# Does criminal sanctioning direct democracy? A county-level analysis of the relationship between sentencing and voting behavior

**Nicole Sherman**
**UC Irvine, Criminology, Law and Society**

Two highly punitive topics – capital punishment and Three Strikes sentencing – marked California's November 2012 General Election. Voters decided whether to abolish the death penalty (Proposition 34) and reform the Three Strikes Law (Proposition 36) to target serious and violent offenders only. While California's capital punishment law remained on the books with the rejection of Prop 34, Prop 36 passed, and Three Strikes Law was reformed. Rather than investigating the state-level influences that facilitated these outcomes, this paper examines the role of the democratic process, at the local level, by exploring the relationship between voting behavior and sentencing behavior, by county.

This begs the questions as to whether necessity for the policy at the county level (as evidenced in crime rates) and use of the policy (estimated by sentencing practices) matter in the democratic process. Through further analysis of this topic in this study, mechanisms that drive county voting behavior in relation to criminal policy will be elucidated. The results generally indicate the demographic variables, specifically education and party affiliation, drive a majority of the explanation for voting outcomes. While variables indicating prior use of the laws seem to influence outcomes, other crime-related variables do little to influence voting behavior.

## I. Introduction:

November 6th, 2012 served as a landmark day for crime-oriented public policy in California. Two of California's most punitive policies were put on the ballot for reconsideration during the General Election, and voters were asked to make decisions that would change the way offenders are sentenced. The first of these two measures, known as Proposition 34, concerned the abolition of capital punishment. Voters rejected this initiative by a close margin of 58% to 42%; the death penalty remains on the books in California. However, California's Three Strikes Law, known as Proposition 36, was passed by a wider margin of 69.3% to 30.7%. This decision altered the original 1994 law to limit the application of third strike sentences to only serious and violent offenders.

These two ballot measures offer a unique opportunity to explore how the crime climate of a county may affect the collective voter persuasion of a county. Rather than examining what affects individual voting behavior, or overall state outcomes, this paper seeks to determine how variation in proposition approval between counties can be explained by key demographic variables and the criminal environment. Additionally, this study will shed light on which aggregate demographic characteristics in a county may influence ballot outcomes.

### Opinion-Formation: Ballot Propositions

Though research on elections is far from thin, studies that investigate ballot propositions are decidedly fewer. Furthermore, the research has largely focused on individual-level influences and demographics in explaining opinion-formation on issue voting, rather than on influences aggregated at the county level. A discussion of the extant literature on what potential influences are evident in proposition voting follows.

Generalizations about the consistent components of proposition voting influences are hard to make, because most of the research conducted in this area examines one ballot issue, typically in a single state. As one might guess, because of the diversity in ballot issues, influences on one proposition in one state are difficult to generalize to how people vote on all propositions, across different states. However, in Branton's (2003) study on individual-level voting behavior circumvented this issue. This study utilized state-level exit polls, on a broad range of issues, to determine which individual-level characteristics generated patterned outcomes in voting on ballot measures. The results indicated that, despite prior suggestions that the lack of partisan labels on ballot measures render political affiliation less important (Magleby, 1984), political orientation was the most consistent predictor among a variety of ballot issues.

Moreover, Branton found particular support for this result in ballot issues that concerned moral ideas, under which the ballot issues examined in this paper fall.

Branton's study echoes one theoretical line of thinking in the debate over political affiliation influence in propositions. Even though propositions lack official partisan labels, political affiliation is still important in opinion-formation. Candidate campaigning and initiative campaigning share a complex relationship, often using each other as a resource for funding. State party platforms often take a stance on issues, either to further their ideology or to gain support (Smith and Tolbert, 2001). Support for the influence of political identification on proposition voting was also found in Citrin and colleagues' study on the English Only Initiative in California in 1986, as well as other studies that focused on term limit initiatives by Donovan and Snipp (Citrin et al., 1990; Donovan and Snipp, 1994).

Though media cues have been mentioned in the past, recent literature suggests that the media does not shape opinion as much as previously believed; rather, the official voting guides provided the state inform voter decisions (Bowler and Donovan, 2002). This finding suggests that the factors highlighted in the California voter guides, as arguments for and against Prop 34 and Prop 36 in the 2012 election, might suggest other important influences on voting behavior.

Prop 34 appealed to voters on a basis of morality and financial necessity, quoting financial reasons as the primary argument. Based on the voter guide, votes against Prop 34 were urged on the basis of extreme expenditures for housing immoral offenders for life, while votes for Prop 34 commented on wrongful conviction. Prop 36 similarly echoes financial reasons for supporting votes, arguing that reforming Three Strikes will not only save the state of California money, but also retain the initial spirit of Three Strikes to focus only on violent offenders. Votes against Prop 36 are garnered on the grounds of fear of releasing serious offenders. Based on the language of the voter information guides and studies that suggest this language influences voting behavior, a model of county-level voting behavior should include a variable that represent county-level economic investments in criminal justice.

The extant research, though sparse in nature, seems to give some explanation for individual-level voting behavior, but there is remarkably little research conducted at the aggregate level, specifically at the county level. The current study seeks to fill this gap and provide a synopsis of variables affecting voting outcomes at the county level. While much of the research culled to anticipate relationships between variables is at the individual level, this study argues that these variables may hold merit at the aggregate level as well.

## Support for “Tough on Crime” Policy

This paper focuses on the outcomes of two dependent variables (in two separate models). The dependent variable in Model 1 is the percent of voters who voted against Proposition 34 in California’s November 2012 election. Model 2’s dependent variable is the percent of voters who voted against Proposition 36 in California’s November 2012 election. Rather than focusing on a single independent variable to predict voting behavior in this measure, a group of carefully selected variables are relied on, that comprise what I term the “crime climate”. These variables include the total crime rate for a county (broken down into property and violent crime rates), the per capita expenditure on all aspects of the criminal justice system in a county (including law enforcement, corrections, and courts), the percentage of death row inmates from each county within the total incarcerated population of the county, and the percentage of Three Strikes inmates from each county in the total county institutional prison population. Each of these variables represents one possible influence on the outcome measure, county-level support for the two ballot propositions.

Studies have found that higher crime rates may be positively associated with more punitiveness (Rankin, 1979; Costelloe, Chiricos, and Gertz, 2009). In relation to support of the death penalty and Three Strikes Law, the expected relationship between crime rates and support for the rejection of abolition and reform, respectively, is positive; that is, as county crime rates increase, county "no" votes on Prop 34 and 36 will increase. Per capita expenditure on law enforcement related issues is, overall, expected to be negatively associated with votes against the propositions. Counties spending more per capita on law enforcement may be doing so because of the cost of existing tough on crime legislation. Due to budget constraints that law enforcement faces, counties may support death penalty abolition and sentencing reform to decrease law enforcement expenditures. Though this will not be explained in detail at this point, both capital punishment and Three Strikes Law affect the economic aspects of law enforcement, as they are both extremely expensive options for sentencing. Therefore, the predicted relationship between per capita law enforcement expenditure and votes against the propositions is negative; as expenditures increase, "no" votes will decrease.

The two measures included to explain support for these measures by actual use of the legislation in question are the percentage of death row inmates from each county within the total county prison population and the percentage of Three Strikes inmates from each county to the total county prison population. I hypothesize that the expected relationship between these variables and the dependent variable is positive. As the percentage of incarcerated death row and Three Strikes offenders from a given county increases, the county-level disproval of Prop 34 and 36 will increase. This relationship is predicted on a basis of reliance. Counties that have historically relied on these policies more may show greater tendencies towards the status quo, in terms of the abolition and reformation of the policies.

The independent control variables include, within each given county: percent of registered Republicans, percent over 25 years old with bachelor degrees, percent white, percent female, and median income.  Percent of registered Republicans reflects the general partisanship of the county. Particularly, research has highlighted the conservative response to crime, which generally lies in deterrence and tough on crime policies (Gordon, 1973; Tonry, 1999). I expect the relationship between percent of registered Republicans to exhibit a positive relationship with percent of votes that vote against abolition and reform of death penalty and Three Strikes. This variable is largely used as a control measure for my models, as partisanship has been routinely linked to voting behavior on ballot issues.

Another control variable is the percent of the population in each county that has a bachelor's degree or higher that is over 25 years old. Though this may not be the best measure of education, this takes into account the proposed relationship that counties with higher education levels tend to be less punitive. The Marshall Hypothesis (named after Justice Thurgood Marshall), suggests that as information about the death penalty increases, support will decrease, and has typically been supported in literature (Lambert et al., 2008). I postulate an extension of this hypothesis to Three Strikes Law, as a similarly punitive policy. Therefore, I expect that as the percent of people with bachelor's degrees rises, the number of votes against Prop 34 and Prop 36 will increase. Another control variable in my model is the percent white in each county. Research has suggested that whites are more likely than racial minorities, particularly blacks, to support the death penalty (Young, 1991; Young, 1992; Soss, Langbein, and Metelko, 2003). Again, I extend this proposition to Three Strikes Law. Based on previous research, I expect the relationship between percent white and votes against Prop 34 and Prop 36 to be positive.

Gender has been linked to death penalty support. Males are more likely to support punitive measures than females (Halim and Stiles, 2001; Soss, Langbein, and Metelko, 2003; Applegate, Cullen, and Fisher, 2002). Based on these studies, I suggest that as percent of females in a county increases, support for the two measures will increase. Income has also been related to support for death penalty. Most studies posit that an increase in income relates positively with death penalty support (Soss, Langbein, and Metelko, 2003; Young, 1991). In my model, I expect that as the median income of a county increases, the percent of votes against Prop 34 (favoring death penalty) will increase.

**II. Data**

This analysis combines data from a broad range of sources. No single dataset, like public opinion data, provided the range of county-level data required for this analysis. Instead, I rely on a variety of sources; this section summarizes these sources and their limitations. For descriptive statistics about these variables, see Table 1. These variables do not show indicators of perfect collinearity or multicollinearity. See Appendix Fig. 1 for a table of correlations[1].

The Statement of Vote, published by the California Secretary of State, provided the dependent variables, the percent of voters against Prop 34 and 36 (*pnprop34* and *pnprop36*, respectively). This source provided a county-level breakdown of the results of the election on November 6, 2012 in percentages and was not altered from its original source. The Statement of Vote also provided the registration statistics for party affiliation by county. These were reported

[1] Though a couple of variables are moderately collinear, I conducted a variance inflation factor after each regression model. The results showed that though value for the percent Republicans is high, they are not so high as to cause a problem. The results showed that, though values for the percent Republicans is high, they are not so high as to cause a problem.

as total numbers of registered Republicans. To take county size into account, a continuous percent of total registered voters that registered as Republican for each county was generated.

The crime rate variable (*crimerate09*) was generated using the "Reported Crimes and Crime Rates" published by State of California Department of Justice, Office of the Attorney General. This report publishes annual violent and property crime rates (per 100,000 population), broken down by county, through 2009. For the purpose of this paper, both the violent and property crime rates were combined to create a single crime rate variable.[2] The per capita law enforcement expenditure variable was also generated using a report published from the California Department of Justice. The "Criminal Justice Fiscal Year Expenditures" report provided a county-level breakdown of total law enforcement expenditure through FY 2007-2008. The report only provides the overall county expenditure, so to derive per capita expenditures, by county, the expenditure was divided by the estimated population of the county in 2008. This population estimate was derived from the California Department of Finances.

For the offender statistics, the California Department of Corrections and Rehabilitation offender reports were utilized. To generate the percentage of death row inmates to the total incarcerated population for a county, the Condemned Inmate List was used; the death row inmates for each county were totaled and divided by the total incarcerated population in 2012 (as provided in Table 7, Prison Census Data in their Annual Reports). Similarly, the percentage of Three Strikes inmates (second and third strikers both) was generated by totaling the Three Strikes inmates per county and dividing by the total incarcerated population. These two measures represent the county-level use of each of the sentences being re-considered in Propositions 34 and 36, relative to overall use of incarceration in each county (which should help with the

[2] I altered this variable based on the notion that both crime rates are important to take into account for reasons of visibility and severity, but separating the two in the model might distract from their overall impact. To see how much these two concepts were explaining the same thing, I conducted a factor analysis. The results indicated that combining these two crime rates would assist their impact in my model, and solve their collinearity issue.

relative use between counties). If these variables are significant in the model and the relationship between them and voting outcomes against Prop 34 and 36 are positive, this may be explaining support for retaining these tough on crime measures on a basis of use.

The control variables (besides *preb12*) were generated using the U.S. Census data for 2010. Percent of the population with bachelor's degrees over 25 years old (*pbach10*) is measured in percentages, as is the percent of population that identifies as white (*pwhite11*) and percent of the county's population that is female (*pfem11*). Median income (*medinc11*) is measured in dollars.

While not every variable is particularly close in time to the election, due to the lack of published data from the various sources, I believe that the variables with dates further from 2012 (crime rates, 2009; per capita law enforcement expenditure, 2008; percent with bachelor's degree, 2010; percent white, percent female, and median income, 2011) should be adequate predictors of outcomes. These variables are arguably stable in nature, at the very least, relative to each other. [3]

**Table 1: Descriptive Statistics**

| **Variable** | **Description** | **n** | **Mean** | **Median** | **SD** | **Minimum** | **Maximum** |
|---|---|---|---|---|---|---|---|
| *pnprop34* | Percent of vote against Prop 34 | 58 | 58.822 | 61.05 | 11.026 | 29.9 | 76.9 |
| *pnprop36* | Percent of vote against Prop 36 | 58 | 34.066 | 34.7 | 8.353 | 15.5 | 52.5 |
| *preb12* | Percent of Republican voters of all registered voters | 58 | 34.924 | 37.242 | 10.011 | 8.745 | 50.196 |
| *pbach10* | Percent of population over 25 with bachelor's degree | 58 | 24.774 | 21.6 | 10.392 | 12.3 | 54 |
| *pwhite11* | Percent of population that identifies as white | 58 | 82.174 | 85.95 | 10.020 | 52.8 | 95.2 |
| *pfem11* | Percent of population that is female | 58 | 49.348 | 50 | 2.397 | 35.6 | 51.8 |

[3] For argument's sake, these could be considered proxy variables. If this is the case, there may be additional error captured in the model. We assume that this error is uncorrelated with the other independent variables in the model, and that they serve as good proxies.

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| *medinc11* | Median income of county | 58 | 55185.55 | 53124 | 13478 | 35402 | 89605 |
| *pcapexp08* | Per capita expenditure on law enforcement | 58 | .603 | .542 | .338 | .342 | 2.880 |
| *crimerate09* | Combined violent and property crime rates | 58 | 1916.869 | 1731.775 | 832.252 | 822.53 | 5895.46 |
| *pstrike* | Percent of incarcerated offenders sentenced under Three Strikes | 58 | 26.096 | 27.046 | 9.050 | 0 | 42.090 |
| *pdppop* | Percent of incarcerated offenders on death row | 58 | .432 | .331 | .525 | 0 | 3.226 |

**III. Methods**

For this analysis of whether or not the crime climate can assist in predicting the results on Prop 34 and Prop36, an ordinary least squares (OLS) regression is used. This regression will emphasize how much of the variation in election outcomes can be explained by the variation in the variables we have chosen. Using OLS regression allows a further test of which variables are significant, or adequate for explaining this variation. This approach will utilize t-tests for each of the variables to justify rejection of the null hypothesis. In this analysis, the null hypotheses for the t-tests is that, holding all other variables constant, the chosen variables will have no effect (a t-score of zero). It is also important to note that I used a variety of diagnostics for these models to be sure the variables were in their proper forms and did not suffer from heterogeneity. [4]

Each model was tested for potentially influential outliers. To conduct this test, I used the HADI statistic. Based on this, there were seven potentially influential observations identified.

---

[4] I conducted the Davidson-MacKinnon test, which estimates equations and their fitted values and places them in the other equation to test for significance. I tested a linear model against a level-log model, and determined that the models are in their correct functional form. Though in the Prop 34 model, the fitted values of the log-model were barely significant, I decided not to change the functional form of any of the variables. I plotted each variable with the outcome (*pnprop34*), and the variables appeared to exhibit a linear relationship. In addition to the Davidson-MacKinnon test, I conducted a RESET test. The results were not significant, suggesting that there was no functional form misspecification. Heteroskedasticity was also tested for, using both the Breusch-Pagan test and the White test. Both of these diagnostics yielded non-significant results, suggesting that these models both satisfy the assumption of homoskedasticity (MLR.5). After each model, the residuals were plotted in a histogram, and they appeared to be approximately normal, satisfying MLR.6, or the assumption of normally distributed error.

These were Inyo County, Sierra County, Mono County, Lassen County, Colusa County, Mendocino County, and Alpine County. I believe these variables may have been outliers in either crime rate, three strikes usage, percent female in the county, per capita expenditure or death penalty usage, though it is difficult to pinpoint which of the variables serves as the function for their identification by the HADI statistic. Because my sample size is low already, I have chosen to include them in the model, despite their potential influence. Additionally, when running the model without these cases, the results do not appear to change drastically. Though the coefficients of the variables are altered, they do not appear to change direction, nor significance, with the exception of the percent of Three Strikes inmates in Model 2, which shifts from being significant in the model to not significant. Overall, I chose to include these observations in the model, so as not to discard potentially important data, and to contain the notion of a random sample (or population, in this case).

**IV. Findings**

Again, I am using two separate models to predict outcomes of the ballot propositions for Prop 34 and Prop 36 using crime related variables and demographics for a county. First, I will address the model concerning Prop 34, or proposition that called for the abolition of the death penalty. Model 1 is as follows:

□□□□□□34 =
□ + □(□□□12) + □(□□□□h10) + □(□□h□□11) + □□□□□11 +
□(□□□□□□11) + □(□□□□□□□08) + □(□□□□□09) + □
□□□□□□□ +
□(□□□□□□)

**Table 2: OLS Regression Results, Dependent Variable = Votes Against Prop 34 (*pnprop34)***

| | Model 1 - No crime climate variables | Model 1 – With Crime Climate Variables |
|---|---|---|
| **Independent Variable** | **Coefficients (with standard error in parentheses)** | **Coefficients (with standard error in parentheses)** |
| Intercept | 51.204***<br>(6.676) | 51.276***<br>(6.735) |

| | | |
|---|---|---|
| *preb12* | .826*** | .783*** |

| | | |
|---|---|---|
| | (.039) | (.044) |
| *pbach10* | -.301***<br>(.050) | -.360***<br>(.054) |
| *pwhite11* | -.066*<br>(.034) | -.082**<br>(.033) |
| *pfem11* | -.092<br>(.122) | .0175<br>(.126) |
| *medinc11* | -.0000681**<br>(.0000323) | -.000067**<br>(.0000323) |
| *pcapexp08* | -- | 1.626<br>(.1.03) |
| *crimerate09* | -- | -.001**<br>(.0004) |
| *pstrike* | -- | -.004<br>(.0358) |
| *pdppop* | -- | -.505<br>(.520) |
| F-value | 316.60 | 192.29 |
| P-value < | .0001 | .0001 |
| # of observations | 58 | 58 |
| $R^2$ | .9682 | .9730 |

*= significant at .10 level, ** = significant at .05 level, *** = significant at .01 level.

The modified equations reads as:

$$prop34 = 51.276 + .783(preb12) + (-.360)(pbach10) + (-.082)(pwhite11) + .0175(pfem11) + (-.000067)(medinc11) + 1.626(pcapexp08) + (-.001)(crimerate09) + (-.004)(pstrike) + (-.505)(pdppop)$$

When dealing with county-level data, especially observing a single state, the low sample size can make it difficult to find significant results. However, this model displays distinctive and robust results. In the first version of Model 1, the crime climate variables (*pcapexp08, crimerate09, pstrike, pdppop*) were not included. This version of the model has a $R^2$ of .9682, which is fairly large, suggesting that the model does an adequate job of predicting Prop 34 voting outcomes. The variables in this model are, for the most part, justified in their inclusion. *Preb12* and *pbach10* are significant at the .01 level, me*dinc11* is significant at the .05 level, and *pwhite* is significant at the .1 level. For this model, it may be worthwhile to consider the variables significant at the .1 level as important to the model, due to the low sample size.

The higher the percent of registered Republicans in a county, the higher the level of support for retaining death penalty. This finding exhibits a rather larger practical significance and mirrors the previous research in that political affiliation is a strong predictor of voting behavior. The percent of bachelor's degrees in a county, of people aged 25 and older also reflects a strong influence on voting outcomes. As the percent of those attaining higher education increases, the percent of support for abolishing death penalty increases. This aggregate measure reflects the general notion that as education levels increase, punitiveness decreases. Rather interestingly, the correlations between variables suggest that education and political affiliation are strongly and negatively related. That is, as the percent of registered Republicans in a county increase, the percent of those with bachelor's degrees decrease. This may suggest that education is somewhat affiliated with political orientation as well.

Counter to the literature, as the percent white in a county increase, the votes against Prop 34 are predicted to decrease. Though the extant literature suggests that whites, more than minorities, are likely to agree with the death penalty, the results indicate that as the percent of white in a county increase relative to minorities, punitiveness as reflected in voting outcomes decreases. Though the literature seems to suggest that as income increases, support for capital punishment increases, these results suggest otherwise. Median income is negatively related to support for abolishing the death penalty. The coefficient is fairly small, suggesting that the magnitude of this is not practically significant, but it may be a useful predictor when examining relatively high or low county average incomes.

When including the crime climate variables in the model (our full model), it is important to note the control variables remain significant, do not change direction, and that their coefficients are not altered drastically. With the exception of the crime rate measure, we see that taken individually, these variables do not add much in predicting outcomes of ballot measures.

Using a joint significance test also seems to support this interpretation; the crime climate variables are not significant at the .05 level, suggesting that taken generally, they do not add much predictive value to the model. The only crime related variable that is significant at the .05 level is *crimerate09*. However, its direction may not be what was originally expected. The coefficient for crime rate seems to indicate that as the crime rate increases, support for the death penalty increases. Not only does this seem to suggest that perceived need may not factor into voting decisions, it would appear that counties with higher rates of crime actually vote against more punitive measures.

At this juncture, I would like to turn the attention to the second Model, which predicts the percent of votes against reforming Three Strikes Law. Model 2 is as follows:

□□□□□□□36 =

□ + □(□□□□12) + □(□□□ℎ10) + □(□□ℎ□□11) + □(□□□□11) +

□(□□□□□□11) + □(□□□□□□□□08) + □(□□□□□□□□09) + □

□□□□□□□ +

□(□□□□□□□)

**Table 3: OLS Regression Results, Dependent Variable = Votes Against Prop 36 (*pnprop36)***

| | <u>**Model 1 - No crime climate variables**</u> | <u>**Model 1 – With Crime Climate Variables**</u> |
|---|---|---|
| **Independent Variable** | **Coefficients (with standard error)** | **Coefficients (with standard error)** |
| Intercept | -8.328<br>(9.440) | -4.335<br>(8.915) |
| *preb12* | .666***<br>(.0556) | .607***<br>(.0585) |
| *pbach10* | -.327***<br>(.0711) | -.328***<br>(.0714) |
| *pwhite11* | -.137***<br>(.0474) | -.143***<br>(.0436) |
| *pfem11* | .735***<br>(.173) | .725***<br>(.167) |
| *medinc11* | .00004<br>(.00005) | .00000622<br>(.0000428) |

| | | |
|---|---|---|
| *pcapexp08* | -- | -.472 |

| | | |
|---|---|---|
| | | (1.369) |
| *crimerate09* | -- | -.00065<br>(.00055) |
| *pstrike* | -- | .0899*<br>(.0473) |
| *pdppop* | -- | 1.875***<br>(.689) |
| F-value | 83.48 | 59.40 |
| P-value < | .0000 | .0000 |
| # of observations | 58 | 58 |
| $R^2$ | .8892 | .9176 |

*= significant at .10 level, ** = significant at .05 level, *** = significant at .01 level.

The modified equation reads as:

$$\square\square\square\square\square\square 36 = -4.335 + .607(\square\square\square\square 12) + (-.328)(\square\square\square h10) + (-.143)(\square\square h\square\square\square 11) + .725(\square\square\square\square 11) + .0000062(\square\square\square\square\square 11) + (.472)(\square\square\square\square\square\square\square 08) + (-.00065)(\square\square\square\square\square\square\square\square 09) + (.0899)(\square\square\square\square\square\square\square) + 1.875(\square\square\square\square\square\square)$$

Model 2, without the crime variables, seems to do a strong job of predicting the percent of no votes on Prop 36. An $R^2$ of .8892 suggests that approximately 88.92% of the variation in percent of votes against Prop 36 can be explained by variation in the county level variables of percent of registered Republicans, percent of people aged 25 and older with bachelor's degrees, percent white, and median income. All variables (*preb12, pbach10, pwhite11, pfem11*), except *medinc11*, are significant in this model at the .01 level. For this model, it may important to recall that support for this measure at the state level was higher than for Prop 34. With the exception of one county, most counties displayed support far below 50%.

As observed in the model for death penalty support, we see that the percent of registered Republicans in a county is positively related with votes against Prop 36. To reiterate, a vote against Prop 36 is a vote not in favor of reforming Three Strikes Law to concern violent and serious offenders only. Again, this model seems to represent the power of party affiliation in support for proposition measures, consistent with Branton's 2003 study. Also consistent with the previous model, the percent of those with bachelor's degrees aged 25 and older in a county bears a negative relationship with votes against Prop 36. This supports the general notion that desire for tough on crime policy tends to decrease as levels of education increase. In line with the first model, we also find that the percent white in a county displays a negative association with the votes against Prop 36. That is, as the percent white in a county increases in relation to the percent of minorities, votes against reforming Three Strikes Law decrease.

Though median income is significant in Model 1, its presence in Model 2 seems to suggest little explanatory value. The percent of females in a county also represents a departure from Model 1, with a strong positive and significant relationship with votes against Prop 36. The coefficient in this model is positive, which contrast with the literature’s suggestion that females are typically less punitive than males. Rather, when predicting voting outcomes, as the percent of females in a county increase, votes against reforming Three Strikes increase as well. Noting the correlation between females and percent of registered Republicans is additionally interesting. The data used for this study suggest a moderate and negative relationship between the two; as percent of females increase, percent of registered Republicans decrease. Therefore, the observation that they both bear positive coefficients in this model may be a direction for further investigation.

Similar to Model 1, we see that the addition of the crime climate variables does not seem to affect the magnitude and direction of coefficients or significance of the control variables. Whereas crime rate was significant in Model 1, it is not significant when predicting Prop 36 outcomes. In terms of significance for the crime related variables, we see that the percent of death row inmates in the total incarcerated county population is significant at the .01 level. This result suggests that as use of capital punishment increases, support for retaining the original “toughness” of Three Strikes increases. Perhaps even more telling however, is the impact of prior use of Three Strikes in a county. The percent of Three Strikes incarcerated to the total incarcerated population of a county approaches significance at the .05 level. Taken together, the model predicts higher reliance on punitive crime policies results in less desire to change Three Strikes Law to be less punitive.

**V. Conclusion**

The results of this study indicate that the general demographic characteristics of a county do a fairly adequate job of predicting county outcomes of voting behavior. Specifically, the indication that political affiliation strongly relates to voting outcomes appears to be the most robust finding. Higher presence of Republican registered voters seems to predict increased support for more punitive measures. When it comes to decreased support for retaining punitive measures, increased education levels of a county come into play. Counties that have higher percentages of those completing higher education exhibit lower tendencies to support tough on crime measures in favor of a less harsh alternative. Additionally, the percent white in a county appears to predict similar patterns, counter to what individual-level literature may imply. What this may mean, is that overall, the nature of these demographic characteristics may be related in more complex ways than generally indicated. A direction of future research, to further tease out this complexity, may involve breaking down the characteristics of political affiliation. For example, discerning how many of those politically associated as Republican have achieved higher levels of education in a county may signal how these demographics interact.

When observing the role of crime climate variables and their predictive power towards crime policy, the results of both regression models indicate that crime policy on a basis of need and use generally do not factor into voting outcomes. The crime rate of a county was significant only in the model predicting support for retaining capital punishment, and the direction was counterintuitive to a basis of need. Furthermore, historic reliance on the death penalty did not indicate importance in voting outcomes for Prop 34. However, both historic reliance on capital punishment and Three Strikes usage reflected voting behavior that supported retaining the status quo for these measures. These results are certainly interesting, as they appear to generally support a hypothesis that demographic, or perhaps personal ideology, play a bigger role than the basis of need and use in voting outcomes concerning crime policy. Since direct democracy plays such a large role in shaping pubic policy, this understanding could be useful in campaigning. In future research on this topic, including a measure for awareness of these crime climate variables would be useful.

When comparing these two models, it is important to note the difference in change the two measures required. Prop 34 called for the complete abolition of capital punishment in California, whereas Prop 36 called for the reformation of Three Strikes, but not the abolishment. Prop 34 arguably petitioned for a more drastic reformation of crime policy. Having both measures in the same election could have possibly influenced perspectives on one another. Again, obtaining information on how the media influenced decisions could potentially strengthen this study.

**References**


Applegate, Brandon K, Francis T Cullen, and Bonnie S Fisher. 2002. "Public Views Toward Crime and Correctional Policies: Is There a Gender Gap?" *Journal of Criminal Justice* 30 (2) (March): 89–100. doi:10.1016/S0047-2352(01)00127-1.

Bowler, Shaun, and Todd Donovan. 2002. "Do Voters Have a Cue? Television Advertisements as a Source of Information in Citizen-initiated Referendum Campaigns." *European Journal of Political Research* 41 (6) (October): 777–793. doi:10.1111/1475-6765.t01-1-00031.

Branton, Regina P. 2003. "Examining Individual-Level Voting Behavior on State Ballot Propositions." *Political Research Quarterly* 56 (3) (September 1): 367–377. doi:10.1177/106591290305600311.

Citrin, Jack, Beth Reingold, Evelyn Walters, and Donald P. Green. 1990. "The 'Official English' Movement and the Symbolic Politics of Language in the United States." *The Western Political Quarterly* 43 (3) (September): 535. doi:10.2307/448703.

Costelloe, M. T., T. Chiricos, and M. Gertz. 2009. "Punitive Attitudes Toward Criminals: Exploring the Relevance of Crime Salience and Economic Insecurity." *Punishment & Society* 11 (1) (January 1): 25–49. doi:10.1177/1462474508098131.

Donovan, Todd, and Joseph R. Snipp. 1994. "Support for Legislative Term Limitations in California: Group Representation, Partisanship, and Campaign Information." *The Journal of Politics* 56 (02): 492–501. doi:10.2307/2132150.

Gordon, D. M. 1973. "Capitalism, Class, and Crime in America." *Crime & Delinquency* 19 (2) (April 1): 163–186. doi:10.1177/001112877301900204.

Halim, Shaheen, and Beverly L. Stiles. 2001. “Differential Support for Police Use of Force, the Death Penalty, and Perceived Harshness of the Courts Effects of Race, Gender, and Region.” *Criminal Justice and Behavior* 28 (1) (February 1): 3–23. doi:10.1177/0093854801028001001.

Lambert, E. G., S. D. Camp, A. Clarke, and S. Jiang. 2008. “The Impact of Information on Death Penalty Support, Revisited.” *Crime & Delinquency* 57 (4) (February 29): 572–599. doi:10.1177/0011128707312147.

Magleby, David B. 1984. *Direct legislation: voting on ballot propositions in the United States*. Baltimore: Johns Hopkins University Press.

Rankin, J. H. 1979. “Changing Attitudes Toward Capital Punishment.” *Social Forces* 58 (1) (September 1): 194–211. doi:10.1093/sf/58.1.194.

Smith, D. A., and C. J. Tolbert. 2001. “The Initiative to Party: Partisanship and Ballot Initiatives in California.” *Party Politics* 7 (6) (November 1): 739–757. doi:10.1177/1354068801007006004.

Soss, Joe, Laura Langbein, and Alan R. Metelko. 2003. “Why Do White Americans Support the Death Penalty?” *Journal of Politics* 65 (2): 397–421. doi:10.1111/1468-2508.t01-2-00006.

Tonry, M. 1999. “Why Are U.S. Incarceration Rates So High?” *Crime & Delinquency* 45 (4) (October 1): 419–437. doi:10.1177/0011128799045004001.

Young, Robert L. 1991. “Race, Conceptions of Crime and Justice, and Support for the Death Penalty.” *Social Psychology Quarterly* 54 (1) (March 1): 67–75. doi:10.2307/2786789.

———. 1992. “Religious Orientation, Race and Support for the Death Penalty.” *Journal for the Scientific Study of Religion* 31 (1) (March 1): 76–87. doi:10.2307/1386833.

## Appendix

### Fig. 1: Correlations Between Variables

| *pdppop* | *pstrike* | *crimerate09* | *pcapecp089* | *medinc11* | *pfem11* | *pwhite11* | *pbach10* | *preb12* | *pnprop36* | *pnprop34* | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| -.0572 | .0673 | -.2470 | -.1640 | -.6121 | -.3162 | .5179 | -.8191 | .9463 | .9056 | 1.0000 | *pnprop34* |
| .1401 | .1806 | -.2356 | -.2850 | -.5007 | -.1052 | .4169 | -.7378 | .8923 | 1.0000 | | *pnprop36* |
| -.0146 | .1706 | -.3218 | -.1517 | -.4452 | -.2630 | .5440 | -.6582 | 1.0000 | | | *preb12* |
| .0337 | .0870 | -.0386 | .2485 | .7649 | .3207 | -.4713 | 1.0000 | | | | *pbach10* |
| -.0956 | .0459 | -.2500 | -.1878 | -.4175 | -.0860 | 1.0000 | | | | | *pwhite11* |
| .1345 | -.1082 | .1566 | -.0553 | .1563 | 1.0000 | | | | | | *pfem11* |
| .1383 | .2152 | -.1214 | .1674 | 1.0000 | | | | | | | *medinc11* |
| -.1203 | -.3788 | .3352 | 1.000 | | | | | | | | *pcapexp08* |
| .0212 | -.2538 | 1.0000 | | | | | | | | | *crimerate09* |
| .0280 | 1.0000 | | | | | | | | | | *pstrike* |
| 1.0000 | | | | | | | | | | | *pdppop* |