

RELIGION AND THE DEATH PENALTY

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Abstract

Americans have questioned the morality of the death penalty for centuries. Recently, racial bias and a surge of death row exonerations have brought the death penalty back to media headlines. Although geographic, socio-economic, and racial disparities relating to the death penalty have been studied extensively, religious factors have not. This study seeks to understand why religion is consistently excluded from the death penalty debate, despite its proven importance in shaping Americans' political attitudes, including those on the death penalty. Despite both belonging to the Christian Right, evangelical Protestants and American Catholics have opposing views regarding the death penalty; the former officially supports it, while the latter officially opposes it. Using data from the 2010 Census and the Pew Research Center, I create a probit model to discern whether large evangelical and Catholic populations help explain whether states use the death penalty. I find that large evangelical populations are not statistically significant in explaining states' use of the death penalty, but large Catholic populations are statistically significant in reducing states' probabilities of using the death penalty. Furthermore, I corroborate existing literature in finding that states that use the death penalty have lower incomes, more inequality, more Blacks, and more violence than states that do not use the death penalty.

KEYWORDS: death penalty, religion, capital punishment, politics, public opinion, Catholic, evangelical Protestants

ON MY HONOR, I HAVE NEITHER GIVEN NOR RECEIVED
UNAUTHORIZED AID ON THIS PAPER

Signature

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SECTION I

INTRODUCTION

Genesis 9:6 reads, “Whoever sheds the blood of man, by man shall his blood be shed.” Matthew 7:2 similarly reads, "Whatever measure you deal out to others will be dealt back to you." Religious supporters of the death penalty frequently cite these biblical passages as reasons why it is acceptable to use the death penalty. However, death penalty opponents also find biblical support for their claims, often referencing the most famous Ten Commandment, “Thou shall not kill.” Death penalty opponents see this commandment as a clear ban on ending human life in any way, for any reason (BBC 2009). Despite playing a prominent role in shaping individuals’ opinions on many political issues, including the death penalty, the impact religion has on states’ use, or abolition, of the death penalty has seldom been researched or acknowledged (Jelen and Wilcox 1991, 42).

The death penalty is currently a hot topic of debate due to concerns of our justice system’s racial bias and innocence on death row. While considerations such as race, morality, geography, socio-economic inequality, and cost have each rightfully made their way into the death penalty debate, one factor has consistently been left out of the conversation: religion.

Adelina Iftene and Nicolae Pasca (2011) argue that people must acknowledge the central role religion plays in shaping both citizens’ and governments’ opinions and decisions (546). American Christian leaders hold nearly three quarters of Americans in their constituency. Given religion’s growing role in the American political Right, and the unique division of Christian

groups' support, both for and against the death penalty, religion deserves a place in the death penalty debate (Robinson 2007).

This paper seeks to understand what role, if any, religion deserves in the death penalty debate, particularly in discussing whether or not states choose to use the death penalty. I predict that states with large evangelical populations are more inclined to use the death penalty because evangelicals emphasize individual responsibility and paying for the consequences of one's actions. Furthermore, evangelicals are a racially, geographically, politically, and socio-economically homogenous group: 81 percent are white, 73 percent live in the Midwest and South, 76 percent have family incomes under \$75,000, and 60 percent of politically affiliated evangelicals are Republicans (Pew Forum 2010c). Research has shown that homogenous religious groups are more likely than diverse religious groups to discuss and be activists for political issues because there is little chance of alienating members with minority opinions (Robinson 2007, 3). Diverse religious groups tend to avoid potentially controversial political topics altogether (Brown 2011, 305).

American Catholic churches officially oppose the death penalty because of the sanctity of the individual and an opposition to ending human life for any reason, as evidenced by their pro-life abortion stance and dislike of physician-assisted suicide. However, I predict that large Catholic populations do not explain whether or not states use the death penalty because American Catholic churches only recently began advocating for the abolition of the death penalty, many Catholics do not attend mass regularly, and the American Catholic population is becoming increasingly diverse, thus reducing their clergy's likelihood of discussing political matters with congregants (Bjarnason and Welch 2004, 115; Brown 2011, 305).

In the next section, I describe the current state of the death penalty in the U.S., including the primary arguments of advocates and opponents. Additionally, I outline the major theoretical considerations relating religion to politics in general, to the death penalty more specifically, and to public opinion. I close this section by stating my hypotheses. In Section III, I outline my empirical approach, explaining the probit model that seeks to explain whether a state uses¹ the death penalty based on its geographic location and its black, evangelical, and Catholic populations. In Section IV, I review the results of my empirical tests and engage in a discussion of what they mean for religion's role, or lack thereof, in the death penalty debate. In Section V, I conclude by summarizing this paper and suggesting opportunities for future research.

¹ This study defines using the death penalty as having executed more than three people since 1976. The reasoning for this decision is explained in Section 3.1.1.

SECTION II

THEORETICAL CONSIDERATIONS

This section seeks to provide context to my research on religion and the death penalty. I first provide a brief history of the death penalty in the U.S., and then give a snapshot of its usage in America today. I then describe the controversial debate over the death penalty, citing the primary arguments of its supporters and opponents. Next, I discuss the historical and current role of religion in the political realm and to what extent religious groups are able to influence their constituents. I then review the minimal scholarship regarding the intersection of religion and the death penalty, including various religious groups' official death penalty stances. I review the literature on public opinion, discerning how important it is in shaping American politics, particularly regarding the death penalty. Lastly, I state my hypotheses that will be tested in the following section.

The Debate Over the Death Penalty

Even before the United States of America was officially an independent nation, its citizens and politicians have been debating the death penalty. Founding Father Benjamin Rush is remembered to this day for his vehement disapproval of the death penalty (Bedau and Cassell 2004, 124). Over the years, the Supreme Court has changed its mind many times regarding who deserves to be executed. After centuries of primarily leaving death penalty matters to the discretion of the states, the 1972 *Furman v. Georgia* ruling led to a four-year nationwide moratorium on executions. The 1976 case of *Gregg v. Georgia* reinstated the death penalty and

began what is considered the new era of American executions; in this era, states refined and modernized their death penalty policies to limit the types of criminals eligible for execution, ban the execution of the mentally ill and underage, and use more humane execution methods, such as lethal injection (Bjarnason and Welch 2004, 103).

Snapshot of the Death Penalty in 2013

According to the Death Penalty Information Center (2013b), at the time of this writing, 17 states have abolished the death penalty and 33 have not. These groups will henceforth be referred to as non-death penalty states and death penalty states, respectively. Of the death penalty states, three of them, Oklahoma, Texas, and Virginia, account for over 53 percent of all executions in the U.S. since 1976.

Death penalty states and non-death penalty states diverge from one another most noticeably in geographic location. For the sake of simplicity, the Pew Forum on Religion and Public Life divides the U.S. into four regions, shown in Figure 2.1.

FIGURE 2.1

THE FOUR U.S. REGIONS OF THE PEW RESEARCH CENTER



Note: In order from left to right, the regions are West, South, Midwest, and Northeast.

Source: Pew Forum 2010c

While 80 percent of executions take place in the South, less than one percent takes place in the Northeast. Presently, execution numbers are positively correlated with violent crime rates, a relevant factor to consider when discussing the death penalty. The four geographic regions from least violent and fewest executions to most violent and most executions are: Northeast, West, Midwest, and South.

There is little correlation between the number of death row inmates and the number of executions per state. While California had 724 inmates on death row as of October 1, 2012, and has spent over \$4 billion to date in trial, appeal, and incarceration costs of its death row inmates, the state has only executed 13 people since 1976. Contrastingly, Texas had 304 inmates on death row as of October 1, 2012, less than half the number of California, but has executed 493 people since 1976 (Death Penalty Information Center 2013b, 2-4).

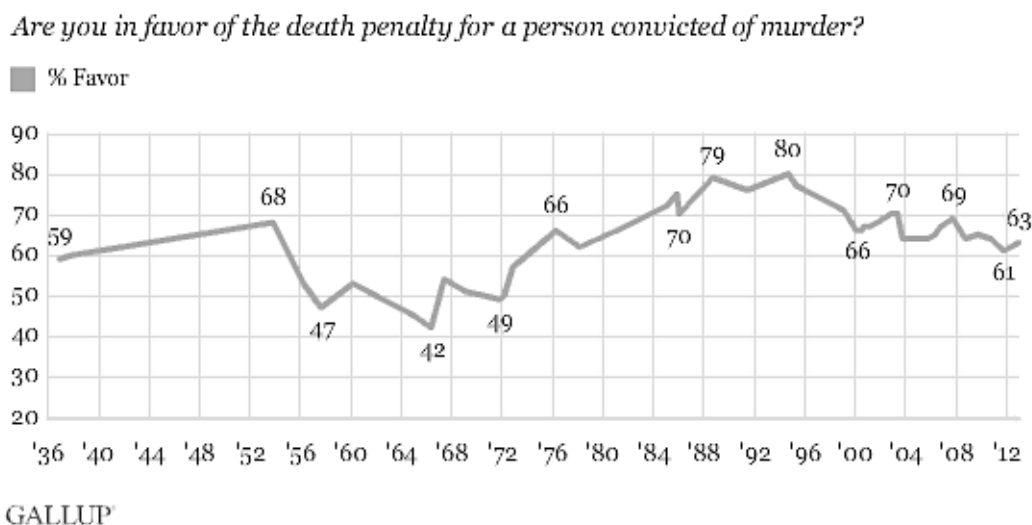
Additionally, death row sentencing is on the decline; in 1995, 312 death sentences were issued across the nation. By 2010, only 104 death sentences were issued, a nearly two-thirds decrease, noteworthy even withstanding the 30 percent decrease in violent crime during that time period (Death Penalty Information Center 2013b, 1-3; Disaster Center 2012).

Advocates of the Death Penalty

Due to inconsistent polling results based on how the question is worded, there is some ambiguity as to the exact percentage of Americans that support the death penalty (Bedau & Cassell 2004, 123; Pew Research Center 2012, 1). As shown in Figure 2.2, according to the most recent Gallup poll conducted in January 2013, 63 percent of Americans support using the death penalty in capital murder cases.

FIGURE 2.2

DEATH PENALTY SUPPORT OVER THE YEARS



Source: Gallup Politics 2013

The reasons supporters cite for favoring the death penalty are vast and varied. As with death penalty opponents, the supporters' reasons are a combination of moral arguments and implementation arguments specific to the U.S. Fifty-three percent of supporters cite as their primary reasoning a classic retribution argument that convicted murderers deserve to be executed (Pew Research Center 2012, 2). Death penalty supporters next most frequently cite the cost of life in prison and concerns of prison overcrowding as their primary consideration, not realizing death sentences cost approximately 10 times more than life sentences (NBC News 2009). Despite counterclaims from the opposition, many advocates view the threat of the death penalty as a crime deterrent, citing cases where people claimed they did not commit a particular crime solely because they knew they could receive a death sentence if they did (Bedau and Cassell 2004, 62). Others believe executing murderers provides closure for the families of victims.

More nuanced reasons to favor the death penalty include the fact that executing criminals is the only certain way to ensure they do not kill again. Former United States Federal Judge Paul

Cassell cites a half dozen cases where murderers were initially sentenced to life in prison without parole and somehow ended up back on the streets only to murder more innocent people. Additionally, some death penalty advocates argue that if America's death row sentencing is racially biased, it hurts Whites more than Blacks, not vice versa, as it is more commonly argued. Cassell explains that while Blacks commit 48 percent of murders in America, they only constitute 42 percent of murderers on death row (Bedau and Cassell 2004, 188-201). Cassell argues that the common comparison of the 42 percent of death row inmates that are black to the 13.1 percent of the nation that is black is a logical fallacy (U.S. Department of Commerce 2011).

Death penalty supporters argue that most opponents to the death penalty do not oppose it on principle, but rather oppose the unjust way they believe it is being issued in the U.S. Many death penalty advocates say that America's executions are becoming more humane with time and therefore we should work to further improve it, not abolish it; minors and the mentally ill are now excluded from receiving the death penalty, and lethal injection, the primary method of execution, is neither cruel nor unusual (Bedau & Cassell 2004, 25-192).

Opposition to the Death Penalty

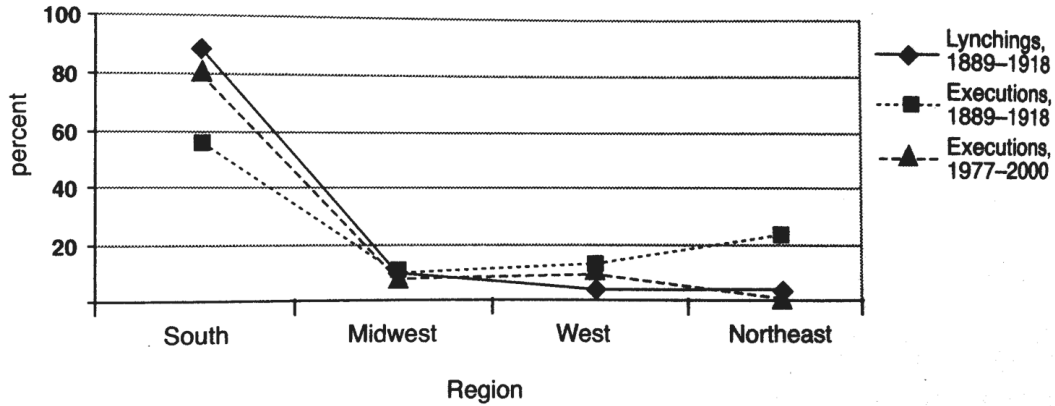
According to the Pew Research Center (2012), the number of people who oppose the death penalty on moral grounds is diminishing and the number of people who oppose the death penalty because of our imperfect justice system is growing. According to a Gallup poll, while only 11 percent of Americans thought our justice system was flawed in 1991, 27 percent of Americans do today. This drastic change suggests that American support in our justice system's ability to fairly administer the death penalty is dwindling, likely as a result of recent media focus on the racial bias of the death penalty and concerns of innocence on death row.

According to the Pew Research Center (2011), death penalty opponents are currently split on the main reason they oppose the death penalty: it is not moral or our right to kill someone and America's justice system is imperfect, and therefore, it is possible we could accidentally execute an innocent person. Death row attorney Bryan Stevenson said, "The logic of gratuitously killing someone to demonstrate that killing is wrong eluded me" (Bedau and Cassell 2004, 76). In regards to America's imperfect justice system, Attorney Stevenson cites the fact that, since 1976, one person on death row has been found innocent and has been exonerated for every eight executions. Death penalty opponents consider this ratio unacceptable in matters of life and death.

Because of the lengthy appeals process, death row inmates ultimately cost an average of 10 times as much as inmates with life sentences (NBC News 2009). As a result of extensive delays and the relatively arbitrary nature of its issuance, many opponents believe the death penalty is no longer a deterrent to crime. Another death row attorney, Stephen Bright, argues that crime is not deterred when executions only happen to one percent of murderers in fewer than half the states, 85 percent of which are in the South. Opponents see this Southern concentration of executions as remnants of America's slave legacy. Franklin Zimring (2003) discovered a startling correlation between the number of lynchings that took place in each state between 1889 and 1918 and the number of executions in that state between 1977 and 2000, depicted in Figure 2.3 (94).

FIGURE 2.3

REGIONAL COMPARISON OF PAST LYNCHINGS AND CURRENT EXECUTIONS



Source: Zimring 2003, 94

Attorney Bright explains that while one might think that only the best legal council would be used in capital cases because they constitute the highest stakes, just the opposite is usually true; since most capital murderers are poor and many Southern states do not have public defender systems, the accused often end up with unskilled court-appointed lawyers. These unimpressive lawyers are the only ones willing to work for significantly below market wage, some of whom have been accused of falling asleep during trial. Attorney Bright refers to poor legal representation that leads many murderers to be executed as the “death sentence for worst lawyer” (Bedau and Cassell 2004, 167). Thus, many people believe both racial minorities and the economically disadvantaged, and particularly individuals in both of those groups, are not treated fairly by our justice system.

Lastly, the United States is the only country in the 28 member North Atlantic Treaty Organization (NATO) that has not abolished the death penalty (Bedau and Cassell 2004, 154-167). The international community is displeased with America’s refusal to join its developed peer nations in abolition; they often identify the human rights abusing countries we are ranked

next to on lists of the world's highest executing countries: China, Iran, and Saudi Arabia (Bae 2007, 86-90; Bedau & Cassell 2004, 155). This international resistance is noteworthy because some nations are pushing for the removal of the U.S. from numerous organizations and councils, particularly those regarding human rights, until we abolish the death penalty (Bae 2007, 90). Most of these nations also refuse to extradite criminals to the U.S. if they are subject to capital punishment, including individuals involved in the War on Terror (Bae 2008, 234).

Religion in the Literature

19 percent of Americans who oppose the death penalty cite religious considerations as their primary reason for doing so. Among this group, 45 percent support, and 55 percent oppose the death penalty; a major difference from the national average of 62 percent supporters and 30 percent opposition (Pew Forum 2011). Roozen, McKinney, and Carroll (1984) believe religious communities have the potential to be extremely influential in shaping public opinion on the death penalty because the issue is so complex, involving institutions, individuals, and questions of meaning and purpose. Furthermore, religious institutions are among the most trusted organizations in the U.S., and church leaders have captive, trusting audiences unto which they can disseminate information every week (Brown 2011, 302).

Religious groups have played major roles as political actors throughout American history, from evangelicals working to abolish slavery in the 19th century, to black Southern Baptist churches fighting for civil rights in the 1960s and 1970s (Keeter 2006; Brown 2011, 304). Political scientists refer to the impact religion has on politics and public opinion as the “faith factor” (Taydas, Kentmen, and Olson 2012, 1223). Yet religion seldom finds its way into the death penalty debate, a surprising reality considering religion shapes many Americans’ political attitudes and racial prejudices (Young 1992, 77; Jelen and Wilcox 1991, 42).

Evangelicals and Catholics

While the Christian Right is widely believed to be a homogenous, dogmatic group, its member institutions diverge in opinion on several social issues. In particular, Catholics and evangelical Protestants clash the most (Robinson 2007, 5). It was not until the 1970s that the two groups formed an amicable relationship after finding common ground in the battle against secular humanism. Prior to the 1970s, Catholics and evangelicals would hardly have been considered allies. Evangelicals, and Protestants in general, worried that Catholics, many of whom were poor Irish and Italian immigrants, would foremost pledge their allegiance to the Pope and only secondarily support America and its ideals of individualism and democracy. The aversion was not unilateral; Catholics viewed Protestantism as a rebellious, disorganized religion overly obsessed with individualism (Robinson 2007, 12).

The changing tides were officially publicized in a 1994 statement by American evangelical and Catholic leaders entitled “Evangelicals and Catholics Together (ECT): The Christian Mission in the Third Millennium,” where the two religious groups announced they would work together on issues they agree on: abortion, chastity, gay marriage, parental choice in schooling, and religious freedom (Murray 1996). Despite making progress in some areas, the two groups still disagree on many issues: the death penalty, immigration, social welfare, and war (Robison 2007, 14).

Table 2.1 shows the death penalty stances of various American Christian religious groups. Even amongst a relatively homogenous group of religious organizations, there is variation in death penalty opinions. Of note, three of the four religious organizations that support the death penalty are evangelicals.

TABLE 2.1

AMERICAN CHRISTIAN RELIGIOUS GROUPS' DEATH PENALTY STANCES

Christian Denomination	Opinion	Notes
American Baptist Church	Oppose	
Catholicism	Oppose	The U.S. Conference of Catholic Bishops is working to abolish use of the death penalty under any circumstance.
Church of Jesus Christ of Latter-day Saints	No Opinion	The LDS Church considers the death penalty a matter of the State and therefore does not have an official opinion.
Episcopal Church	Oppose	
Evangelical Lutheran Church in America	Support	While the Churchwide Assembly has actively been supporting the death penalty since 1989, they technically do not have an official stance.
Lutheran Church-Missouri Synod	Support	
National Association of Evangelicals	Support	Established official stances in 1972 and 1973 allowing the death penalty in cases of premeditated murder and other crimes where victims are physically harmed.
National Council of Churches (Protestant and Orthodox)	Oppose	
Presbyterian Church	Oppose	
Southern Baptist Convention	Support	Supports the use of fair and equitable capital punishment.
Unitarian Universalist Association of Congregations	Oppose	
United Methodist Church	Oppose	

Source: Pew Research Center, 2009

Churches' political stances, particularly those on the death penalty, are relevant not only because they influence religious teachings and thus indirectly influence constituents, but also because many religious organizations, particularly those in the Christian Right, have become political activists, thus also becoming directly involved in politics (Robinson 2007). For example, the evangelical Focus on the Family and the United States Conference on Catholic Bishops are both heavily involved in lobbying for social legislation of their liking (Brown 2011, 305).

Religious Demographics

According to the Pew Research Center U.S. Religious Landscape Survey (2007), 78.4 percent of Americans classify themselves as Christians. More narrowly, 26.3 percent of Americans classify themselves as evangelical and 23.9 percent classify themselves as Catholic.

Table 2.2 lists the major reasons why evangelicals support the death penalty and Catholics oppose it.

TABLE 2.2

EVANGELICAL AND CATHOLIC THOUGHTS ON THE DEATH PENALTY

Evangelicals	Catholics
<i>Support the death penalty</i>	<i>Oppose the death penalty</i>
The Scripture says "you shall give life for life" (Exod 21:23b) and "let every person be subject to the governing authorities . . . for the authority does not bear the sword in vain" (Rom 13:1-7).	The sanctity of all life: "No matter how heinous the crime, the offender retains their God-given worth and must be treated with dignity." –Pope John Paul II
There is a scriptural distinction between Law and Gospel, thus giving the state the power under the realm of Law to punish evildoers.	Opposition to the "culture of death" and desire for a "culture of life."
The value of the life God has given and the murderer has taken can be shown by demanding the offender's death.	There are alternatives to the death penalty that are more consistent with the common good and that better support human dignity.
It makes society safer by permanently incapacitating convicted murderers and deterring would be murderers.	Offenders should not permanently be stripped of the possibility of redemption.
God himself used capital punishment for certain crimes.	People are more than what they do and thus should not be defined by one action.

Source: Evangelical Lutheran Church in America 1991, Catholic Mobilizing Network to End the Use of the Death Penalty 2013, and Roozen, McKinney, and Carroll 1984

Stating an official stance and getting constituents to conform to that stance are two different things. While only 23 percent of evangelicals hold a different view on the death penalty than their church, 64 percent of Catholics do (Pew Research Center 2012). Next, we explore how Catholics and evangelicals influence their constituents differently.

Why Catholics Fail to Influence Their Constituents

In 1974, the United States Council of Catholic Bishops (USCCB) (1980) voted to declare opposition to the death penalty in the U.S. Yet it was not until 2005 that the USCCB launched the Catholic Campaign to End the Use of the Death Penalty. Even since the Campaign began actively working towards abolishing the death penalty, many Catholic clergy have been reluctant to push their congregations to oppose the death penalty because they do not want to alienate constituents (Brown 2011, 305). While studying the role of religious groups in the abortion

debate, Cook, Jelen, and Wilcox (1993) found that the Catholic Church is an ineffective political leader because every major Catholic movement becomes labeled a “Catholic Concern” that sparks an equal, if not overpowering, countermovement. Furthermore, only 24 percent of churchgoing Americans have heard their clergy discuss the death penalty (Pew Forum 2011). Thus, it is unsurprising that many Catholics, including 2012 presidential nominee candidate Rick Santorum, disagree with the death penalty stance of the USCCB but are not ostracized for it (Catania 2005). Contrastingly, evangelicals follow their leaders’ positions in remarkable, seemingly cultish, numbers.

Why do Catholics and evangelicals influence their constituency so differently? Catholics are more diverse, dwindling in numbers, and attend weekly services less frequently than their evangelical counterparts. There is more racial variation among American Catholics than there is among American evangelicals; the former’s constituency is 30 percent Hispanic and growing (Public Religion Research Institute 2013). Sixty-nine percent of Hispanic Catholics voted for Democrats, compared with only 42 percent of White Catholics, shedding light on the divisions between progressive and traditional Catholics (Pew Forum 2010a; Pew Research Center 2012). Contrastingly, evangelicals are a more homogenous group, both politically and racially. R. Khari Brown (2011) finds that the more diverse a congregation, the less likely the clergy are to reference politics during services for fear of alienating worshipers. In today’s competitive religious marketplace, with more churches and fewer attendees than ever before, religious organizations cannot afford to offend members (Pew Forum 2007).

With less than a one percent fluctuation, evangelical church attendance has remained constant in the past decade. Weekly Catholic mass attendance fell 11 percent between 2000 and 2004 alone (Barnes 2012). Today, while 46 percent of evangelicals attend weekly services, only

38 percent of Catholics do (Sussman 2013). This reduces the Catholic Church's opportunities to influence constituents. Since Catholics attend services less frequently than evangelicals and are less likely to hear political messages from their clergy when they do attend services, it is unsurprising that their personal politics are not influenced by religion to the extent evangelicals' politics are.

The Role of Public Opinion

Even if all evangelicals supported the death penalty, and all Catholics opposed it, there must be a link between public opinion and political outcomes for religious populations to be relevant in whether states use the death penalty. Therefore, I review the literature on the impact of public opinion on American politics, particularly on the death penalty.

Research has found that public opinion is most relevant and influential in cases where officials are elected and a majority agrees and is passionate about an issue (Brace and Boyea 362; Christian 2008, 152). For states that use the death penalty, these three requirements are met. For states that do not use the death penalty, one of these factors, typically elected state supreme court judges, is missing.

Unlike our developed peers, the United States has not abolished the death penalty precisely because public opinion is so important. In most states, all public officials are elected, including police chiefs, prosecutors, district attorneys, and judges (Bae 2008, 236-237). Northeastern Illinois University Political Science professor Sangmin Bae (2008) said, "Few politicians are willing to ignore the preferences of most of their constituents." These elected officials want to appear "tough on crime" for the two-thirds of Americans that support the death penalty (Pew Research Center 2012). Some people worry that electing judges influences judicial impartiality, because elected state supreme courts and nonelected state supreme courts have

yielded very different rulings over the years; the former following public opinion closely, the latter focusing on individual rights and the rule of law (Brace and Boyea 2008, 360). Unsurprisingly, nine of the 12 states whose supreme court judges are not elected, and therefore are able to focus on the rule of law rather than on public opinion, are located in the Northeast, the region with the fewest executions and most death penalty abolition states (American Bar).

Furthermore, unlike our developed peers, criminal legislative power is left almost entirely up to state governments. Federalism reduces the importance of international norms, since state governments do not typically directly interact with other nations, thus helping to explain why the U.S. still uses the death penalty (Bae 2008, 237).

Hypotheses

Given time and resource constraints, this study is most interested in researching topics that have not been researched extensively but whose applicable data is easily accessible. As described previously in this section, religion has largely been excluded from death penalty conversations. I find this puzzling considering the role religion plays in shaping political attitudes, particularly those on the death penalty (Jelen and Wilcox 1991, 42). Since Christianity is the predominant religion in the U.S., I chose to focus exclusively on it. Among the largest American Christian sects, Catholics and evangelicals stand the furthest apart on the death penalty spectrum (Robinson 2007, 5). Therefore, I focus on studying the influence evangelical and Catholic populations have on whether or not a state uses the death penalty.

***Hypothesis I:** Controlling for all necessary factors, large evangelical populations will increase the probability a state uses the death penalty, defined as executing more than three people since 1976.*

R. Khari Brown (2011) finds that evangelicals are more likely than any other religious group to rely on their religion to answer political questions (316). Furthermore, the Pew Research Center (2012) found that 77 percent of white evangelicals support the death penalty while only 16 percent oppose it. Since evangelicals are a politically active homogenous group, I predict large evangelical populations will help explain why some states use the death penalty more than others.

***Hypothesis II:** Controlling for all necessary factors, large Catholic populations will not impact whether or not a state uses the death penalty, defined as executing more than three people since 1976.*

Catholics officially oppose the death penalty because they are pro-life in all situations. Among Catholics that attend church regularly, three-quarters oppose the death penalty (U.S. Conference of Catholic Bishops 2005). As stated previously, however, most Catholics do not attend church regularly, explaining why the Pew Research Center (2012) found that only 36 percent of Catholics oppose the death penalty; this figure is only slightly higher than the 31 percent national average. Bjarnason and Welch (2004) found that despite the Catholic Church's resilient anti-death penalty stance, Catholics and non-Catholics do not differ much in their support of the death penalty. Thus, although it would seem logical for there to be an inverse relationship between a state's use of the death penalty and a large Catholic population, previous research indicates Catholic political efforts are typically ineffective (Cook, Jelen, and Wilcox 2005, 228). Therefore, I hypothesize Catholic populations will be statistically insignificant.

SECTION III

EMPIRICAL APPROACH

In this section, I work through my empirical approach by first explaining why I chose the dependent variable I did. I next describe the variables the literature suggests I control for, and explain why concerns of multicollinearity required me to choose a few proxy variables to represent the rest. Next, I discuss the two final independent variables, Evangelical and Catholic, which will test my hypotheses. Lastly, I describe my probit model.

Variables

Dependent Variable

My dependent variable is whether a state uses the death penalty, defined as having executed more than three people since 1976. This is a categorical variable that can only take two forms: uses the death penalty, defined as executing more than three people since 1976, or does not use the death penalty, defined as executing three or fewer people since 1976. The benchmark of three executions since 1976 is the bottom quartile of executions for states that have not abolished the death penalty. States that retain the death penalty but do not use it regularly, if at all, should not be categorized with states, such as Texas, that use it as an integral part of their judicial system. It is very possible that residents of states that have not abolished the death penalty, but that do not execute people regularly, do not even know that the death penalty is still legal in their state. Since this study involves public opinion, I did my best to find a dependent

variable that separates states that actively, and therefore visibly, use the death penalty, from those that do not.²

I chose not to have my dependent variable simply be whether or not a state has abolished the death penalty because two states, Kansas and New Hampshire, have not abolished the death penalty, but have not executed anyone in the post-1976 moratorium period. Other states, including Kentucky, Oregon, Pennsylvania, and Wyoming have not abolished the death penalty but have executed fewer than five people, or less than one person per decade, since 1976 (Death Penalty Information Center 2013b). Furthermore, I chose not to use the number of death row inmates as my dependent variable because, as I described in Section II, there is little correlation between how many inmates are on death row and how many inmates are actually executed. Lastly, I opted not to use the number of executions per state because, even after scaling for state population, the results would be skewed by the few states that execute significantly more people than all of the other states combined.

Independent Control Variables from the Literature

Based on recommendations from the literature, described in more detail next, this study took countless potential control variables into consideration for each state: racial demographics, median income, Gini coefficient, average educational attainment, geographic location, population, violent crime rate, and political leaning. Next, I describe how and why I narrowed these control variables into two proxy variables: Black and Northeast. I conclude this section by describing the other two independent variables, Evangelical and Catholic, which will be used to test my hypotheses.

² According to my criteria, 11 states that officially retain the death penalty, but that have executed three or fewer people since 1976, are categorized as not using the death penalty.

Geography. The geographic disparities in America’s use of the death penalty are blatant. Only four of the 11 Northeastern states retain the death penalty, and the region accounts for less than one percent of our country’s total executions. Contrastingly, only one of the 13 Southern states has abolished the death penalty, and the South accounts for over 80 percent of all executions in the U.S., explaining why the region was nicknamed “The Death Belt” in abolitionist circles (Death Penalty Information Center 2013b; Bedau & Cassell 2004, 29). While seven of the 13 Midwestern states and 10 of the 13 Western states retain the death penalty, the two regions combined account for less than 20 percent of executions in the U.S. (Death Penalty Information Center 2013b). Additionally, since most Catholic states are located in the Northeast and most evangelical states are located in the South, it is necessary to control for geographic region to avoid simply confirming known geographic biases.

Political Leanings. While the death penalty is not a strictly partisan issue, there are definite gaps in opinion between Democrats and Republicans (Pew Research Center 2012). Table 3.1 shows the vast difference in death penalty support between conservative Republicans and liberal Democrats: 84 percent of the former support the death penalty while only 40 percent of the latter do. I use political leanings from the 2012 Electoral College to rank states as Republican, Democratic, or Swing. Since only six of 18 Democratic states retain the death penalty, compared with 19 of 22 Republican states, it is necessary to control for state political affiliation (Pew Research Center 2012).

TABLE 3.1

PEW RESEARCH POLL ON DEATH PENALTY OPINIONS BY DEMOGRAPHICS

	Support	Oppose
	%	%
Total	62	31
White	68	26
Black	40	49
Hispanic	52	42
18-29	59	36
30-49	64	31
50-64	65	27
65+	56	33
College grad+	53	42
Some college or less	65	27
Conservative Republican	84	11
Moderate/Liberal Republican	73	22
Independent	64	31
Conservative/Mod. Democrat	55	37
Liberal Democrat	40	54
Protestant	67	26
White Evangelical	77	16
White Mainline	73	21
Black Protestant	40	47
Catholic	59	36
White Catholic	61	33
Hispanic Catholic	57	47
Unaffiliated	57	36

Note: The Pew Research Center asked survey-takers whether they supported the death penalty for persons convicted of murder. “Support” and “Oppose” categories do not add up to 100 percent because there is also a “Don’t Know” category.

Source: Pew Research Center 2012

Education and Income. Another noteworthy observation from Table 3.1 is the differences in opinion between groups of different levels of educational attainment. More educated Americans oppose the death penalty 15 percent more than their less educated counterparts. Education has a strong, positive correlation with income, and therefore a state’s

median income³ sufficiently represents the education level of its residents as well (U.S. Department of Labor 2013). Since wealthier, more educated people tend to support the death penalty in lesser numbers than their poorer, less educated counterparts, including an education and income variable helps control for this potential bias.

Race. According to the Pew Research Center (2012), 68 percent of Whites support the death penalty, while only 40 percent of Blacks do. This vast racial gap is likely due to the slave legacy associated with the death penalty (Bae 2007, 195). Thus, one might initially predict a large black population would reduce a state's likelihood of using the death penalty since so many Blacks oppose it. Seemingly paradoxically, however, the opposite is true. States with large black populations are primarily Southern states with the most extreme racial tensions between Blacks and Whites. Also, since Blacks commit more violent crimes than Whites,⁴ and executions and violent crime are positively correlated, it follows that regions with more Blacks and thus more crime would also have more executions (Bedau and Cassell 2004, 201). Therefore, despite opinion polls suggesting the contrary, large black populations actually increase the likelihood of a state using the death penalty.

Multicollinearity

Multicollinearity is the failure to meet the econometric condition of uncorrelated, independent variables. To test for multicollinearity, I ran a correlation test between the independent variables listed above using the Stata data analysis and statistical software. Generally, correlations between variables should be below 0.3 to avoid significant concerns of multicollinearity (Scully 2013, 24). Unfortunately and unsurprisingly, I found dozens of correlation problems. For example, White and West had a correlation of -0.70, Democratic State

³ I find state median income data from the 2010 census.

⁴ As a percentage, not net.

and Northeast had 0.66, West and Violent Crime had 0.58, Evangelical and Republican State had 0.53. Despite understanding why each of these variables were so strongly correlated, I knew all of these variables could not stay in model because they far surpassed the 0.3 limit of acceptable correlations and would therefore make my results inaccurate. Thus, I was forced to choose a few uncorrelated variables to be proxies for all the others.

Proxy Variables

To choose proxy variables, I first assessed which variable independently yielded the highest r-squared, or best explained whether a state uses the death penalty. Since the percentage of a state's population that was black, referred to as variable Black,⁵ yielded the highest r-squared, it was chosen as my first proxy variable; the black population of a state accounts for 32 percent of the variation in whether or not a state uses the death penalty. To find additional proxy variables, I ran a correlation matrix to discern which potential control variables did not have multicollinearity issues with the variable Black. Northeast, with less than a 0.02 correlation with Black, was chosen because it did not present multicollinearity concerns and it represented geography, perhaps the most important factor to control for according to the literature.

Untested Independent Variables

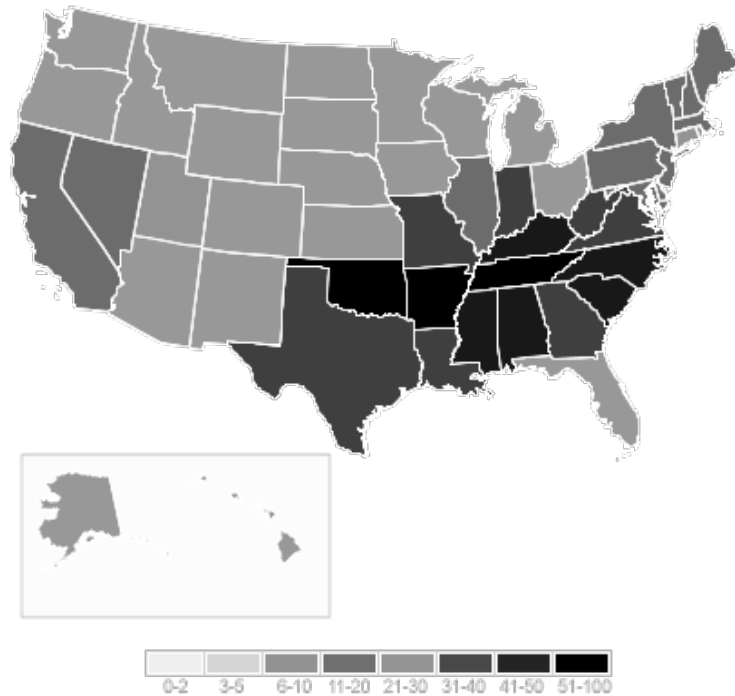
Evangelical. The variable "Evangelical" represents the percentage of a state's population that identifies as evangelical.⁶ Unlike the previous independent variables whose importance has been researched numerous times, I can only hypothesize that large evangelical populations will increase the probability a state uses the death penalty. Figure 3.1 depicts evangelical populations by state, with the darker states having a larger percentage of evangelicals than lighter states.

⁵ I find this data from the 2010 census.

⁶ This data was collected from the Pew Forum on Religion and Public Life.

FIGURE 3.1

MAP OF EVANGELICAL POPULATIONS BY STATE



Note: As indicated by the key, the darker the state, the larger the evangelical population.

Source: Pew Forum 2010b

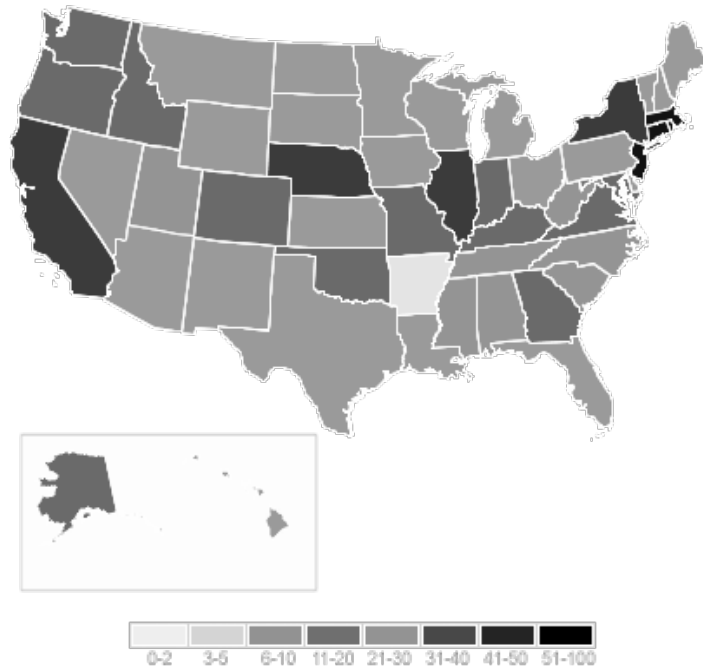
Catholic. The variable “Catholic” represents the percentage of a state’s population that identifies as Catholic.⁷ As with the variable Evangelical, I can only hypothesize the impact the variable Catholic will have on my model. For reasons stated in Section II, I hypothesize that large Catholic populations will not be significant in impacting the probability a state uses the death penalty.⁸ Figure 3.2 depicts Catholic populations by state, with the darker states having a larger percentage of Catholics than lighter states.

⁷ This data was collected from the Pew Forum on Religion and Public Life.

⁸ While I was able to choose proxy variables that did not have multicollinearity concerns with one another, I was unable to find any control variables that were not strongly correlated with the variables Evangelical and Catholic. Evangelical and Catholic had a negative correlation of 0.77, Evangelical and Northeast had a negative correlation of

FIGURE 3.2

MAP OF CATHOLIC POPULATIONS BY STATE



Note: As indicated by the key, the darker the state, the larger the Catholic population.

Source: Pew Forum 2010b

Probit Model

We create a probit model because my dependent variable is categorical, and therefore can only take two forms: according to my criteria, a state either uses the death penalty or it does not.

We use the Stata data analysis and statistical software to test the model:

$$P(\text{Uses the Death Penalty}=1) = \beta_0 + \beta_1(\text{Black}) + \beta_2(\text{Northeast}) + \beta_3(\text{Evangelical}) + \beta_4(\text{Catholic}) + e \quad (3.1)$$

-0.60, and Catholic and Northeast had a positive correlation of 0.61. With this, I must note that my coefficients will likely be unstable, and my standard errors large (Ethington).

Where a state's use of the death penalty equals a constant term, a coefficient term associated with the percentage of Blacks in the state, a coefficient term associated with being in the Northeast, a coefficient term associated with the percentage of evangelicals in the state, a coefficient term associated with the percentage of Catholics in the state, and an error term.⁹

⁹ I recognize that my data set includes sources from 2010 through 2013. However, since demographics in the U.S. have not changed significantly during this time period, I do not believe this will invalidate my results. Additionally, I tested my model for the most common econometric problems: heteroskedasticity, irregular error term distribution, autocorrelation, and omitted variable bias. I found that I passed the first two steps, did not have problems with autocorrelation because my data was not time-series, and I intentionally omitted variables due to multicollinearity concerns.

SECTION IV

RESULTS AND ANALYSIS

In this section, I summarize this paper's findings, describe and analyze the results of my probit model, and assess each of my hypotheses. Issues of multicollinearity among practically all my potential control variables made it difficult to discern which factors were the most determinant in whether states use the death penalty. In line with previous scholarship, the variables Black and Northeast were statistically significant in increasing and decreasing the probability of a state using the death penalty, respectively. Regarding the religious variables that sought to test my hypotheses, the variable Catholic decreased the probability of a state using the death penalty while the variable Evangelical was insignificant in explaining whether a state uses the death penalty.

Analyzing the Probit Results

The coefficient of determination, r-squared, indicates what fraction of the total variation in the dependent variable is explained by a given model. Because I used a probit model, I am provided with a pseudo r-squared figure: 0.534. This statistic indicates that 53.4 percent of the variation in the dependent variable, whether a state uses the death penalty, is explained by my independent variables (Scully 2013, 31). As Table 4.2 shows, three of the four independent variables were statistically significant.

TABLE 4.2

PROBIT RESULTS FOR PREDICTORS OF STATES USING DEATH PENALTY

Variable	Coefficient		Standard Error	Marginal Effects	95% Conf. Interval
<i>Control Variables:</i>					
Black	0.22	***	0.02	0.09	[0.04 , 0.14]
Northeast	-2.38	*	0.17	-0.70	[-1.04 , -0.35]
<i>New Variables:</i>					
Evangelical	-0.04		0.01	-0.18	[-0.04 , 0.01]
Catholic	-0.08	*	0.02	-0.03	[-0.07 , 0.00]

Note: The marginal effects are shown because my dependent variable is a dummy variable with a value between zero and one. ***p<0.01, *p<0.10

Black and Northeast

The control variable Black is statistically significant at the 99 percent significance level. Having a large black population increases the probability of a state using the death penalty. Specifically, for every one percent increase in a state's black population, that state is 8.74 percent more likely to use the death penalty. The other control variable, Northeast, is statistically significant at the 90 percent significance level. Being located in the Northeast significantly reduces the probability a state uses the death penalty. Specifically, being located in the Northeast increase the probability a state uses the death penalty by 70 percent. Based on previous scholarship in this realm, these results were expected.

Evangelical

Hypothesis I: Controlling for all necessary factors, large evangelical populations will increase the probability a state uses the death penalty, defined as executing more than three people since 1976.

The variable Evangelical was not statistically significant. There are several possible explanations for this. First, it is possible that my hypothesis was simply wrong and that evangelical churches do not influence whether or not states use the death penalty. Considering

what little research has been done on this topic, this explanation is plausible. Second, it is possible that evangelicals do have an impact on whether or not states use the death penalty but my empirical method was flawed, i.e. my sample size was too small or multicollinearity issues between the variables Evangelical, Catholic, and Northeast skewed my results. Zeynep Taydas, Cigdem Kentmen, and Laura Olson (2012) found that as its constituency is growing and naturally becoming more diverse, evangelicals are becoming less uniform, and perhaps less conservative, on political issues. Another potential explanation is that due to inherent demographic biases of being predominantly white, lower and middle class, and Southern, evangelicals are already as supportive of the death penalty as they can be, thus leaving little room for religion to impact their opinion. Additional research is needed to discern whether my results are replicable and accurate, and if so, why they contradicted my hypotheses.

Catholic

Hypothesis II: Controlling for all necessary factors, large Catholic populations will not impact whether or not a state uses the death penalty, defined as executing more than three people since 1976.

Contrary to my hypothesis, the variable Catholic is statistically significant at the 90 percent significance level. Having a large Catholic population reduces the probability a state uses the death penalty. Specifically, for every one percent increase in a state's Catholic population, that state is 3.28 percent less likely to use the death penalty. This finding is contrary to my hypothesis and the literature, which indicate that large Catholic populations do not impact whether states use the death penalty (Cook, Jelen, and Wilcox 1993, 228).

Similarly to the variable Evangelical, there are several possible explanations for my unexpected findings. The most obvious explanation is that the scant scholarship on the Catholic

Church's impact on American politics is incorrect, and that the Catholic Church is capable of influencing its constituents' political attitudes. This explanation is plausible considering the USCCB's recent efforts to distance itself from the outdated Vatican and be more reasonable and accepting as its American constituency becomes more diverse (PBS 2013). Another potential explanation is that while the Catholic Church does not shape most of its constituents' political views, it has an impact on its constituents' death penalty opinions. The death penalty is a very complex issue and it is possible that its complexity leads followers to look at the Church for answers, more so than with other issues. Furthermore, as the Pew Research Center (2012) found, the issue of the death penalty has more unsure respondents than most issues. Thus, Catholics who were on undecided could have been persuaded, not necessarily changing their mind but simply forming an opinion. It is also possible that it was Catholic politicians, such as Illinois' Governor Pat Quinn and New Mexico's Governor Bill Richardson, who influenced constituents, rather than the clergy (Death Penalty Information Center 2013a). Further research is necessary to discern which of these explanations, if any, is accurate in explaining my surprising results.

Descriptive Statistics

Since my probit model results raised more questions than they answered, I also analyzed descriptive statistics between states that use the death penalty and states that do not, according to my criteria. Table 5.2 shows the highlights of these descriptive statistics.

TABLE 4.2

COMPARING STATES USING AND NOT USING DEATH PENALTY

	States Using Death Penalty	States Not Using Death Penalty
Number	23	27
Religion		
Median % Evangelical	31%	24%
Median % Catholic	18%	25%
Politics		
Democratic States	5	13
Republican States	12	10
Justice		
Mean Executions Since 1976	56.40	0.89
Violent Crime Rate per 100,000	505	326
Exonerations Since 1976	5.48	0.63
General		
Mean Median Income	\$48,500	\$52,400
Gini Coefficient	0.457	0.448
Mean % Black	16.5%	5.23%
Mean State Population	4,0100,000	8,810,000

At seven percent, the difference between the median evangelical population in states that use the death penalty and states that do not was much smaller than I anticipated. This single-digit difference perhaps explains why the variable Evangelical was insignificant in my model.

Republican states were surprisingly split relatively evenly between 12 that use the death penalty and 10 that do not. Democratic states had a wider gap, with only five states using the death penalty and 13 states not using it.

The most interesting observations to be made from Table 5.2 are in the “Justice” and “General” statistics categories. There are vast disparities in the average violent crime rate between states that use the death penalty and states that do not; the former had 505 violent crimes annually per 100,000 people, whereas the latter had only 326. This confirms the literature and previous research citing strong correlations between violent crime and executions (Death Penalty Information Center 2013b). Another noteworthy observation is the approximately \$4,000

gap in median income between states that use and states that do not use the death penalty. Again, this gap corresponds with polls that show that low-income individuals support the death penalty more than high-income individuals (Pew Research Center 2012). Lastly, the average black population in states that use the death penalty is more than three times greater than that in states that do not use the death penalty. Again, this fact aligns with previous research (Bae 2007). In sum, there are noticeable demographic differences between states that use the death penalty and states that do not.

SECTION V

CONCLUSION

This section concludes my study on religion and the death penalty by recounting my theoretical considerations, empirical approach, and results. I end by suggesting opportunities for future research in this realm.

This study sought to answer the following question: Why has religion consistently been left out of the death penalty debate, despite shaping so many Americans' political views, particularly those on the death penalty? I focused on the Christian Right because it has been the most visibly politically active religious group within the past decade (Robinson 2007, 5). Specifically, I focused on the two most conflicting segments of the Christian Right: evangelical Protestants and Catholics. Evangelical churches officially support the death penalty while American Catholic churches officially oppose it (Bendyna et al. 2001, 53). I used data from the Pew Research Center and the 2010 Census to test the impact these two religious groups had on whether or not a state uses the death penalty.

Contrary to my first hypothesis, which predicted large evangelical populations would increase the probability of a state using the death penalty, I found the variable Evangelical to be insignificant. Again, contrary to my hypothesis that Catholics would not influence public opinion, I found that large Catholic populations were statistically significant in reducing a state's probability of using the death penalty. Looking at descriptive statistics, I found that the crime

rates, incomes, and black populations vary drastically between states that use and do not use the death penalty.

Since nearly all public officials who play a role in implementing the death penalty are elected, their jobs depend on public support. Unlike legislators whose platforms include stances on dozens of issues from the economy to the environment, police chiefs, district attorneys, and prosecutors are almost solely judged on how tough they are on crime (Bae 2008, 236-237). Thus, these elected officials must be especially attuned to their constituents' death penalty opinions.

According to Sangmin Bae (2008), the only way the United States will ever abolish the death penalty is if public opinion on the issue drastically changes. Changing public opinion from two-thirds support to two-thirds opposition would be no minor feat, but is not unprecedented. Between 2001 and 2005 alone, Catholic support of the death penalty dropped 20 percentage points, while national support remained constant (Death Penalty Information Center 2013c). The complexity of the death penalty has led to a large portion of Americans who are unsure of their views on the topic. Thus, this population provides an opportunity to increase opposition to the death penalty without converting any supporters.

Religious institutions and clergy are among the most trusted institutions and people in our country. Scholarship in the realm of public opinion has shown the importance of religion in shaping American political views, referring to this phenomenon as the "faith factor" (Taydas, Kentmen, and Olson 2012, 1223). American religious leaders have the potential to sway their constituents and ultimately change one of the most controversial political topics in the U.S.

Opportunities for Future Research

While my research corroborated previous findings from the literature, such as the tendency of states that use the death penalty to be poorer, blacker, and more violent than states

that do not use the death penalty, it failed to provide conclusive answers to questions regarding the impact of evangelicals and Catholics on whether states use the death penalty. There are numerous ways in which future research could slightly alter my methodology and potentially contribute to the dialogue of religion and the death penalty. While I researched the impact religion has on whether states use the death penalty, I should have focused on the impact religion has on public opinion. Studying the latter would have been a stepping-stone to the former.

While my data set contained only 50 observations, one for every state, future research could include more observations by creating a time-series data set that looks at multiple points in time, not simply one period as I did. Another slight variation could be to use a similar model to mine, but change the dependent variable from whether or not a state uses the death penalty to whether or not an individual supports the death penalty. I suggest this variation because it is possible religion plays a different role in shaping individuals' views on the death penalty than it does shaping states' policies. Broader future research can expand the number of religions studied to include other types of Christianity, such as mainline Protestants or Southern Baptist, and other religions, such as Judaism and Islam.

I firmly believe religion has a role in the death penalty debate, particularly due to the nature of elected officials and the complexity of the death penalty. I predict that whoever is able to sufficiently control for known biases from the literature while simultaneously avoiding problems of multicollinearity will provide evidence to support my claim that religion belongs in the death penalty debate.

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