ANDERSÓN RÓBBINS R E S E A R C H

A Poll of Virginia Voters

Views on Criminal Justice and Commonwealth's Attorneys

September 2018



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About the Survey

Mode	Telephone survey conducted by trained professional interviewers from a central, monitored location
Sample	801 Virginia likely 2019 voters
Interviewing Dates	August 28 – September 9, 2018
Weights	Slight demographic weights were applied to ensure the sample accurately reflects the demographic profile of the potential 2019 Virginia electorate
Margin of Error	±3.5 at the 95% confidence level for the entire sample; the margin of error for subgroups is higher
Note	Some data may not add to 100% due to rounding



Evaluations of the criminal justice system are lukewarm; few think it's working *very* well.





Q10 – 13: How well would you say each of the following is working in Virginia – is it working very well, somewhat well, not very well, or not working at all?

Whites and Republicans have much more positive evaluations of police enforcement than of the overall justice system.



% working very well

- The way the police enforce the laws
- The overall criminal justice system



Q10: How well would you say the overall criminal justice system is working in Virginia? AND Q12: How well would you say the way the police enforce the laws is working in Virginia?

Those who say the system isn't working primarily blame a lack of fairness.

Why is the criminal justice system not working?			
	Unfair/lack of equality	29%	
	Prison time for minor offenses	18	
LACK OF FAIRNESS: 62%	Racial differences	17	
	Criminalization for marijuana	7	
	Favors the rich	7	
	Lack of police accountability	6	
	Too soft on crime	22	
LACK OF ENFORCEMENT: 36%	Existing laws aren't being enforced	12	
	Illegal immigration/not being deported	5	
LACK OF REHABILITATION: 12%	Lack of effort to rehabilitate	10	
NEED FOR PRISON REFORM: 5%	Privatization of prison system	4	

Note: Responses among those who say system isn't working well, N=183. Responses under 4% not shown. Multiple responses accepted, so percentages add to more than 100%. Q14: You said the overall criminal justice system is not working well– what, specifically, do you feel is not working?

Majorities think the system is failing at rehabilitation and at handling those with mental illness or drug addiction.





Q15 – 17: Do you think the criminal justice system in Virginia is generally succeeding or failing when it comes to...

Even voters who think the criminal justice system is working somewhat well see it failing at rehabilitation and handling drug and mental health cases.



Note: Remainder About Right / Not Sure / Refused

Majorities across the political spectrum believe VA is failing to handle people with drug and mental health issues.



Note: Remainder About Right / Not Sure / Refused

Three-quarters of voters think the system works differently for different people.





Q18: Do you think the criminal justice system in Virginia works the same for everyone, or does it work differently for different people?

Economic inequality is seen as the primary source of unfairness in the system, followed by racial inequality.

Why does the system work differently for some?			
	Favors the rich	36%	
ECONOMIC	Have to have a good attorney	12	
INEQUALITY: 48%	Depends on social class / neighborhood	11	
	Favors the connected	5	
RACIAL INEQUALITY: 35%	Racial inequality	35	
	Lack of consistency / differing sentences for same crime	8	
BIAS: 20%	Personal bias of judge, lawyer, or police	6	
	Criminal justice is unfair everywhere	5	
	Based on personal experience	6	
MISCELLANEOUS: 26%	Depends on the situation	6	
	Politics	5	

Note: Responses among those who say system works differently for different people, N=578. Responses under 4% not shown. Multiple responses accepted, so percentages add to more than 100%. Q19: Why do you think the criminal justice system in Virginia does not work the same for everyone?



Four-in-ten voters think Virginia is too soft on crime.



Note: Remainder Not Sure / Refused



Q20: In general, do you think Virginia is too tough on crime or not tough enough?

Republicans, less educated voters, and those in the southern region think VA is not tough enough on crime.





Q20: In general, do you think Virginia is too tough on crime or not tough enough?

Huge majorities agree VA should focus on a range of reform priorities; just four-in-ten want a tough-on-crime approach.

Virginia should	Strongly	Somewha	at Total agree
[SPLIT] invest in treatment for those struggling with mental illness, so that people get the help they need rather than a criminal sentence	7	5%	18% <mark>93%</mark>
[SPLIT] invest in treatment for those struggling with drug addiction, so that people get the help they need rather than a criminal sentence	67	%	19% 86%
invest in rehabilitation and job training programs for people behind bars, so	71	%	21% 92%
that those who have served their time can rejoin society and not return to crime			
invest in youth programs to keep young people on the right track and out of jail or prison	7	5%	16% 91%
[SPLIT] work to change the criminal justice system so that people are	-	78%	13% 91%
not treated differently based on how wealthy they are [SPLIT] work to change the criminal justice system so that people are	73%		11% 84%
not treated differently based on the color of their skin_			
find ways to send fewer people to jail and prison, because the size of the prison population costs taxpayers too much money	39%	23%	62%
emphasize a tough-on-crime approach			
to put more criminals in jail or prison for longer sentences	19% 24%	43%	

Q21 – 28: I'm going to read a few different statements about how Virginia should approach criminal justice. Please tell me if you agree or disagree with each one.



Treating mental illness garners slight treating drug addiction, particularly a Republican audiences.			
Virginia should [SPLIT] invest in treatment for those struggling with mental illness, so that people get the help they need rather than a criminal sentence [SPLIT] invest in treatment for those struggling with drug addiction, so that people get the help they need rather than a criminal sentence	■ Strongly ■ So 75% 67%		al agree % 93% 86%
invest in rehabilitation and job training programs for people behin that those who have served their time can rejoin society and not retu College + Democrat invest in youth programs to keep you independe on the right track and out of ja	e <u>Mental Illness</u> 91% 96% 97% nt 90%	Agree Drug Addiction 81% 92% 96% 82% 77%	% 92% % 91%
[SPLIT] work to change the criminal justice system so that people are not treated differently based on how wealthy they are [SPLIT] work to change the criminal justice system so that people are not treated differently based on the color of their skin			% 91% 84%
find ways to send fewer people to jail and prison, because the size of the prison population costs taxpayers too much money		23% 62%	
emphasize a tough-on-crime approach to put more criminals in jail or prison for longer sentences		43%	



Reducing economic biases in the system generates broader agreement than a focus on reducing racial bias.

Virginia should	Strongly	Somewhat	Total agree
[SPLIT] invest in treatment for those struggling with mental illness, so that people get the help they need rather than a criminal sentence			
[SPLIT] invest in treatment for those struggling with drug addiction, so that people get the help they need rather than a crimina		Total Agree	86%
White invest in rehabilitation and job training programs for people behir Black	<u>Weal</u> 91% 96%	th <u>Race</u> 6 82%	
that those who have served their time can rejoin society and not retu Income \$	•		
invest in youth programs to keep you on the right track and out of ja Republica	lent 90%	6 81%	% 91%
[SPLIT] work to change the criminal justice system so that people are not treated differently based on how wealthy they are		78%	13% 91%
[SPLIT] work to change the criminal justice system so that people are not treated differently based on the color of their skin		73%	11% 84%
find ways to send fewer people to jail and prison, because the size of the prison population costs taxpayers too much money			2%
emphasize a tough-on-crime approach to put more criminals in jail or prison for longer sentences		43%	



A tough-on-crime approach resonates with Republicans, less educated voters, and those in southern VA.





Q27: Please tell me if you agree or disagree with the statement:

Virginia should emphasize a tough-on-crime approach to put more criminals in jail or prison for longer sentences

Marijuana



Wide majorities support decriminalizing – or even legalizing – marijuana.



Note: Remainder Not Sure / Refused



Q29 – 31: Please tell me whether you support or oppose each of the following approaches to marijuana.

Profile of Support for Decriminalization



Note: Remainder Not Sure / Refused



Q30: Please tell me whether you support or oppose eliminating criminal penalties for the possession or use of small amounts of marijuana

A strong push message on decrim does not move many voters, suggesting minds are already made up.



Q32: Those who support decriminalizing marijuana point out that the Commonwealth convicted 25,000 people of simple marijuana possession in 2017. They say prosecuting these minor offenses costs taxpayers millions of dollars, forever changes lives by exposing people to the criminal justice system, and disproportionately harms people of color, who are nearly four times more likely to be arrested for possession. Hearing this, do you support or oppose eliminating criminal penalties for the possession of small amounts of marijuana?

The Role of Commonwealth's Attorneys



Voters think CAs have a lot of power in dispensing justice...





Q33 – 37: Please tell me whether you think each of the following types of people have a great deal of power, some power, not much power, or no real power in influencing how criminal justice is dispensed in Virginia.

...and are concerned about both the lack of oversight and CAs ability to unfairly distort the justice system.

7	Very	Somewhat	Total o	oncerned
CAs can withhold information about a criminal case from the defense, such as police reports, witness lists, and witness statements		74%		18% 92%
CAs have no direct oversight from the legislature or governor's office, meaning it is very difficult to fire a CA even if they act unethically		67%	2	2% 89%
CAs are elected by the voters but often run for office unopposed – in fact, four out of every ten CAs has not had an opponent in over a decade		57%	27%	84%
CAs alone decide which crimes to prosecute , whether a case goes to trial, and can push defendants into accepting a plea deal by pressing more serious charges	(54%	29%	83%
CAs alone decide whether teenagers are prosecuted as adults , in juvenile court, or diverted to community- based supervision programs	449	%	38%	82%
CAs alone decide whether to seek the death penalty	5	52%	29%	81%

Q38 – 43: Please tell me whether each fact strikes you as very concerning, somewhat concerning, not very concerning, or not concerning at all.

