few that they do not affect the size of the prison population.)

Below is a list of the major options available to the court for sentencing felony offenders. (Please read each carefully.)

#### PROBATION

Supervision by special officers in the offender's local community for a term set by the courts, usually 2 or 3 years. Offender is required to make restitution where appropriate as well as to pay many of the costs of supervision.

#### COUNTY JAIL AND PROBATION

A sentence to probation preceded by a short term in the county jail, usually 1 to 3 months. County jails are usually located in the town which serves as the county seat.

#### INTENSIVE SUPERVISION PROBATION (ISP)

The intensive supervision program, created by the Colorado Legislature in 1985, diverts some of the less serious prison-bound offenders to a highly structured surveillance and treatment program, lasting nine months to one year. Violations of the court-imposed conditions result in the offender being resentenced to the Department of Corrections.

#### COMMUNITY CORRECTIONS

Sentence to a community residential center, usually located near the offender's community. Offenders work during the day and are confined to the center at night and on weekends. Offenders attend special programs for alcohol/drug abuse treatment, mental health counseling, and training in social skills during off-work hours.

#### STATE PRISON

Confinement in a state prison facility for a term set by the court. The state prison complex is centered in Canon City, with additional facilities at Ordway, Buena Vista, Delta, Rifle and Denver.

(Please use the options described above to select the sentence you think should be given to the following types of offenders.)

19. Below are five examples of convicted offenders. Please read each, then circle the number (to the right) of the sentence you think ought to be given to each offender.

	Probation	Jail & Probation	Intensive Supervision	Community Corrections	State Prison	If Prison How Long?
A person is found guilty of cashing stolen payroll checks.	1	2	3	4	5	___ Months
A person is found guilty of using heroin.	1	2	3	4	5	___ Months
A person is found guilty of armed robbery of a company payroll.	1	2	3	4	5	___ Months
A person is found guilty of burglary of a dwelling. (A color TV set was stolen.)	1	2	3	4	5	___ Months
A person is found guilty of assault with a gun on a stranger.	1	2	3	4	5	___ Months

20. Research has found that offenders who commit crimes at very high rates tend to be school dropouts, tend to use drugs at a very young age and continue to have drug problems, do crimes for the reputation, for excitement and to get money for drugs, and are first convicted for a crime at a very young age.

Given this information, would you be willing to pay tax money to support crime prevention programs such as Stay-in-School programs, drug education programs, and intensive drug treatment programs? (Please circle number of your answer.) I would:

- 1 STRONGLY SUPPORT
- 2 SUPPORT
- 3 NEITHER SUPPORT NOR OPPOSE
- 4 OPPOSE
- 5 STRONGLY OPPOSE

21. What kind of job would you say the following criminal justice agencies in your area are doing? (Please circle your response.)

POLICE DEPT. WHICH ARRESTS AND INVESTIGATES PEOPLE SUSPECTED OF BREAKING THE LAW.	DISTRICT ATTORNEYS WHICH PROSECUTE CASES OF PEOPLE WHO HAVE BEEN CHARGED WITH BREAKING THE LAW.	THE JUDGES WHO PRESIDE OVER THE COURTS IN YOUR COMMUNITY AND IMPOSE SENTENCES ON CONVICTED OFFENDERS	PUBLIC DEFENDER OR OTHER DEFENSE ATTORNEYS APPOINTED BY THE COURT TO REPRESENT PEOPLE WHO HAVE BEEN ACCUSED OF CRIMES
1 EXCELLENT	1 EXCELLENT	1 EXCELLENT	1 EXCELLENT
2 GOOD	2 GOOD	2 GOOD	2 GOOD
3 FAIR	3 FAIR	3 FAIR	3 FAIR
4 POOR	4 POOR	4 POOR	4 POOR
5 VERY POOR	5 VERY POOR	5 VERY POOR	5 VERY POOR

22. In general, would you say the sentences imposed by judges in Colorado are: (Please circle your response.)

- 1 EXTREMELY SEVERE
- 2 MODERATELY SEVERE
- 3 ABOUT RIGHT
- 4 MODERATELY SOFT
- 5 EXTREMELY SOFT

As discussed earlier, the court may sentence a convicted felony offender to probation, jail and probation, community corrections or prison (see page 6). (Please read the following cases very carefully and circle the number which best represents your opinion about how the offender should be sentenced.)

23. An offender has been convicted of robbery. The evidence presented at the trial included the following. The defendant and a friend entered a convenience store in your community and at gun point forced three customers and a clerk to lie on the floor while the gunmen looted the cash register. A fourth customer escaped and alerted the police who arrested the defendant a short distance from the store within a few minutes of the robbery. The second man escaped and the weapon used was

never recovered. The defendant gave no statement and has never identified his accomplice. All five witnesses at the trial testified to the defendant's presence in the store; however, the evidence was conflicting as to whether the defendant was the person who used the weapon. The probation department's report shows that the defendant is an unemployed 24 year old male, who has an average IQ, no prior felony convictions and an eighth grade education. He has a prior conviction for a misdemeanor which appears to be related to excessive consumption of alcohol. This offender should be sentenced to:

- 1 PROBATION
- 2 JAIL AND PROBATION
- 3 INTENSIVE SUPERVISION PROBATION
- 4 COMMUNITY CORRECTIONS
- 5 PRISON \_\_\_\_\_  
(If you circled prison, please specify number of months)

24. Same facts as Question 23 except that the defendant has been convicted of one prior similar felony. This offender should be sentenced to:

- 1 PROBATION
- 2 JAIL AND PROBATION
- 3 INTENSIVE SUPERVISION PROBATION
- 4 COMMUNITY CORRECTIONS
- 5 PRISON \_\_\_\_\_  
(If you circled prison, please specify number of months)

25. Same facts as Question 23 except that the defendant has been addicted to heroin for the past three years and has testified at the probation hearing with apparent sincerity that he is hopeful that you will place him in a community drug rehabilitation program, which is available as a condition of probation. The offender should be sentenced to:

- 1 PROBATION
- 2 JAIL AND PROBATION
- 3 INTENSIVE SUPERVISION PROBATION
- 4 COMMUNITY CORRECTIONS
- 5 PRISON \_\_\_\_\_  
(If you circled prison, please specify number of months)

26. An offender has been convicted of assault and robbery. Just after dark, he approached a woman from the rear, knocked her to the ground, grabbed her purse and ran. The offender is an unemployed 10 year old male with an average IQ. He dropped out of school in the 10th grade and has a juvenile record. This offender should be sentenced to:

- 1 PROBATION
- 2 JAIL AND PROBATION
- 3 INTENSIVE SUPERVISION PROBATION
- 4 COMMUNITY CORRECTIONS
- 5 PRISON \_\_\_\_\_  
(If you circled prison, please specify number of months)

27. Same as Question 26 except the victim is in a wheelchair. This offender should be sentenced to:

- 1 PROBATION
- 2 JAIL AND PROBATION
- 3 INTENSIVE SUPERVISION PROBATION
- 4 COMMUNITY CORRECTIONS
- 5 PRISON \_\_\_\_\_  
(If you circled prison, please specify number of months)

28. Same as Question 26 except the victim is an elderly woman. This offender should be sentenced to:

- 1 PROBATION
- 2 JAIL AND PROBATION
- 3 INTENSIVE SUPERVISION PROBATION
- 4 COMMUNITY CORRECTIONS
- 5 PRISON \_\_\_\_\_  
(If you circled prison, please specify number of months)

29. An offender has pled guilty to theft over \$300. The offender went through the personal possessions of members of a health club taking money and jewelry worth \$5,000. The offender is a 28 year old female who had been steadily employed for four years until she was laid off 6 months ago. She is divorced and has custody of her two children. She has no prior convictions. This offender should be sentenced to:

- 1 PROBATION
- 2 JAIL AND PROBATION
- 3 INTENSIVE SUPERVISION PROBATION
- 4 COMMUNITY CORRECTIONS
- 5 PRISON \_\_\_\_\_  
(If you circled prison, please specify number of months)

30. Same as Question 29 except the offender has a severe drinking problem. This offender should be sentenced to:

- 1 PROBATION
- 2 JAIL AND PROBATION
- 3 INTENSIVE SUPERVISION PROBATION
- 4 COMMUNITY CORRECTIONS
- 5 PRISON \_\_\_\_\_  
(If you circled prison, please specify number of months)

31. Same as Question 29 except the offender has been previously convicted of theft. This offender should be sentenced to:

- 1 PROBATION
- 2 JAIL AND PROBATION
- 3 INTENSIVE SUPERVISION PROBATION
- 4 COMMUNITY CORRECTIONS
- 5 PRISON \_\_\_\_\_  
(If you circled prison, please specify number of months)

32. An offender has pled guilty to manslaughter. The offender was drinking with friends in a local bar when a group from another community came in. A fight started between the two groups, and in the free-for-all that followed, the offender knocked the victim into the bar where his head struck the corner of the bar. The victim died as a result of his injuries. The offender was employed in the oil fields at the time of this incident. He is 25 years old, married, and has a three year old child. He has no prior convictions. This offender should be sentenced to:

- 1 PROBATION
- 2 JAIL AND PROBATION
- 3 INTENSIVE SUPERVISION PROBATION
- 4 COMMUNITY CORRECTIONS
- 5 PRISON \_\_\_\_\_  
(If you circled prison, please specify number of months)

33. Same as Question 32 except offender has been previously convicted of assault. This offender should be sentenced to:

- 1 PROBATION
- 2 JAIL AND PROBATION
- 3 INTENSIVE SUPERVISION PROBATION
- 4 COMMUNITY CORRECTIONS
- 5 PRISON \_\_\_\_\_  
(If you circled prison, please specify number of months)

34. Same as Question 32 except offender is currently participating in a rehabilitation program for problem drinkers. This offender should be sentenced to:

- 1 PROBATION
- 2 JAIL AND PROBATION
- 3 INTENSIVE SUPERVISION PROBATION
- 4 COMMUNITY CORRECTIONS
- 5 PRISON \_\_\_\_\_  
(If you circled prison, please specify number of months)

35. An offender has pled guilty to burglary. He gained entry into a home through an unlatched window and was apprehended by a passing policeman as the offender left the premises with the victim's jewelry stuffed in his pocket. The defendant has no prior felony convictions and one previous non-violent misdemeanor conviction. He is an unemployed 30 year old male, who is separated from his wife and children. This offender should be sentenced to:

- 1 PROBATION
- 2 JAIL AND PROBATION
- 3 INTENSIVE SUPERVISION PROBATION
- 4 COMMUNITY CORRECTIONS
- 5 PRISON \_\_\_\_\_  
(If you circled prison, please specify number of months)

36. Same facts as Question 35 except that the defendant has been convicted of two similar crimes. This offender should be sentenced to:

- 1 PROBATION
- 2 JAIL AND PROBATION
- 3 INTENSIVE SUPERVISION PROBATION
- 4 COMMUNITY CORRECTIONS
- 5 PRISON \_\_\_\_\_  
(If you circled prison, please specify number of months)



37. Now, would you please indicate how you feel about different means of raising money for building and expanding prisons or jails. (Please rank as 1, 2 and 3 your three preferred means of raising money.)

RANK

- \_\_\_\_ INCREASING THE STATE SALES TAX  
 \_\_\_\_ INCREASING THE TAXES ON RESIDENTIAL PROPERTY  
 \_\_\_\_ INCREASING STATE ALCOHOL AND TOBACCO TAX  
 \_\_\_\_ INCREASING STATE PERSONAL INCOME TAX  
 \_\_\_\_ INCREASING STATE BUSINESS INCOME TAX  
 \_\_\_\_ LOTTO

38. One way that local government can raise money to build and expand jails is to put a bond issue before the voters. If approved, money would be made immediately available for jail construction. The bonds would then be paid off over a period of years from the general tax revenue funds. Suppose you were voting today on a bond issue to build or expand county or city jails. Would you favor or oppose it? (Please circle your responses.)

- 1 FAVOR STRONGLY  
 2 FAVOR SOMEWHAT  
 3 NEITHER FAVOR NOR OPPOSE  
 4 OPPOSE SOMEWHAT  
 5 OPPOSE STRONGLY

The next statements are reasons which have been given for the sentences imposed by the court. (Please rank as 1, 2 and 3 your three most important reasons.)

39. The court should impose sentences for the purpose of

RANK

- \_\_\_\_ Getting even with the criminal for what has been done to the victim.  
 \_\_\_\_ Removing the criminal from the community and protecting citizens against further crimes that might be committed by that person.  
 \_\_\_\_ Deterring other people from committing crimes because they are shown an example that crime does not pay.  
 \_\_\_\_ Placing the criminal in an environment where he can be reformed through job training, work experience, education and similar programs.  
 \_\_\_\_ Keeping the law's promise that those who commit crimes will get the punishment they deserve.  
 \_\_\_\_ Providing a harsh experience that will discourage that person from committing another crime.

40. Do you favor or oppose the death penalty for persons convicted of premeditated murder? (Please circle your response.)

- 1 FAVOR STRONGLY  
 2 FAVOR SOMEWHAT  
 3 NO OPINION  
 4 OPPOSE SOMEWHAT  
 5 OPPOSE STRONGLY

41. Do you think your opinions about crime are similar to the general public's opinions?

- 1 YES  
 2 NO

42. Do you think decisions made in your local court system reflect public opinion in your community?

- 1 YES  
 2 NO

43. Have you ever contacted any of the following officials regarding a criminal justice issue? (For each official, please circle number of your answer.)

- |                        |       |      |
|------------------------|-------|------|
| A LEGISLATOR           | 1 YES | 2 NO |
| YOUR DISTRICT ATTORNEY | 1 YES | 2 NO |
| A JUDGE                | 1 YES | 2 NO |
| A PROBATION OFFICER    | 1 YES | 2 NO |

Finally, we need some information on personal characteristics in order to analyze the data and to assess the representativeness of the sample. We want to emphasize that this information is strictly confidential and will in no way be associated with your name. (Please circle the correct response.)

44. Length of residence in the community:

- 1 LESS THAN 1 YEAR  
 2 1-5 YEARS  
 3 6-10 YEARS  
 4 11-15 YEARS  
 5 MORE THAN 15 YEARS

45. Size of household:

NUMBER OF ADULTS \_\_\_\_\_  
 NUMBER OF CHILDREN UNDER 18 \_\_\_\_\_

46. Sex of respondent: (Please circle number.)

- 1 MALE
- 2 FEMALE

47. Are you presently: (Please circle number.)

- 1 EMPLOYED
- 2 UNEMPLOYED
- 3 RETIRED
- 4 FULL-TIME HOME MAKER
- 5 OTHER \_\_\_\_\_

(Please specify)

48. Are you salaried or self-employed? (Please circle number.)

- 1 SALARIED
- 2 SELF-EMPLOYED
- 3 NOT APPLICABLE - I AM NOT EMPLOYED

49. How many members of your household are employed 32 hours a week or more?

\_\_\_\_\_  
(Please specify)

50. Please describe your present occupation. (If retired, please describe the usual occupation before retirement.)

TITLE: \_\_\_\_\_

KIND OF WORK YOU DO: \_\_\_\_\_

KIND OF COMPANY OR

BUSINESS: \_\_\_\_\_

51. Marital status: (Please circle number.)

- 1 NEVER MARRIED
- 2 MARRIED
- 3 SEPARATED
- 4 DIVORCED
- 5 WIDOWED

52. Age: \_\_\_\_\_

(Years)

53. Highest level of education that you have completed? (Please circle number.)

- 1 NO FORMAL EDUCATION
- 2 SOME GRADE SCHOOL
- 3 COMPLETED GRADE SCHOOL
- 4 SOME HIGH SCHOOL
- 5 COMPLETED HIGH SCHOOL
- 6 SOME COLLEGE
- 7 COMPLETED COLLEGE (Specify major) \_\_\_\_\_
- 8 SOME GRADUATE WORK
- 9 A GRADUATE DEGREE

54. Approximate household income, before taxes, in 1987: (Please circle number.)

- |                      |                    |
|----------------------|--------------------|
| 1 LESS THAN \$10,000 | 7 35,000 - 39,999  |
| 2 10,000 - 14,999    | 8 40,000 - 44,999  |
| 3 15,000 - 19,999    | 9 45,000 - 49,999  |
| 4 20,000 - 24,999    | 10 50,000 - 74,999 |
| 5 25,000 - 29,999    | 11 75,000 and over |
| 6 30,000 - 34,999    |                    |

55. Do you consider your political ideology to be: (Please circle number.)

- 1 LIBERAL
- 2 MODERATE
- 3 CONSERVATIVE

56. Which do you consider yourself to be? (Please circle number.)

- 1 REPUBLICAN
- 2 DEMOCRAT
- 3 INDEPENDENT
- 4 OTHER \_\_\_\_\_

(Please specify)

57. To what extent do you know your neighbors? (Please circle number.)

- 1 I DON'T KNOW ANY OF THEM
- 2 I KNOW A FEW OF THEM
- 3 I KNOW MOST OF THEM
- 4 I KNOW ALL MY NEIGHBORS

58. What is your ethnic or racial background? (Please circle number.)

- 1 WHITE
- 2 BLACK
- 3 ORIENTAL
- 4 MEXICAN AMERICAN
- 5 OTHER

(Please specify)

59. Please use this space to make any comment you might have concerning crime, crime victims, the prevention of crime, or the control of crime.

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THANK YOU VERY MUCH FOR  
YOUR CONTRIBUTION TO OUR  
KNOWLEDGE ABOUT CRIME IN  
COLORADO