



# AMERICANS' VIEWS ON PUBLIC DEFENDERS AND THE RIGHT TO COUNSEL

National Public Opinion Survey  
Conducted for The Right to Counsel  
National Campaign



JUSTICE PROGRAMS OFFICE  
SCHOOL of PUBLIC AFFAIRS



This report was produced by Belden Russonello Strategists for the Justice Programs Office, a center in the School of Public Affairs at American University, on behalf of the Right to Counsel National Campaign.

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**Message from the Director**

*Equal Justice Under Law*—the promise that is inscribed on the front of the United States Supreme Court building that highlights the foundational value upon which our legal system was constructed.

We all believe in fairness. It's a deeply held American value. Yet, across America, a constitutional right—the right to legal counsel for all individuals whose liberty is at stake—is not being upheld. For the accused, an attorney is the only person whose primary responsibility is to protect her liberty, advise her about collateral consequences and ensure her story is told. Quality legal representation is the foundation to the fair administration of justice and the legitimacy of the criminal justice system. When our system denies this fundamental right, the communities whose lives are most impacted by the system are less likely to perceive this system as fair. As a result, the public's trust in the judicial system suffers, as does public safety.

It is with great pride that the Justice Programs Office (JPO), a center at the School of Public Affairs at American University, releases this report by Belden Russonello Strategists (BRS). We embarked on this research to inform our efforts as leaders in the Right to Counsel (R2C) National Campaign. We wanted to understand what citizens know about their constitutional rights within the criminal justice system, specifically the right to counsel and the state of public defense—the primary vehicle through which the right to counsel is administered. We sought through our research to understand where there are gaps in information, and where there is agreement about appropriate measures for improvement. BRS spoke to over 1,500 voters throughout the United States via opinion surveys and focus groups from April through October 2016. What we learned from the research is encouraging and tells us a lot about the link between public support for the institution of public defense and core American values; however, it also tells us that there is a lack of understanding about where the right to an attorney comes from—that is, very few people in the focus groups knew that the right to an attorney hailed from the Constitution. While these respondents didn't know off hand that the opportunity to be represented by counsel is a constitutional right, 53% found that fact to be one of the most persuasive arguments for why states should spend more tax dollars to improve public defense.

There is an urgent need for criminal justice reform. In this urgency, we have gotten ahead of ourselves, pushing agendas and preaching to the public, without first assessing what the public knows and believes about the state of the criminal justice system to begin with. At JPO, we believe that we must refocus the lens through which we understand criminal justice reform. We must begin to see and effectively achieve the right to counsel as a central and foundational piece to successful reform. To do this properly, we must first understand what the public already knows and believes. This report is the first step, and the results are illuminating. Based on the data, it is clear that in order to increase public support for and understanding of the right to counsel and the institution of public defense, our efforts must highlight core values that underlie these institutions, rather than simply providing information about the condition of the system. Only then can we begin to move hearts and minds, and as a result, the tides of change.

A handwritten signature in black ink that reads "Kim A. Ball".

Kim A. Ball  
Director of the Justice Programs Office  
American University



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## Preface

Under the Sixth Amendment of the United States Constitution, a person accused in any criminal prosecution has the right to the assistance of counsel.<sup>1</sup> In 1963, the United States Supreme Court held in *Gideon v. Wainwright* that the accused individual has a right to counsel even if he or she cannot afford to hire one.<sup>2</sup> Since *Gideon*, courts have come to understand that the right to counsel means that the accused is entitled to the *effective* assistance of *competent* counsel.<sup>3</sup>

Over 50 years after the Supreme Court's landmark ruling, there is a divide between the spirit of the *Gideon* ruling and the practice of legal representation for the nation's indigent accused. With over 2.3 million people currently behind bars, the United States' criminal justice system is larger than ever.<sup>4</sup> One in four adults in America has been convicted of a crime.<sup>5</sup> According to the American Bar Association (ABA), anywhere from 60% to 90% of people charged with crimes in the United States need publicly funded attorneys.<sup>6</sup> Yet for many of those accused, the promise of the Constitution, *Gideon*, and its progeny has been largely unrealized.

There are approximately 15,000 court-appointed defenders all over the country, and yet this number is not nearly enough.<sup>7</sup> In 2007, the Bureau of Justice Statistics found that three out of four county-based public defender offices reported that they did not have enough attorneys on staff to handle their caseloads.<sup>8</sup>

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<sup>1</sup> U.S. Const. am. 6.

<sup>2</sup> *Gideon v. Wainwright*. 372 U.S. 335. 1963.

<sup>3</sup> *McMann v. Richardson*. 397 U.S. 759. 1970.

<sup>4</sup> *Wagner*, Peter and Bernadette Rabuy. "Mass Incarceration: The Whole Pie 2016." Prison Policy Initiative, 14 Mar 2016. Web. Accessed 14 Feb 2017. <https://www.prisonpolicy.org/reports/pie2016.html>

<sup>5</sup> Rodriguez, Michelle Natividad and Maurice Emsellen, "65 Million 'Need Not Apply': The Case for Reforming Criminal Background Checks for Employment." The National Employment Law Project, Mar 2011. Web. Accessed 14 Feb 2017. [http://www.nelp.org/content/uploads/2015/03/65\\_Million\\_Need\\_Not\\_Apply.pdf](http://www.nelp.org/content/uploads/2015/03/65_Million_Need_Not_Apply.pdf)

<sup>6</sup> Beeman, Marea. "Using Data to Sustain and Improve Public Defense Programs," American Bar Association, 2012. 2. "Contracting for Indigent Defense Services: A Special Report." Bureau of Justice Assistance, Apr 2000. Web. Accessed on 14 Feb 2017. <https://www.ncjrs.gov/pdffiles1/bja/181160.pdf>

<sup>7</sup> Cohen, Andrew. "How Americans Lost the Right to Counsel, 50 Years After 'Gideon.'" *The Atlantic*, 13 Mar 2013. Web. Accessed 14 Feb 2017. <https://www.theatlantic.com/national/archive/2013/03/how-americans-lost-the-right-to-counsel-50-years-after-gideon/273433/>

<sup>8</sup> Laird, Lorelei. "Starved of Money for Too Long, Public Defender Offices Are Suing – And Starting to Win." *American Bar Association Journal*, 1 Jan 2017. Web. Accessed 14 Feb 2017. [http://www.abajournal.com/magazine/article/the\\_gideon\\_revolution](http://www.abajournal.com/magazine/article/the_gideon_revolution)

In most criminal cases, the accused is brought before a judicial officer who decides whether he or she will be released, held on bail, or held without bail. However, in many jurisdictions across the country, poor people are not provided the assistance of counsel at this first appearance. Forced to negotiate with prosecutors and judges for their liberty, many people plead guilty without the advice of a lawyer. Of those who do not plead guilty, many are held in jail, and must wait for days or even weeks for an attorney to be assigned to their case.<sup>9</sup>

Even in courts where a public defender is appointed at the first appearance, that attorney is generally under severe time constraints and pressure to resolve cases and accordingly, has limited time or the resources to devote to providing competent counsel. According to a report by the Brennan Center for Justice, public defenders often spend less than six minutes on cases where clients plead guilty and are sentenced at the first appearance. Even when representation lasts for more than a few minutes, it is often provided by lawyers struggling with enormous caseloads.<sup>10</sup> As a result, defenders are often unable to assess cases and properly advise their clients or represent their interests.

Inadequate funding is one of the primary causes of the dysfunction of the public defense system. According to a Harvard Law review article by David Simon, "[o]f the more than \$146.5 billion spent annually on criminal justice, over half is allocated to support the police officers and prosecutors who investigate and prosecute cases, while only about two to three percent goes toward indigent defense."<sup>11</sup>

Among lawmakers and the public alike, there appears to be a general lack of awareness about what the right to counsel means and the reality that it is not being upheld as directed by the Constitution and *Gideon*. When faced with other demands and interests, federal, state, and local lawmakers fail to allocate the funding necessary for *Gideon's* promise to be realized. In part, this is because public defense is often left out of the criminal justice reform conversation. Accordingly, the Right to Counsel (R2C) National Campaign seeks to educate the public and lawmakers by starting and maintaining a national conversation about the importance of public defense. In order to engage in meaningful conversation with the public, the R2C National Campaign determined that it must first assess the public's current understanding of the right to counsel and its importance. Accordingly, the Campaign commissioned opinion research consisting of focus

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<sup>9</sup> Colbert, Douglas L. "When the Cheering (for *Gideon*) Stops: The Defense Bar and Representation at Initial Bail Hearings." *The Champion*, Jun 2012. Web. Accessed 14 Feb 2017.

<https://www.nacdl.org/Champion.aspx?id=24992>

<sup>10</sup> Giovanni, Thomas and Roopal Patel. "*Gideon* at 50: Three Reforms to Revive the Right to Counsel." Brennan Center for Justice at New York University School of Law, 2013. Web. Accessed 14 Feb 2017. [http://www.brennancenter.org/sites/default/files/publications/Gideon\\_Report\\_040913.pdf](http://www.brennancenter.org/sites/default/files/publications/Gideon_Report_040913.pdf)

<sup>11</sup> Simon, David A. "Equal Before the Law: Toward a Restoration of *Gideon's* Promise." *Harvard Civil Rights-Civil Liberties Law Review*, Vol. 43, 581-594. 2008. Web. Accessed on 14 Feb 2017.

[http://www.law.harvard.edu/students/orgs/crcl/vol43\\_2/581-594\\_Simon.pdf](http://www.law.harvard.edu/students/orgs/crcl/vol43_2/581-594_Simon.pdf)



groups and a national survey by Belden Russonello Strategists to document the public's views and to provide communications advice.

## Introduction and brief methods

The R2C National Campaign asked Belden Russonello Strategists to conduct public opinion research to inform a public communications campaign about the need for greater public investment in public defense.

The following report details the findings from that research. First, we conducted six focus groups exploring public perceptions about the right to counsel. The group sessions were held on April 11, 13, and 26, 2016 in Houston, Columbus, and Richmond. We held one group with each of the following types of voters: Latinos and Latinas, white Republican women, white Democratic women, white Republican men, white Democratic men, and African American men and women. (See Table: Participants in Focus Groups, page 33.)

The survey of a representative sample of the U.S. was conducted September 2 to October 1, 2016 by telephone and on line. The sample was provided by NORC at the University of Chicago, using the probability-based AmeriSpeak® Panel, targeting the U.S. population age 18 and older. Randomly selected U.S. households from the NORC National Frame were contacted by U.S. mail, telephone, and field interviewers (face to face), and invited to join the panel either via visiting a website or by telephone. The final sample for this survey of 1,478 adults includes 677 non-Hispanic whites, 424 African Americans/ Blacks, 301 Latinos and 76 individuals in other racial/ethnic groups. (See Table: Sample Composition, page 34.)

The report includes an introduction; brief highlights; an executive summary; detailed findings; and three appendices containing the questionnaire with response totals, tables with results cross-tabulated by demographic and other variables, and a detailed description of the survey methodology.



## Highlights

Highlights from our focus groups and national survey of the American public include these:

**Support for public defense:** 66% of the public favor the government using tax dollars to provide lawyers to represent people accused of crimes who cannot afford a lawyer.

**Widespread awareness of need:** 87% of the public believe that at least one out of every two people arrested and accused of a crime cannot afford a lawyer.

**Support for reforms to improve public defense:** 85% of the public favor establishing national standards to provide for a minimum level of resources for public defenders. 77% concur that all public defenders should meet national standards for qualifications.

**Core values underscore public support:** The most important values relating to support for public defense are respect for the Constitution, belief in equal justice, and desire to protect the innocent.

## Executive summary

The 2016 Right to Counsel opinion research indicates that the Campaign is in a strong position to build support for improving access to justice for low-income people in America.

**We found broad agreement among the American public in the importance of fulfilling the right to counsel — and spending for it.**

- 66% favor the government using tax dollars to provide public defense for people accused of a crime who cannot afford a lawyer.
- 61% support their own state spending more tax dollars to provide public defense.

**Americans see great need for public defense.** There is a widespread perception that most of the individuals who are arrested and accused of a crime in this country cannot afford a lawyer on their own.

- 87% of the American public believes that at least one out of every two people arrested and accused of a crime cannot afford a lawyer.
- 71% say their state is doing only a fair or poor job at providing access to justice for low-income people. Only 36% say the states are doing an excellent or good job.

**Americans hold mixed views on the quality of public defenders.**

- On the one hand, 61% believe public defenders are generally well-qualified and about 53% see them as experienced. Yet, 53% believe public defenders do not take much interest in their clients, and 50% believe public defenders generally provide inadequate legal representation.

**The system is seen as inadequate.** The blame for insufficient public defense does not wholly fall on the lawyers themselves. Most Americans agree that the system itself is overburdened.

- 80% say that public defenders have too little time to devote to each case.
- 55% believe public defenders must work without the resources they need.

**A large majority of Americans support a number of proposals for improving the system.**

- 90% say establishing a system of supervision and review is a good idea. 77% concur that there should be national standards for qualifications. 84% agree it would be a good idea to require states to assign a lawyer within three business days of arrest and 85% believe establishing national standards for a minimum level of resources, such as access to expert witnesses, investigators, and DNA testing, is a good idea

**Americans are divided over federally vs. state enforced public defense systems.**

- 50% agree more with the statement that “the federal government should require all 50 states to provide a qualified lawyer to every defendant that cannot afford one” while 47% agree more with the position that “each state should be allowed to determine how far it goes in providing lawyers to criminal defendants.”

**Upholding the Constitution, providing fairness and equal justice, and protecting the innocent and the young are key values.**

Four shared values emerged as a key centerpiece to communicate the importance of improving access to counsel:

- Public defense is a constitutional right;
- It serves the values of fairness and equal justice under law;
- It prevents innocent people from going to jail; and
- It can save young people from being drawn into a life of crime.

In addition to calling on these core principles that reflect why Americans value an effective public defense system, the practical outcomes of good public defense can be important reasons to support improvement — although they may be secondary. Such concepts we tested include:

- Reducing mass incarceration;
- Fighting racial injustice in the criminal justice system; and
- Reducing prison costs.

In conclusion, our analysis of the focus groups and survey data indicates that while information about inadequacies in the system are very important, the concepts that best predict support for increasing spending on public defense are value statements. Expressing values and providing education about the right to counsel as being in the U.S. Constitution provide the most persuasive case for public defense support.

The message guide accompanying this report explores using these values and outcomes in conversations about the right to counsel. Contact the Justice Programs Office, a center in the School of Public Affairs at American University, at 202-885-2875 or [justice@american.edu](mailto:justice@american.edu) for more information about the message guide.

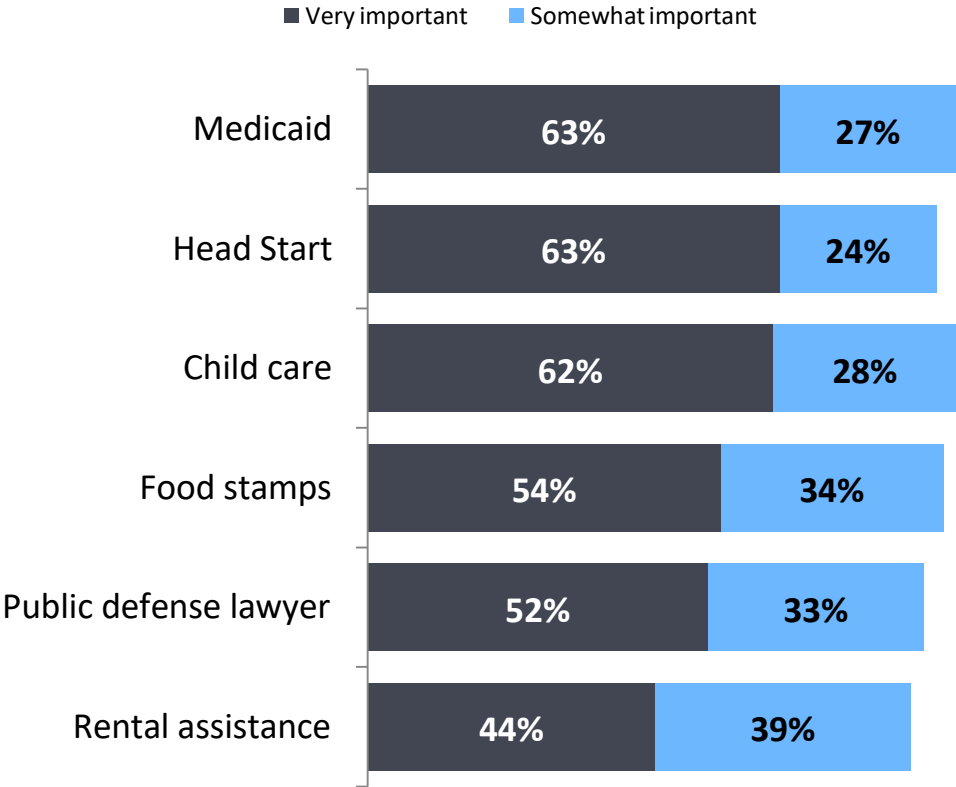


# Detailed findings

## A. Support for the right to counsel

Half (52%) of the American public believes that providing some type of public defense is “very important” for the government to undertake and another third (33%) calls it somewhat important. Compared to other government expenditures on behalf of low-income people, the American public is more likely to place importance on the right to counsel than on food stamps (54% very important) and housing assistance (44% very important), and less likely to view it as important than programs that help children and low-income families, such as Medicaid (63% very important), Head Start (63% very important) and child care for low-income working parents (62% very important).

### Importance of Programs for Low-Income People



Q2. The states and the federal government have a number of ways to help people with low incomes. In your opinion, how important is each of the following programs: very important, somewhat important, not very important, or not at all important for the government to do to help poor people. [RANDOMIZED] b. Medicaid to pay for health care for low-income people; c. Head Start preschool for low-income children; d. Child care for low-income working parents; a. Food stamps to pay for groceries for low-income families; f. Public defense for people accused of a crime who can't afford a lawyer; e. Assistance to help low-income people pay for rental housing



In the pre-survey focus groups among Democrats, Republicans and independents, nearly every participant expressed the belief that if a person is charged with a crime in the U.S., he or she has a right to an attorney to represent them. Our participants did not believe a person could get a fair hearing in court without legal counsel. They saw the right to counsel as a fundamental tenet of our democracy, therefore, if a defendant cannot afford a lawyer, the court should provide one.

This is America – this is (the) only country I know of where we assume people are innocent until proven guilty. It's what makes us different and special. . . I think the fact that we assume people have rights and the ability to be protected, it's so easy to say, "oh that's not going to happen to me," but you never know when it could happen to you. So, I think it's something that's a protected right that should be defended. – *Participant in the Latino focus group, Houston*

It's a fundamental right, so we should be giving it to everyone. – *Participant in the focus group of white female Democrats, Columbus*

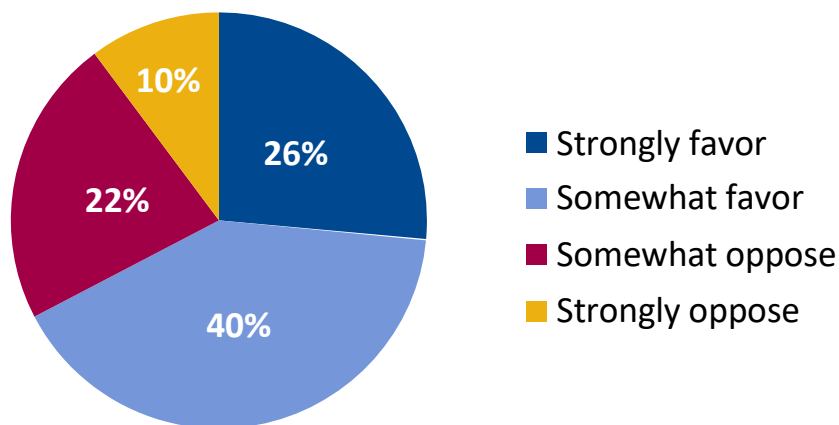
While most focus group participants believed the right to counsel is fundamental to our legal system, very few knew that it is written into the U.S. Constitution. Most confused it with the *Miranda* ruling by the Supreme Court, which established the requirement that accused people be *informed* of their rights. When the focus group participants were told the right to counsel is established in the Sixth Amendment to the Constitution, the right's importance was enhanced in their eyes.

The survey findings reflect underpinnings of widespread, but possibly weak, support for a fully functional defense system. Two-thirds (66%) of Americans support the government spending taxpayer dollars to provide lawyers to people who are accused of crimes and cannot afford a lawyer. However, only one in four Americans (26%) *strongly* supports this expenditure, while four in ten (40%) somewhat support it.

The good news for advocates of public defense is that there is not a great deal of strong opposition across the public. One third (32%) oppose spending tax dollars for public defense, but only one in ten strongly oppose and 22% oppose somewhat.

### Using Tax Dollars to Provide Lawyers for Those Who Cannot Afford Them<sup>12</sup>

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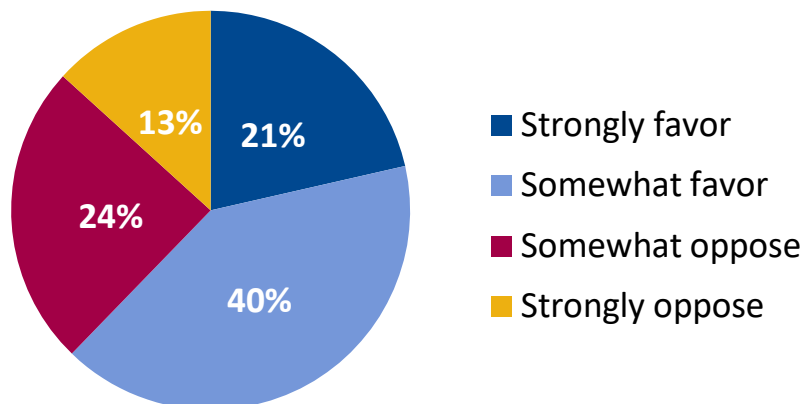
Q4. Given everything the government must do, do you favor or oppose the government using taxpayer dollars to provide lawyers to represent people accused of crimes who cannot afford a lawyer? Do you favor/oppose strongly or somewhat?

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<sup>12</sup> Percentages in pies may not add to 100% due to rounding and omission of don't know/NA category.

To take the issue closer to home, we asked the survey respondents about increasing funding in *their own* state for public defense and found broad support for such spending. 61% favor (21% strongly, 40% somewhat) their state spending more tax dollars to improve their public defense systems for people accused of crimes who cannot afford a lawyer on their own. 37% oppose (13% strongly and 24% somewhat).

### Using Tax Dollars to Improve Public Defense



Q8. Would you favor or oppose your state spending more tax dollars to improve its public defense system for people accused of crimes who cannot afford a lawyer on their own? Is that strongly or somewhat favor/oppose?

Focusing the conversation on immigrants provides further evidence that the commitment to public defense may be wide but superficial. Modifying the question above to be about public defense for “undocumented immigrants who are accused of crimes who cannot afford a lawyer on their own,” cuts in half the percent who say they favor their state spending taxpayers’ dollars on it. In this case, 33% support public defenders for undocumented immigrants, while 67% oppose. Opposition is expressed in much stronger terms than is support: 42% oppose strongly compared to 12% who favor strongly.

## A closer look

Majorities of all subgroups in the survey support the government spending tax dollars on ensuring the right to counsel. African Americans, however, feel more strongly in favor of this expenditure than do other racial and ethnic groups (African Americans 73% total support, including 34% strongly; Latinos 65%, 19% strongly; whites 65%, 27% strongly).

There is much more support from Democrats (78%) and independents (68%) than from Republicans (53%). Support also intensifies as education levels climb (52% of non-high school graduates, 58% of high school graduates, 66% of those with some college, and 82% of college graduates favor the spending of tax dollars on the right to counsel). We find no meaningful differences based on income, however.

When we frame the issue closer to home by asking if the respondents' own states should use tax dollars to improve public defense, the survey reveals divisions based on race and ethnicity: 72% of African Americans, 66% of Latinos, and 58% of whites are in favor. Party and ideology matter here too, with liberals (81%) and Democrats (75%) in favor, compared to conservatives (50%) and Republicans (44%). Independents are in the middle with 63% in favor of government expenditure on the right to counsel.

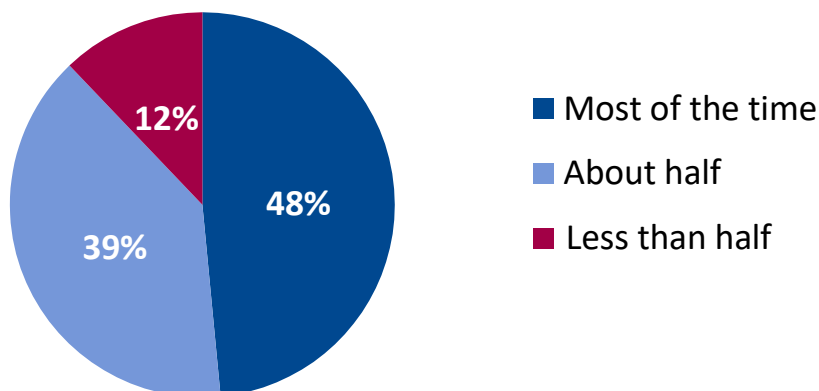


## B. Perceptions of the need, public defenders, and the system

The public has a general sense of the need for the government to provide lawyers to people who are accused of crimes and who cannot afford to hire a lawyer. At the same time, Americans hold mixed views on the quality of public defenders, but are near a consensus in the view that the system is overburdened.

48% believe that most of the people who are accused of committing a crime cannot afford to hire a lawyer, while another four in ten (39%) say this is true for about half of the accused. This means that the vast majority of Americans (87%) thinks that at least one out of every two people arrested and accused needs a public defender — reflecting the reality shown in federal statistics cited in the preface to this report.

### Beliefs about How Often Accused Cannot Afford a Lawyer

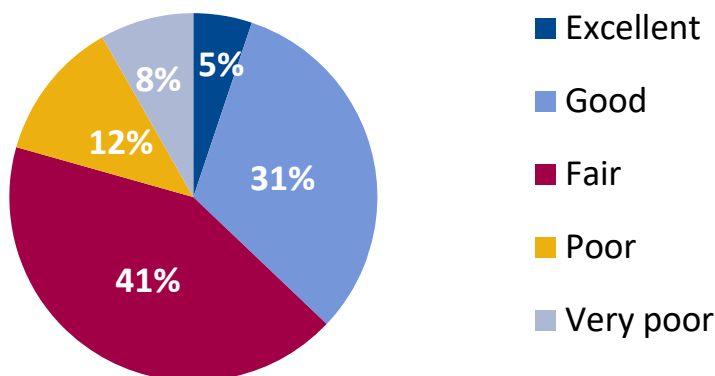


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Q5. How often do you think people who are arrested and accused of crimes cannot afford to hire a lawyer: most of the time, about half the time, or less than half the time?

This widespread understanding of the need coexists with an uncertainty regarding how well the system performs. A plurality of Americans (41%) believe their state is doing only a fair job at providing access to justice for low-income people, and two in ten say it is doing a poor (12%) or very poor (8%) job. Just about a third says their state is doing a good (31%) or excellent (5%) job.

### How Well States Provide Access to Justice for Low-income People



Q3. Generally do you think your state does an excellent, good, fair, poor or very poor job of providing low-income people with access to justice in the court system?

We also asked respondents how they see public defenders themselves. In our focus groups, we heard a wide range of attitudes about the personal and professional characteristics of public defenders.

Although a few participants in the groups had first-hand experience with public defenders, the focus group participants revealed that overall their perceptions of public defenders are drawn from crime drama shows on television. The images that many of the focus group participants have taken away from these shows is that public defenders are often inexperienced, overworked, poorly paid, and unprepared — sometimes because of their own failings and other times through no fault of their own — to mount a vigorous defense for their clients. However, the participants also suggested a perception that there is always a public defender available when necessary. The general feeling is: woe to the individual who must rely on a public defender — but it is better than having no legal counsel at all.

Across the board I think most people's impressions are that it's poor representation for them. In TV and movies, they're always frazzled and mixing up who they're with and not knowing what's going. . . I think we can safely say you're not gonna get as good representation as if you paid for a lawyer. - Participant in the focus group of white male Democrats, Richmond

In my mind, probably from TV and movies, public defenders are paying their dues until they can get a good lawyer (job). We have a system set up, it's capitalism, so the good lawyers get paid

more, so the poor people get the ones that aren't that good. – *Participant in the focus group of white male Democrats, Richmond*

To quantify these views, we offered the survey respondents a series of choices to describe public defenders and found the views on the adequacy of public defenders to be quite mixed.

- 61% say public defenders are generally well qualified, while 35% see them as not well qualified.
- Half (50%) think public defenders generally provide ineffective legal representation, and the other half (47%) think their representation is generally effective.
- 53% see them as experienced, and 44% say they are inexperienced.
- 53% say public defenders do not take much interest in their clients, compared to 45% who see public defenders as dedicated.

On the other hand, Americans demonstrate greater agreement when the issue is how overburdened the system of public defense is.

- 80% believe that public defenders have too little time to devote to each case, while only 18% believe defenders have enough time.
- 55% believe public defenders must work without the resources they need, while 42% think they have the resources they need to defend their clients.

### **Quality of Public Defenders and the System**

**Percent saying public defenders are:**

Well-qualified	61%
Not well-qualified	35
Experienced	53%
Inexperienced	44
Generally provide effective legal representation	47%
Generally provide inadequate legal representation	50
Are dedicated	45%
Do not take much interest in their clients	53
Have the resources they need to defend their clients	42%
Must work without the resources they need	55
Have enough time to devote to each case	18%
Have too little time to devote to each case	80



## A closer look

African Americans have a more acute sense than others of the need to improve public defense, and they are more critical than others of the system and public defenders. The African American population is more likely than whites or Latinos to express dissatisfaction with the access to justice in our courts for low-income people; 36% of African Americans compared to 17% of whites and 21% of Latinos say their own state does a poor or very poor job in this regard. Also, African Americans (58%) are more likely than whites (46%) or Latinos (44%) to believe that most of the people accused of crimes will not be able to afford a lawyer.

Socio-economic status and education play a role in Americans' views of how well their states perform in providing access to justice. 28% of people with household incomes under \$30,000 and 29% of those without high school educations say their state does a poor or very poor job in this arena. This compares to 16% of those with incomes of \$100,000 or more, and 17% of those with a college degree or more education.

Political affiliation also matters. The least likely group to say their state performs poorly on providing access to justice is Republicans at 12%, compared to Democrats (23%) and independents (21%).

African Americans are less likely than whites or Latinos to think public defenders are dedicated to their clients (whites 48%, African Americans 28%, Latinos 39%). Public defenders are more likely to be seen as being dedicated by highly educated and high-income Americans; 57% those with a college degree or more and 59% among those with incomes of \$100,000 or more believe public defenders are dedicated. This compares to 27% of those who did not graduate from high school and 38% of those with incomes of \$30,000 or less who describe public defenders as dedicated.

African Americans (67%) and people who personally have been represented or have a family member or friend who has been represented by a public defender (61%) are the most likely to say public defenders provide inadequate representation.

Age and socio-economic status impact the view that public defenders must work without the resources they need. 64% of 18 to 29 year olds compared to 44% of those 60 years or older believe public defenders must work without the resources they need to defend their clients. 64% of college graduates but only 42% of people with less than a high school education say this, as do 64% of those with incomes of at least \$100,000 and 50% of those with incomes under \$30,000.

Similarly, more whites and Latinos than African Americans believe public defenders are well qualified (whites 63%, African Americans 50%, Latinos 60%). African Americans (67%)

are much more inclined to think public defenders offer inadequate legal defense for their clients, compared to whites (45%) and Latinos (53%).

We ran each of the characteristics of public defenders and public defense in a regression analysis to determine which are most predictive of a person favoring states spending more tax dollars to improve public defense. We found the characteristics that represent flaws in the system — having too little time and working without adequate resources — are much more predictive of support for states to spend money on public defense than are other traits focusing on individuals, such as whether public defenders are experienced or qualified. This suggests that communicating about repairing flaws in the system will be more effective in building support for public defense than focusing on upgrading the quality of individual public defenders.

### **Direct experience with public defense**

In each of our focus groups, at least one participant volunteered a story about a personal encounter or the experience of a family member with the judicial system that involved help from a public defender. The survey documents that about three in 10 Americans (29%) have relied on a public defender in the justice system or have a close friend or family member who has had been represented by a public defender.

This group is more likely to be African American (44%) and Latino (36%) than white (25%), and to have lower levels of income (39% for those with incomes under \$30,000, compared to 23% among those with incomes of \$100,000 or more) and education (44% those without a high school education, compared to only 17% of college graduates). Age also plays a big role: Only 19% of those ages 60 or above have had a family member or friend or have personally been represented by a public defender, compared to 30% of those under 60 years old.

Majorities in the group who have friends or family or who personally have been represented by a public defender see those defenders as providing inadequate legal representation (61%) and taking little interest in their clients (67%).

## C. Proposals to address the need

### How to improve public defense

Our focus group participants agreed that a public defender's professional training and experience, the amount of time the public defender has to prepare a case for a client, and the resources he or she has for investigators and other needs are important to getting the accused person a fair hearing in court. While the participants had only vague impressions of the public defense systems' inadequacies in these areas, they held a general presumption that the person being represented by a public defender is at a serious disadvantage compared to the prosecution and were open to proposals to improve the system.

*I guess the perception is if you don't have a lawyer, you'll be given a lawyer, but you'll most likely lose, because that guy has a million other clients. – Participant in the Latino focus group, Houston*

*I think they might be a good attorney but they may not be able to give as quality a service as they do to a client who is actually paying them. – Participant in the Latina focus group, Houston*

The survey respondents were asked how they view a series of proposals dealing with standards and resources that might address the problem of inadequate public defense. We found substantial majorities support all the ideas presented for improving public defense across the country.

In particular, nine in ten Americans (90%) say it would be a good idea to

- Establish a system of supervision and review to make sure that public defender systems are serving the people who need them.

When the question wording replaces the phrase “the people who need them” with the words “low-income people who are accused of a crime,” favorable impressions of the idea drop slightly from 90% to 85%.

Recommendations for standards across the states also get strong support. Large numbers favor proposals to

- Set national standards for a minimum level of resources that should be available to all public defenders, such as access to expert witnesses, investigators, and DNA testing when appropriate. (86% a very or somewhat good idea)
- Set national standards for the qualifications for public defenders instead of letting qualifications vary from state to state and county to county. (77%)

Improving access to resources, including time, was also well received.

- Provide public defenders with the same resources per case as prosecutors to spend on such things as expert witnesses, investigators, and lab tests. (84%)
- Require states to assign a lawyer to meet with those who cannot afford one on their own within three business days of being arrested. (84%)

### Public Defense Policy Proposals



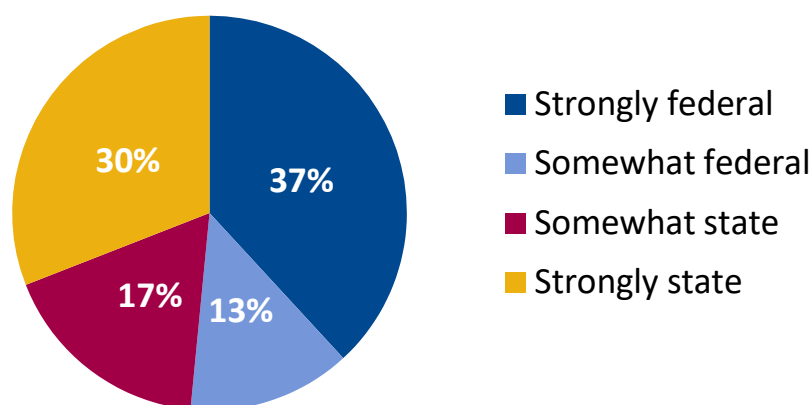
Q10. There are a number of proposals to improve public defense across the U.S. Please tell me if you think each of the following is a good idea or a not a good idea. Do you feel that way strongly or somewhat? [RANDOMIZED] c. (SPLIT SAMPLE n=721) Establish a system of supervision and review to make sure that public defender systems are serving the people who need them. b. Set national standards for a minimum level of resources that should be available to all public defenders, such as access to expert witnesses, investigators and DNA testing when appropriate. e. Provide public defenders with the same resources per case as prosecutors to spend on things such as expert witnesses, investigators, and lab tests. f. Require states to assign a lawyer to meet with those who cannot afford one on their own within three business days after being arrested. d. (SPLIT SAMPLE n=757) Establish a system of supervision and review to make sure that public defender systems are serving the low-income people who are accused of a crime. a. Set national standards for the qualifications for public defenders instead of letting qualifications vary from state to state and county to county.



## States or the federal government direction

The broad agreement on types of policies necessary to improve public defense does not completely carry over to opinions about which level of government should steer those policies. The public is sharply divided over whether “the federal government should require all 50 states to provide a qualified lawyer to every defendant that cannot afford one” (50%), or if “each state should be allowed to determine how far it goes in providing lawyers to criminal defendants” (47%). Those who feel strongly about this issue lean towards a federal requirement (37%) more than letting states decide (30%).

### Preferences for Federal or State Determination of PD Standards



Q7. Which of the following two statements comes closer to your own views: A. The federal government should require all fifty states to provide a qualified lawyer to every defendant that cannot afford one; or B. Each state should be allowed to determine how far it goes in providing lawyers to criminal defendants? Do you agree more with (A/B) strongly or somewhat?

In our focus groups, most participants, especially the Democrats, expressed the view that since the right to counsel is fundamental, the federal government should have some role in ensuring the right extends to all people, rather than allow the states to decide for themselves how far they wish to extend this right. Informing the participants that the right to counsel is in the Constitution served to strengthen that support for the federal role.

Everybody should have the opportunity to have the representation. . . The states will have their excuse, (such as) . . . it’s not in the budget, we’re a small town, we don’t have the resources. . . But it’s the Constitution; it’s a federal right to do it. – *Woman from the African American focus group, Richmond*

The Constitution is for everyone in the country, so it would be for the federal government to make sure those rules are followed. – *Participant in the focus group of white female Democrats, Columbus*



You shouldn't have a harder or better time depending on what side of the state line you're on.  
 – *Participant in the focus group of white female Democrats, Columbus*

The Constitution trumps everything. I am big into letting states make their own decisions, but there are certain subjects in which there is no question that the Constitution says (something) and that's it. Conversation over. – *Participant in the focus group of white female Republicans, Houston*

The focus groups' discussions provided some context and explanation to the survey findings of a divided America. Despite their expressed reverence for the Constitution, the Republican men's group mostly disagreed with federal enforcement of the right to counsel, fearing that any power given to the federal government would be abused. They would prefer to leave the decisions about this right up to the states, as they were ideologically opposed to getting the federal government involved. In addition, some of the Republican women opposed federal enforcement as a matter of cost — not wanting to use federal tax dollars to secure the right since it is administered by the states.

- . . . 10 years, 15 years, 20 years down the road, you start having a federal public defenders' office that's all over the country. That's the door you open. 10-20 years down the road, there's a federal public defenders' office. – *Participant in the focus group of white Republican men, Columbus*
- Who's gonna pay for it? The federal government will make you do it, but will it pay for it? Probably not. And if the state can't pay for it, they can't afford to do it, then the states are going into debt. – *Participant in the focus group of white Republican women, Houston*

### **A closer look**

African Americans are more strongly in favor of every one of the proposals for improving public defense than are whites or Latinos.

On the key question of whether improvements in public defense should be a requirement of the federal government or left up to the states, we find more distinctions. Majorities of African Americans (72%) and Latinos (60%) come down on the side of a federal requirement, while a majority of whites (54%) would prefer to leave it to the states.

Party identity is extremely telling on this issue. Democrats are twice as likely (60%) as Republicans (30%) to agree there should be a federal requirement.

Americans under age 60 are more likely to favor a federal requirement, with those under 30 most supportive (60%), but a majority of older Americans ages 60+ (59%) favor leaving it to the states.

Also, Americans living in the Pacific coastal states (58%) are more supportive of a federal requirement than people from any other region in the country.

## D. Most important values and information to make the case for public defense

This public opinion research was designed to help identify important values and facts to communicate to the public about the needs surrounding our public defense systems. In this chapter, we look at arguments in favor and against investing more in public defense.

### Arguments in favor of investing more in public defense

Our survey presented thirteen reasons for states to spend more tax dollars to improve public defense. The statements cover a number of core values and information about inadequacies in the current system that are important to advocates and that generated support in the pre-survey focus groups.

The survey results reveal that the statements in support of public defense that are persuasive to the most people communicate three core values:

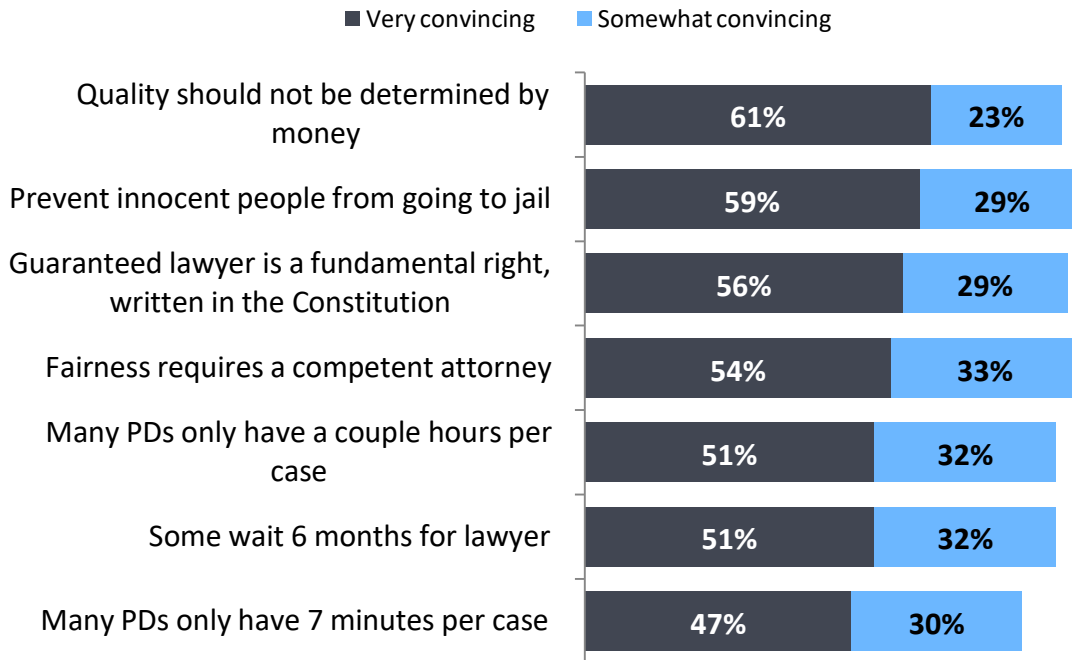
- Public defense is a constitutional right;
- It serves the value of fairness and equal justice under law; and
- It prevents innocent people from going to jail.

Specifically, the statements that are persuasive to the most people can be divided into two tiers. The top tier includes:

- **Fairness/equal justice:** The quality of justice a person receives should not be determined by how much money a person has. 61% say this is very convincing statement for why we need to spend more tax dollars on public defense.
- **Protecting the innocent:** Providing competent legal representation is necessary to prevent innocent people from going to jail. (59% very convincing)
- **Constitutional right:** Guaranteeing that every person accused of a crime has the right to a lawyer is a fundamental American right that is written into our Constitution. (53%)
- **Fairness/equal justice:** Fairness requires that all accused persons have access to a competent attorney to represent them. (54%)
- **Fairness/equal justice:** A lack of funding in many places has resulted in people accused of minor crimes waiting in jail as long as six months to have a lawyer assigned to them and a hearing held. (51%)

- **Fairness/equal justice:** Today in many states public defenders are very overburdened — sometimes with caseloads so high that a public defender can devote only VERSION ONE: a couple of hours to each case. (51%); VERSION TWO: seven minutes per case. (47% very convincing)

### Top Reasons to Want More Tax Dollars Spent on PD



Q11. Here are some statements people have made about why we need to spend more tax dollars on public defense. Please indicate if you find each statement very convincing, somewhat convincing, not very convincing, or not at all convincing as a reason to spend more tax dollars on public defense? [RANDOMIZED] f. The quality of justice a person receives should not be determined by how much money a person has. b. (SPLIT SAMPLE n=751) Providing competent legal representation is necessary to prevent innocent people from going to jail. a. Guaranteeing that every person accused of a crime has the right to a lawyer is a fundamental American right that is written into our Constitution. g. Fairness requires that all accused persons have access to a competent attorney to represent them. j. (SPLIT SAMPLE n=737) Today in many states the public defenders are very overburdened – sometimes with caseloads so high that a public defender can devote only a couple of hours to each case. i. A lack of funding in many places has resulted in people accused of minor crimes waiting in jail as long as six months to have a lawyer assigned to them and a hearing held.

A number of other statements, mostly requiring the public to appreciate broader systemic reforms that would result from an improved public defense system, are popular but their appeal is slightly less resonant. These lines of reasoning include saving young people from lives of crime, reducing mass incarceration, fighting racial injustice in the criminal justice system, and reducing prison costs.



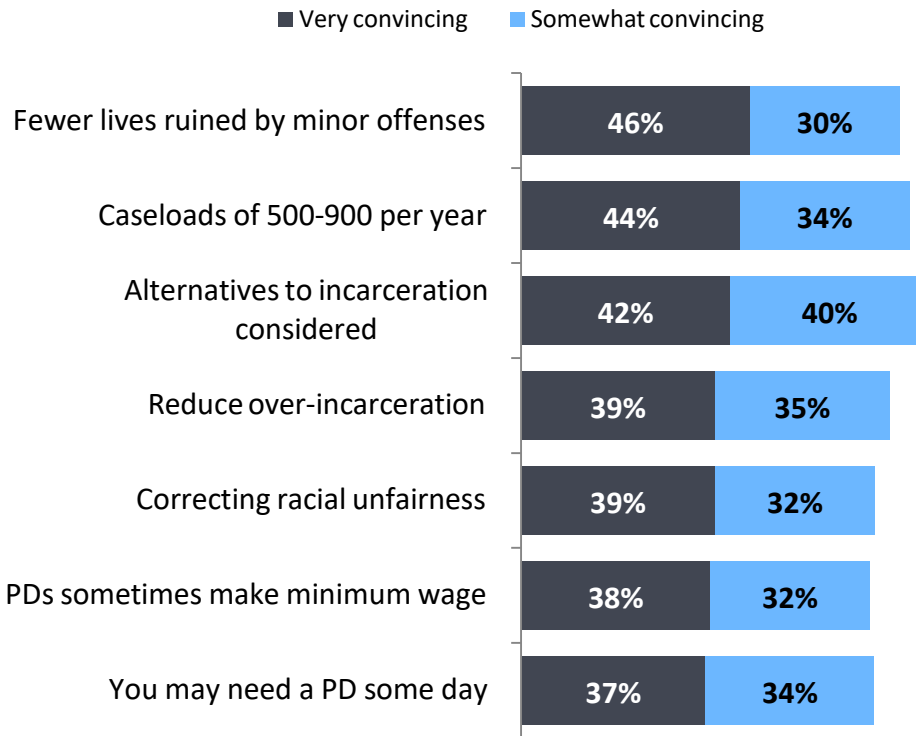
The other statements include:

- Better public defense systems will lead to fewer young people having their lives ruined because they are convicted of minor offenses. (46% very convincing)
- In some states, public defense caseloads can range from 500 to 900 cases per year for each public defender. (44%)
- Providing competent legal representation will mean that alternatives to incarceration are considered more often for poor people who are accused of less serious crimes. This will reduce the unfairness and expense of sending people to jail for minor crimes. (42%)
- Providing competent legal counsel will help to reduce mass incarceration in the U.S. because fewer people will be wrongly convicted and sentenced. (39%)
- Improving public defense for all will be a step toward correcting the racial unfairness in our criminal justice system. (39%)
- In some states, resources are so lacking that public defenders are paid the equivalent of minimum wage or less. (38%)

The public is the least impressed by messages that describe compensation for public defenders or assert that they themselves may be in need of public defense.

- Someday, you or someone you know may need the help of a public defender. (37%)

## Additional Reasons to Want More Tax Dollars Spent on PD



Q11. Here are some statements people have made about why we need to spend more tax dollars on public defense. Please indicate if you find each statement very convincing, somewhat convincing, not very convincing, or not at all convincing as a reason to spend more tax dollars on public defense? [RANDOMIZED] i. (SPLIT SAMPLE n=741) Today in many states the public defenders are very overburdened – sometimes with caseloads so high that a public defender can devote only (seven minutes) per case. n. Better public defense system will lead to fewer young people having their lives ruined because they are convicted of minor offenses. m. In some states, public defense caseloads can range from 500 to 900 cases per year for each public defender. d. Providing competent legal representation will mean that alternatives to incarceration are considered more often for poor people who are accused of less serious crimes. This will reduce the unfairness and expense of sending people to jail for minor crimes. c. (SPLIT SAMPLE n=717) Providing competent legal representation will help to reduce over-incarceration in the U.S. because fewer people will be wrongly convicted and sentenced. e. Improving public defense for all will be a step toward correcting the racial unfairness in our criminal justice system. k. In some states resources are so lacking, public defenders are paid the equivalent of minimum wage or less. h. Some day you or someone you know may need the help of a public defender.

In addition to analyzing the responses to the survey by identifying which pro-public defense messages are convincing to the most people, we also used regression analysis to tell us which attitudes are most predictive of a person supporting state funding of public defense improvements at the end of the survey. This helps to identify which attitudes are the most decisive for people, not simply the ones shared by most people.

We found that while information about inadequacies in the system are very important, the statements that best predicted support are value statements expressing the beliefs that better public defense will:

- Prevent innocent people from going to jail;
- Make the system fairer; and
- Lead to fewer young people having their lives ruined because they are convicted of minor offenses.

These findings will have strategic implications for communicating to the public about supporting the right to counsel.

### **Arguments against investing more in public defense**

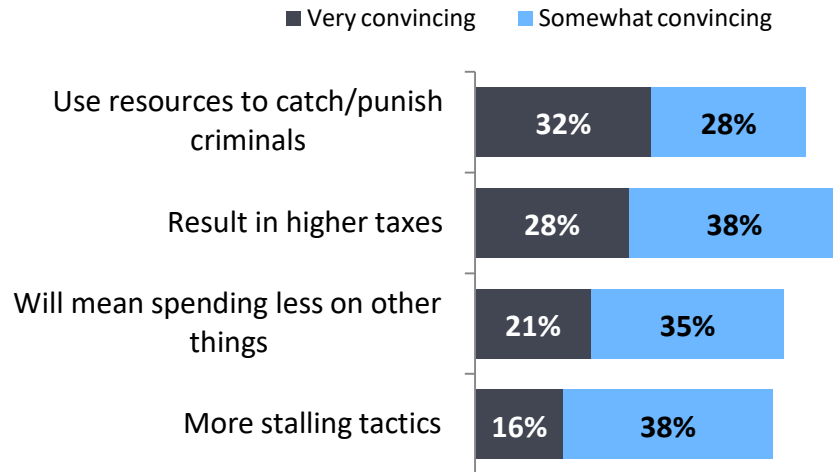
The survey also presented four statements in opposition to spending state tax dollars to improve public defense. These statements were met with much less enthusiasm than the pro-public defense statements. The most widely persuasive opposition statements express concerns over crime and higher taxes.

- We need to spend more resources on catching and punishing criminals, not on trying to help them escape punishment. (32% very convincing)
- Spending more on public defense will result in higher taxes for the middle class. (28%)

Opposition statements about court backlogs and other government needs are relatively weak.

- Spending more on public defense will mean spending less on other, more important needs. (21%)
- If we give the public defenders more resources, the result will be more stalling tactics by defendants and more court backlogs. (16%)

## Reasons to Oppose Spending More Tax Dollars on PD



Q12. Here are some statements people have made about why we should not spend more tax dollars on public defense. Indicate if you find each statement a very convincing, somewhat convincing, not very convincing, or not at all convincing reason to not spend more tax dollars on public defense. [RANDOMIZED]  
 b. We need to spend more resources on catching and punishing criminals, not on trying to help them escape punishment. d. Spending more on public defense will result in higher taxes for the middle class. c. Spending more on public defense will mean spending less on other, more important needs. a. If we give the public defenders more resources the result will be more stalling tactics by defendants and more court backlog.

### A closer look

Consistent with other findings in the survey, African Americans are the most enthusiastic about all the statements in favor of spending more tax dollars on public defense. In particular, they endorse statements expressing fairness (73% find that argument very convincing), and innocence (74%).

Latinos (52%) and African Americans (62%) place a higher importance than whites (42%) on the statement asserting that improved public defense will lead to fewer young people having their lives ruined because they are convicted of minor offences.

While whites also rate these values highly, they are much more likely than Latinos to give a strong rating to the informational messages about the inadequacies of the system.

Democrats and independents are more likely to call all of the pro-public defense statements convincing than are Republicans. For example, 73% of Democrats and 60% of independents but only 40% of Republicans find the argument that “providing competent legal representation is necessary to prevent innocent people from going to jail” very convincing as a reason to spend more on public defense.

## E. Views of some key actors

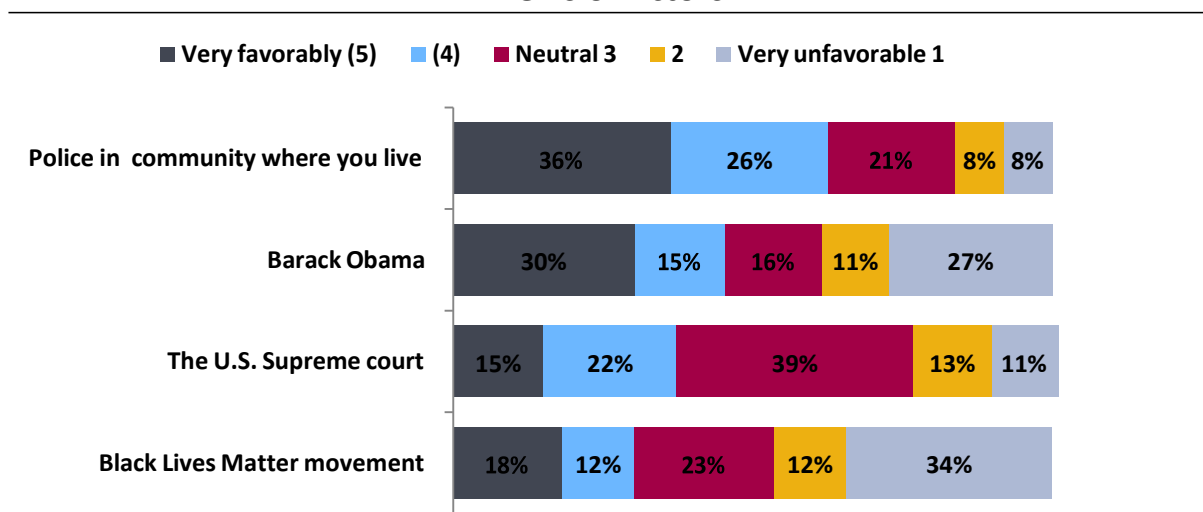
The survey asked respondents to opine about four actors, shedding some light on potential messengers for a campaign on right to counsel. We used a scale where “5” means the respondent feels very favorably and “1” means he or she feels very unfavorably toward a person or group. We have called scores of “5” and “4” favorable, “3” neutral, and “1” and “2” unfavorable.

The most popular of the four items we listed is the "police in the community where you live," who are viewed favorably by 62% of Americans, unfavorably 16% and neutrally by 21%.

President Barack Obama and the Black Lives Matter movement are relatively polarizing.<sup>13</sup> The former President has 45% viewing him favorably, 38% negatively and 16% who are neutral. The Black Lives Matter movement has a rating of 37% favorable, 24% unfavorable and 39% neutral.

The "United States Supreme Court" has a plurality (39%) in the neutral category, only 37% favorable and 24% unfavorable.

### Views of Actors



Q14. We would like you to rate each of the following individuals or organizations on a scale where five means you feel very favorably toward the person or group and one means you feel very unfavorably toward them. RANDOMIZED b. The police in the community where you live; a. Barack Obama; d. The Black Lives Matter movement; c. The United States Supreme Court

<sup>13</sup> At the time the survey was distributed, President Barack Obama was the current U.S. President.





## A closer look

The survey reveals a pronounced racial and ethnic divide on attitudes toward the police, the Black Lives Matter movement, and President Obama.

**Police:** Whites hold the most favorable view of police (68% favorable and 14% unfavorable), followed by Latinos (57% favorable, 17% unfavorable). African Americans also view the police positively, but with a larger share of negative impressions (45% favorable, 31% unfavorable).

**BLM:** Attitudes toward the Black Lives Matter movement are also divided by race and Black Lives Matter. The movement is viewed favorably by 66% of African Americans, 36% of Latinos and 22% of whites. The movement is perceived negatively by 11% of African Americans, 32% of Latinos, and 65% of whites.

**President Obama:** We see a similar division in attitudes toward President Obama, who enjoys a favorable to unfavorable rating of 83% to 12% among African Americans and 53% to 25% with Latinos, but falls to 35% to 49% with whites.

**The Supreme Court:** The U.S. Supreme Court draws agreement among African Americans (36% favorable, 27% unfavorable) and whites (34% favorable, 25% unfavorable), with Latinos registering a more positive view of the court (44% favorable, 19% unfavorable).

## Conclusion

The R2C survey reveals broad public support for ensuring the right to counsel. As we heard in our focus groups, this right is important to America's sense of justice and fair play. Therefore, Americans consider public defense to be a legitimate use of tax dollars. They support the general idea of government funding of public defense but are divided on whether it should be a federal requirement or left up to the states.

We found a general view that current public defense systems are not operating at a high level, despite the broad perception that most people accused of crimes need a public defender. Americans hold a mixture of positive and negative impressions of public defenders themselves and of the system that overburdens these lawyers and does not provide them with the resources they need to do their jobs.

Americans express support for reforms such as national standards for public defender qualifications and providing defenders with a minimum level of resources.

Efforts to increase salience for the improvement of public defense are most effective when they stress values more than simply providing information about the condition of the system. Positing that improvements in public defense are needed to make our system fairer, to protect the innocent from going to jail, and to save young people are key to creating more urgency for improving public defense. Informing the public that the right to counsel is written into the Constitution is also an important message that increases salience.

**TABLE: Participants in Focus Groups, April 2016**

	Houston		Columbus		Richmond	
	Latinos/ Latinas	Republican Women	Democratic Women	Republican Men	African Americans	Democratic Men
<b>All</b>	<b>10</b>	<b>10</b>	<b>9</b>	<b>9</b>	<b>8</b>	<b>9</b>
Women	4	10	9	0	4	0
Men	6	0	0	9	4	9
White	0	10	9	9	0	9
African American	0	0	0	0	8	0
Hispanic	10	0	0	0	0	0
24-35	3	2	3	4	3	4
36-50	3	3	2	2	4	2
51-70	4	5	4	3	1	3
Democrat	3	0	6	0	5	5
Independent	2	1	3	3	3	4
Republican	5	9	0	6	0	0
High school/GED	0	0	0	0	2	0
Tech/Trade	1	0	1	1	0	0
Some college/ junior college	4	0	2	1	3	2
College grad	4	9	5	6	2	4
Post grad	1	1	1	1	1	3
\$0-29k	0	1	0	1	1	0
\$30-50k	4	1	2	1	3	2
\$50-75k	0	3	2	2	2	4
\$75-100k	3	2	2	2	1	2
\$100k+	3	3	3	3	1	1

**TABLE: Composition of Survey Respondents, September/October 2016**

The table below shows the distribution of the respondents by demographic variables. Black and Latino respondents were oversampled to allow us to analyze their responses thoroughly.

	Weighted %	Unweighted %	Unweighted number of respondents
Total	100	100	1,478
Men	48	47	691
Women	52	53	787
18-29	21	18	273
30-44	23	26	390
45-59	28	27	400
60+	27	28	415
Less than high school	12	12	174
High school grad	29	30	437
Some college	28	30	441
College grad and beyond	31	29	426
White non-Hispanics	65	46	677
Black non-Hispanics	12	29	424
Latinos	16	20	301
Asian and other races	7	5	76
Less than \$30,000	31	38	567
\$30-60,000	27	28	411
\$60-100,000	21	18	272
Over \$100,000	20	15	228
Registered voters	81	84	1,235
Likely voters	66	68	1,001
Liberals	27	28	418
Moderates	35	34	499
Conservatives	37	36	532
Democrats	37	47	692
Republicans	24	17	258
Independents	26	23	344
Some other party	13	12	184
Northeast	18	13	187
Midwest	21	25	368
South	37	41	602
West	24	22	321

## **Appendix A: Questionnaire with Response Totals**

### **2016 Survey for the Right to Counsel National Campaign**

**N=1,478**

**Interviewing conducted September 2 to October 1, 2016 Via  
AmeriSpeak Panel**



## Right to Counsel 2016 Public Opinion Survey

Data collection by NORC at the University of Chicago for Belden Russonello Strategists, using the AmeriSpeak online, probability-based panel. Interviews conducted September 2 to October 1, 2016. Except where indicated, the base is 1,478 adults including oversamples of 424 African Americans and 301 Latinos. Margin of sampling error on the full sample is 3.38 percentage points at the 95% confidence level among all adults.

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1. Do you think things in the country are generally going in the right direction or are they headed off on the wrong track?	Right direction Wrong track DON'T KNOW SKIP/REFUSED	29% 70 * 1
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2. The states and the federal government have a number of ways to help people with low incomes. In your opinion, how important is each of the following programs: very important, somewhat important, not very important, or not at all important for the government to do to help poor people. [RANDOMIZED]

	Very important	Some-what	Not very	Not at all	DON'T KNOW	SKIP/ REF
a. Food stamps to pay for groceries for low-income families	54%	34	9	3	*	1
b. Medicaid to pay for health care for low-income people	63%	27	6	2	*	1
c. Head Start preschool for low-income children	63%	24	8	4	-	1
d. Child care for low-income working parents	62%	28	7	3	*	1
e. Assistance to help low-income people pay for rental housing	44%	39	12	3	*	1
f. Public defense for people accused of a crime who can't afford a lawyer	52%	33	9	5	*	1

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3. Generally do you think your state does an excellent, good, fair, poor or very poor job of providing low-income people with access to justice in the court system?	Excellent	5%
	Good	31
	Fair	41
	Poor	12
	Very poor	8
	DON'T KNOW	2
	SKIP/REFUSED	*
4. Given everything the government must do, do you favor or oppose the government using taxpayer dollars to provide lawyers to represent <i>people accused of crimes who cannot afford a lawyer</i> ? Do you favor/oppose strongly or somewhat?	Strongly favor	26%
	Somewhat favor	40
	Somewhat oppose	22
	Strongly oppose	10
	DON'T KNOW	-
	SKIP/REFUSED	*
5. How often do you think people who are arrested and accused of crimes cannot afford to hire lawyer: most of the time, about half the time, or less than half the time?	Most of the time	48%
	About half	39
	Less than half	12
	DON'T KNOW	1
	SKIP/REFUSED	*

6. Most states across the country have a public defense system whereby the government pays lawyers to represent people arrested for crimes who cannot afford legal help on their own. In some places the lawyers work in a public defender's office and other places the court appoints and pays private lawyers to represent low-income people accused of crimes. Here are a number of differing views about public defenders. For each set, tell me which view is closer to your opinion. Public defenders: [RANDOMIZE.]

a. Have enough time to devote to each case or have too little time to devote to each case	Enough time	18%
	Too little time	80
	DON'T KNOW	2
	SKIP/REFUSED	1
b. Are experienced or inexperienced	Experienced	53%
	Inexperienced	44
	DON'T KNOW	1
	SKIP/REFUSED	1
c. Are dedicated or do not take much interest in their clients	Dedicated	45%
	Not much interest in clients	53
	DON'T KNOW	2
	SKIP/REFUSED	1

**Continued**

d. Have the resources they need to defend their clients or must work without the resources they need	Have the resources they need	42%
	Must work without the resources	55
	DON'T KNOW	2
	SKIP/REFUSED	1
e. Are well qualified or are not well qualified	Well qualified	61%
	Not well qualified	35
	DON'T KNOW	2
	SKIP/REFUSED	2
f. Generally provide effective legal representation or generally provide inadequate legal representation	Effective legal representation	47%
	Inadequate legal representation	50
	DON'T KNOW	2
	SKIP/REFUSED	2
7. Which of the following two statements comes closer to your own views: A. The federal government should require all fifty states to provide a qualified lawyer to every defendant that cannot afford one; or B. Each state should be allowed to determine how far it goes in providing lawyers to criminal defendants? Do you agree more with (A/B) strongly or somewhat?	Strongly agree federal government should require	37%
	Somewhat federal government should require	13
	Somewhat agree each state should determine	17
	Strongly each state should determine	30
	DON'T KNOW	*
	SKIP/REFUSED	1
8. Would you favor or oppose <i>your</i> state spending more tax dollars to improve its public defense system for people accused of crimes who cannot afford a lawyer on their own? Is that strongly or somewhat favor/oppose?	Strongly favor	21%
	Somewhat favor	40
	Somewhat oppose	24
	Strongly oppose	13
	DON'T KNOW	1
	SKIP/REFUSED	1
9. Would you favor or oppose your state spending tax dollars providing public defenders for undocumented immigrants accused of crimes who cannot afford a lawyer on their own? Is that strongly or somewhat favor/oppose?	Strongly favor	12%
	Somewhat favor	21
	Somewhat oppose	23
	Strongly oppose	42
	DON'T KNOW	*



10. There are a number of proposals to improve public defense across the U.S. Please tell me if you think each of the following is a good idea or a not a good idea. Do you feel that way strongly or somewhat? [RANDOMIZED]

	Strongly good idea	Some- what good idea	Some- what not a good idea	Strongly not a good idea	DON'T KNOW	SKIP/ REF
*a. Set national standards for the qualifications for public defenders instead of letting qualifications vary from state to state and county to county.	39%	38	13	8	1	1
*b. Set national standards for a minimum level of resources that should be available to all public defenders, such as access to expert witnesses, investigators and DNA testing when appropriate.	49%	37	8	6	*	1
c. Establish a system of supervision and review to make sure that public defender systems are serving the people who need them. SPLIT SAMPLE: N = 721	50%	40	6	2	1	1
d. Establish a system of supervision and review to make sure that public defender systems are serving the low-income people who are accused of a crime. VERSION B : N = 757	44%	41	7	7	-	*
* e. Provide public defenders with the same resources per case as prosecutors to spend on things such as expert witnesses, investigators, and lab tests.	48%	36	10	5	1	1
f. Require states to assign a lawyer to meet with those who cannot afford one on their own within three business days after being arrested.	46%	38	10	5	*	1

11. Here are some statements people have made about why we need to spend more tax dollars on public defense. Please indicate if you find each statement very convincing, somewhat convincing, not very convincing, or not at all convincing as a reason to spend more tax dollars on public defense? [RANDOMIZED]

	Very convinc- ing	Some- what	Not very	Not at all	DON'T KNOW	SKIP/ REF
a. Guaranteeing that every person accused of a crime has the right to a lawyer is a fundamental American right that is written into our Constitution.	56%	29	10	4	*	1
b. Providing competent legal representation is necessary to prevent innocent people from going to jail. SPLIT SAMPLE: N = 751	59%	29	8	3	--	1
c. Providing competent legal representation will help to reduce over-incarceration in the U.S. because fewer people will be wrongly convicted and sentenced. SPLIT SAMPLE: N = 717	39%	35	17	7	*	1
d. Providing competent legal representation will mean that alternatives to incarceration are considered more often for poor people who are accused of less serious crimes. This will reduce the unfairness and expense of sending people to jail for minor crimes.	42%	40	11	6	*	1
e. Improving public defense for all will be a step toward correcting the racial unfairness in our criminal justice system.	39%	32	16	11	*	1
f. The quality of justice a person receives should not be determined by how much money a person has.	61%	23	8	6	*	1

**Continued**

	Very convinc- ing	Some- what	Not very	Not at all	DON'T KNOW	SKIP/ REF
g. Fairness requires that all accused persons have access to a competent attorney to represent them.	54%	33	9	3	*	2
h. Some day you or someone you know may need the help of a public defender.	37%	34	20	8	*	1
i. Today in many states the public defenders are very overburdened – sometimes with caseloads so high that a public defender can devote only VERSION A seven minutes per case. SPLIT SAMPLE: N = 741	47%	30	13	8	*	2
j. Today in many states the public defenders are very overburdened – sometimes with caseloads so high that a public defender can devote only VERSION B a couple of hours to each case. SPLIT SAMPLE: N = 737	51%	32	11	5	*	*
k. In some states resources are so lacking, public defenders are paid the equivalent of minimum wage or less.	38%	32	18	10	1	1
l. A lack of funding in many places has resulted in people accused of minor crimes waiting in jail as long as six months to have a lawyer assigned to them and a hearing held.	51%	32	10	6	1	1
m. In some states, public defense caseloads can range from 500 to 900 cases per year for each public defender.	44%	34	16	5	1	1
n. Better public defense system will lead to fewer young people having their lives ruined because they are convicted of minor offences.	46%	30	17	7	*	*



12. Here are some statements people have made about why we should not spend more tax dollars on public defense. Indicate if you find each statement a very convincing, somewhat convincing, not very convincing, or not at all convincing reason to not spend more tax dollars on public defense. [RANDOMIZED]

	Very convincing	Some-what	Not very	Not at all	DON'T KNOW	SKIP/REF
a. If we give the public defenders more resources the result will be more stalling tactics by defendants and more court backlog.	16%	38	28	16	*	1
b. We need to spend more resources on catching and punishing criminals, not on trying to help them escape punishment.	32%	28	24	14	*	2
c. Spending more on public defense will mean spending less on other, more important needs.	21%	35	29	14	*	1
d. Spending more on public defense will result in higher taxes for the middle class.	29%	38	20	12	*	1

13. We would like ask you again: Do you favor or oppose your state spending more tax dollars to improve its public defense system defense for people accused of crimes who cannot afford a lawyer on their own?	Favor	65%
	Oppose	33
	DON'T KNOW	1
	SKIP/REFUSED	1

14. We would like you to rate each of the following individuals or organizations on a scale where five means you feel very favorably toward the person or group and one means you feel very unfavorably toward them. RANDOMIZED

	Very unfavorably	1	2	3	4	Very favorably	5	DON'T KNOW	SKIP/REF
a. Barack Obama	28%	11	16	15	30	*	1		
b. The police in the community where you live	8%	8	21	26	36	*	1		
c. The United States Supreme Court	11%	13	39	22	15	*	1		
d. The Black Lives Matter movement	34%	12	23	12	18	1	1		



Now we have some questions for statistical purposes only.

15. Are you registered to vote at your current address?	Yes	81%
	No	18
	DON'T KNOW	*
	SKIP/REFUSED	1
16. In terms of your political outlook, do you usually consider yourself as:	Very conservative	12%
	Somewhat conservative	25
	Middle of the road	35
	Somewhat liberal	16
	Very liberal	10
	DON'T KNOW	1
	SKIP/REFUSED	1
17. Do you consider yourself a Democrat, a Republican, an independent, or something else?	Democrat	37%
	Republican	24
	Independent	26
	Something else	13
	DON'T KNOW	*
	SKIP/REFUSED	1
18. How likely are you to vote in the election for President this coming November: will you definitely vote, probably vote, is it about a 50/50 chance you will vote, probably not vote, or definitely not vote?	Definitely vote	66%
	Probably	8
	50/50	12
	Probably not	5
	Definitely not	9
	DON'T KNOW	-
	SKIP/REFUSED	*
19. Have you or a friend or family member been represented by a public defender or a court appointed lawyer?	Yes	29%
	No	70
	DON'T KNOW	-
	SKIP/REFUSED	1
20. IF YES: In the most recent experience would you say that lawyer provided you (or your family member, or your friend) with good representation, or not? N = 431	Lawyer did provide good representation	53%
	Lawyer did not provide good representation	47
	DON'T KNOW	*
	SKIP/REFUSED	-

Additional demographic information derived from data on the sample.

Marital status	Married	47%
	Divorced	13
	Widowed	6
	Separated	3
	Never married	24
	Living with partner	8
Employment status	Working	55%
	Not working	44
Education	No high school diploma	12
	High school graduate or equivalent	29
	Some college through bachelor's degree	28
	Master's degree or above	31
Age	18-29	21%
	30-44	24
	45-59	28
	60+	27
Race/ethnicity	White/non-Hispanic	66%
	Black/ non-Hispanic	12
	Hispanic/Latino(a)	16
	Asian/non-Hispanic	3
	Other/ non-Hispanic	1
	2+/ non-Hispanic	4
	DK/REF	
Region	Northeast	18%
	Midwest	21
	South	37
	West	24
Income	Less than \$30,000	31%
	\$30,000 to \$60,000	28
	\$60,000 up to \$100,000	21
	\$100,000 or more	21
	DK/REF	--
GENDER	Male	48%
	Female	52

**Appendix B:  
Tables**

**2016 Survey for the  
Right to Counsel National Campaign**

**N=1,478**

**Interviews conducted September 2 to October 1, 2016  
Via AmeriSpeak Panel**

**Percentages on these tables add horizontally. They may  
not add to 100% due to rounding and omission of skips  
on some tables.**



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**Direction of Country**


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Q1. Do you think things in the country are generally going in the right direction or are they headed off on the wrong track?

	<b>Right direction</b>	<b>Wrong track</b>
<b>Total</b>	29%	70
Men	31%	68
Women	27%	72
White	26%	73
African American/Black	40%	58
Hispanic	34%	65
Other	22%	75
18-29	24%	75
30-44	32%	67
45-59	31%	69
60+	27%	71
Non high school grad	25%	73
HS grad	24%	76
Some college	27%	72
College grad	37%	63
<\$30,000 annual income	27%	71
\$30-60,000	24%	76
\$60-100,000	34%	65
\$100,000+	33%	67
Registered voters	30%	69
Likely voters	31%	68
Liberal	49%	51
Moderate	26%	74
Conservative	18%	81
Democrat	45%	54
Republican	13%	85
Independent	25%	75
Something else	18%	80
Northeast	30%	70
Midwest	30%	69
South	26%	72
West	31%	68
Self/family rep by PD	24%	75

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**Very Important Programs for Low-Income People**

Q2. The states and the federal government have a number of ways to help people with low incomes. In your opinion, how important is each of the following programs: very important, somewhat important, not very important, or not at all important for the government to do to help poor people. [RANDOMIZED] b. Medicaid to pay for health care for low-income people; c. Head Start preschool for low income children; d. Child care for low income working parents; a. Food stamps to pay for groceries for low-income families; f. Public defense for people accused of a crime who can't afford a lawyer; e. Assistance to help low-income people pay for rental housing

<i>% saying 'very important'</i>	<b>Medicaid</b>	<b>Head Start</b>	<b>Child care</b>	<b>Food stamps</b>	<b>Public defense</b>	<b>Housing assistance</b>
<b>Total</b>	63%	63%	62%	54%	52%	44%
Men	58%	56%	52%	47%	52%	36%
Women	68%	69%	71%	60%	52%	52%
White	59%	57%	55%	49%	48%	38%
African American/Black	85%	86%	85%	74%	73%	67%
Hispanic	70%	73%	73%	62%	55%	53%
Other	51%	58%	64%	41%	43%	40%
18-29	54%	58%	62%	49%	55%	42%
30-44	57%	63%	58%	51%	54%	35%
45-59	72%	66%	67%	60%	51%	52%
60+	67%	63%	62%	53%	50%	46%
Non high school grad	74%	76%	69%	65%	54%	58%
HS grad	67%	63%	68%	57%	46%	49%
Some college	59%	64%	61%	48%	54%	40%
College grad	60%	57%	56%	51%	56%	38%
<\$30,000 annual income	75%	71%	76%	68%	57%	62%
\$30-60,000	63%	61%	61%	51%	51%	41%
\$60-100,000	54%	58%	53%	42%	47%	35%
\$100,000+	55%	59%	53%	48%	50%	32%
Registered voters	63%	63%	61%	53%	53%	43%
Likely voters	64%	64%	60%	54%	55%	44%
Liberal	81%	78%	79%	77%	72%	62%
Moderate	62%	62%	64%	50%	48%	44%
Conservative	51%	53%	50%	40%	41%	32%
Democrat	80%	79%	79%	70%	62%	63%
Republican	44%	49%	43%	35%	39%	23%
Independent	56%	52%	56%	47%	50%	36%
Something else	62%	63%	62%	54%	52%	44%
Northeast	66%	64%	64%	61%	52%	44%
Midwest	67%	64%	66%	55%	53%	48%
South	62%	64%	62%	50%	52%	44%
West	60%	59%	59%	52%	51%	42%
Self/family rep by PD	71%	67%	71%	63%	60%	53%



### Access to Court System for Low-Income People

Q3. Generally do you think your state does an excellent, good, fair, poor or very poor job of providing low-income people with access to justice in the court system?

	Excellent+ very good	Poor + very poor	Excellent	Very good	Fair	Poor	Very poor
<b>Total</b>	37%	20	5%	31	41	12	8
Men	38%	21	5%	33	39	12	9
Women	36%	19	6%	30	43	12	7
White	39%	17	5%	34	42	10	7
African American/Black	26%	36	6%	21	36	24	12
Hispanic	34%	21	7%	27	44	13	8
Other	39%	23	3%	36	36	14	8
18-29	27%	22	4%	23	50	15	7
30-44	37%	20	6%	32	41	13	8
45-59	34%	21	4%	30	43	11	10
60+	47%	17	8%	39	34	10	7
Non high school grad	30%	29	9%	21	39	16	13
HS grad	35%	20	5%	30	42	13	7
Some college	37%	19	3%	33	42	12	8
College grad	41%	17	6%	34	41	10	7
<\$30,000 annual income	32%	28	7%	26	37	16	12
\$30-60,000	32%	18	4%	28	47	10	8
\$60-100,000	42%	14	4%	38	41	9	5
\$100,000+	44%	16	6%	37	40	12	4
Registered voters	38%	20	5%	32	40	12	8
Likely voters	39%	20	6%	33	39	12	8
Liberal	32%	29	4%	28	38	20	9
Moderate	38%	16	6%	32	44	10	7
Conservative	41%	16	6%	34	41	8	8
Democrat	36%	23	5%	31	40	15	8
Republican	47%	12	9%	38	39	7	5
Independent	34%	21	4%	31	43	12	9
Something else	26%	23	4%	23	47	12	11
Northeast	38%	18	10%	28	42	12	6
Midwest	36%	21	2%	34	41	13	9
South	33%	23	5%	28	41	14	9
West	42%	14	5%	37	42	8	6
Self/family rep by PD	30%	31	7%	23	39	18	13

### Support for Government Provided Lawyers

Q4. Given everything the government must do, do you favor or oppose the government using taxpayer dollars to provide lawyers to represent people accused of crimes who cannot afford a lawyer? Do you favor/oppose strongly or somewhat?

	Net favor	Net oppose	Strongly favor	Somewhat favor	Somewhat oppose	Strongly oppose
<b>Total</b>	66%	32	26%	40	22	10
Men	67%	32	28%	39	22	10
Women	66%	33	25%	42	22	11
White	65%	35	27%	38	24	11
African American/Black	73%	26	34%	40	19	7
Hispanic	65%	35	19%	46	25	9
Other	80%	20	24%	56	11	9
18-29	70%	30	23%	46	22	7
30-44	63%	37	26%	37	27	10
45-59	68%	32	29%	39	22	10
60+	67%	33	27%	40	19	14
Non high school grad	52%	48	13%	39	28	20
HS grad	58%	41	21%	37	30	12
Some college	66%	34	23%	42	22	12
College grad	82%	18	39%	42	15	4
<\$30,000 annual income	69%	30	26%	43	20	11
\$30-60,000	63%	36	20%	43	25	11
\$60-100,000	65%	35	28%	38	23	11
\$100,000+	69%	31	34%	36	22	8
Registered voters	69%	31	28%	41	22	10
Likely voters	71%	28	31%	41	19	10
Liberal	86%	14	46%	40	10	4
Moderate	62%	38	21%	41	28	10
Conservative	59%	41	18%	41	26	15
Democrat	78%	22	33%	45	17	5
Republican	53%	47	15%	38	31	15
Independent	68%	32	30%	39	19	13
Something else	57%	42	22%	35	29	12
Northeast	68%	32	33%	35	22	10
Midwest	66%	34	26%	40	23	11
South	64%	36	25%	39	24	12
West	71%	28	23%	48	20	9
Self/family rep by PD	67%	32	24%	44	23	10

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**Frequency of Inability to Afford a Lawyer**


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Q5. How often do you think people who are arrested and accused of crimes cannot afford to hire lawyer: most of the time, about half the time, or less than half the time?

	<b>Most of the time</b>	<b>About half</b>	<b>Less than half</b>
<b>Total</b>	48%	39	12
Men	44%	41	15
Women	52%	37	9
White	46%	40	14
African American/Black	58%	32	8
Hispanic	44%	42	12
Other	61%	34	5
18-29	51%	41	8
30-44	50%	41	8
45-59	54%	36	10
60+	38%	39	21
Non high school grad	44%	38	16
HS grad	51%	39	9
Some college	51%	35	13
College grad	44%	43	13
<\$30,000 annual income	51%	34	14
\$30-60,000	48%	40	10
\$60-100,000	47%	42	11
\$100,000+	44%	40	15
Registered voters	47%	39	13
Likely voters	48%	38	13
Liberal	50%	42	7
Moderate	49%	41	10
Conservative	47%	34	18
Democrat	49%	39	11
Republican	45%	39	14
Independent	49%	39	12
Something else	48%	39	12
Northeast	42%	47	11
Midwest	47%	42	11
South	49%	35	14
West	51%	35	12
Self/family rep by PD	55%	34	11

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**Public Defenders: Adequate Time for Cases**


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Q6a. Here are a number of differing views about public defenders. For each set, tell me which view is closer to your opinion. **Public defenders: Have enough time to devote to each case or have too little time to devote to each case**

	Have enough time	Have too little time
<b>Total</b>	18%	80
Men	19%	77
Women	17%	82
White	16%	81
African American/Black	17%	81
Hispanic	20%	77
Other	26%	74
18-29	21%	78
30-44	17%	81
45-59	12%	86
60+	21%	73
Non high school grad	23%	73
HS grad	21%	75
Some college	15%	83
College grad	15%	84
<\$30,000 annual income	19%	77
\$30-60,000	15%	81
\$60-100,000	19%	80
\$100,000+	18%	82
Registered voters	17%	80
Likely voters	16%	81
Liberal	12%	86
Moderate	19%	80
Conservative	20%	75
Democrat	15%	83
Republican	20%	77
Independent	19%	79
Something else	19%	76
Northeast	11%	85
Midwest	20%	78
South	20%	78
West	18%	80
Self/family rep by PD	15%	85

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**Public Defenders: Experienced**


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Q6b. Here are a number of differing views about public defenders. For each set, tell me which view is closer to your opinion. **Public defenders: Are experienced or inexperienced**

	Experienced	Inexperienced
<b>Total</b>	53%	44
Men	45%	52
Women	61%	37
White	53%	45
African American/Black	45%	51
Hispanic	60%	38
Other	55%	44
18-29	59%	38
30-44	49%	48
45-59	50%	49
60+	55%	41
Non high school grad	53%	44
HS grad	55%	40
Some college	55%	43
College grad	50%	49
<\$30,000 annual income	59%	38
\$30-60,000	50%	47
\$60-100,000	51%	46
\$100,000+	51%	49
Registered voters	51%	47
Likely voters	52%	46
Liberal	49%	51
Moderate	55%	44
Conservative	55%	41
Democrat	55%	43
Republican	55%	39
Independent	47%	51
Something else	54%	43
Northeast	51%	46
Midwest	54%	43
South	51%	47
West	57%	40
Self/family rep by PD	56%	44

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**Public Defenders: Dedicated/Little Interest in Their Clients**


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Q6c. Here are a number of differing views about public defenders. For each set, tell me which view is closer to your opinion. **Public defenders: Are dedicated or do not take much interest in their clients**

	<b>Dedicated</b>	<b>Do not take much interest</b>
<b>Total</b>	45%	53
Men	39%	57
Women	49%	49
White	48%	50
African American/Black	28%	69
Hispanic	39%	58
Other	54%	43
18-29	43%	56
30-44	33%	64
45-59	47%	51
60+	53%	42
Non high school grad	27%	69
HS grad	40%	55
Some college	42%	56
College grad	57%	41
<\$30,000 annual income	38%	58
\$30-60,000	35%	61
\$60-100,000	52%	47
\$100,000+	59%	40
Registered voters	46%	52
Likely voters	50%	48
Liberal	52%	46
Moderate	42%	56
Conservative	41%	55
Democrat	49%	49
Republican	42%	56
Independent	46%	52
Something else	36%	58
Northeast	44%	54
Midwest	43%	54
South	43%	55
West	49%	48
Self/family rep by PD	32%	67

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**Public Defenders: Have Resources**


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Q6d. Here are a number of differing views about public defenders. For each set, tell me which view is closer to your opinion. **Public defenders: Have the resources they need to defend their clients or must work without the resources they need**

	Have needed resources	Work without resources
<b>Total</b>	42%	55
Men	42%	54
Women	42%	55
White	43%	55
African American/Black	37%	59
Hispanic	46%	51
Other	36%	60
18-29	36%	64
30-44	41%	56
45-59	41%	58
60+	49%	44
Non high school grad	52%	42
HS grad	47%	50
Some college	41%	55
College grad	35%	64
<\$30,000 annual income	46%	50
\$30-60,000	39%	57
\$60-100,000	48%	51
\$100,000+	35%	64
Registered voters	42%	55
Likely voters	39%	58
Liberal	28%	71
Moderate	47%	52
Conservative	47%	48
Democrat	36%	62
Republican	49%	45
Independent	40%	58
Something else	49%	46
Northeast	42%	55
Midwest	39%	57
South	44%	53
West	41%	56
Self/family rep by PD	44%	54

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**Public Defenders: Qualified**


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Q6e. Here are a number of differing views about public defenders. For each set, tell me which view is closer to your opinion. **Public defenders: Are well qualified or are not well qualified**

	Well qualified	Not well qualified
<b>Total</b>	61%	35
Men	55%	40
Women	67%	30
White	63%	33
African American/Black	50%	46
Hispanic	60%	37
Other	62%	33
18-29	62%	35
30-44	57%	40
45-59	61%	36
60+	64%	30
Non high school grad	47%	48
HS grad	60%	35
Some college	60%	37
College grad	69%	29
<\$30,000 annual income	59%	37
\$30-60,000	59%	38
\$60-100,000	64%	30
\$100,000+	64%	34
Registered voters	61%	35
Likely voters	64%	33
Liberal	61%	36
Moderate	65%	34
Conservative	57%	36
Democrat	65%	32
Republican	59%	35
Independent	58%	40
Something else	62%	35
Northeast	58%	37
Midwest	65%	33
South	60%	36
West	62%	34
Self/family rep by PD	57%	42

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**Public Defenders: Quality of Legal Representation**


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Q6f. Here are a number of differing views about public defenders. For each set, tell me which view is closer to your opinion. **Public defenders: Generally provide effective legal representation or generally provide inadequate legal representation**

	Effective legal representation	Inadequate legal representation
<b>Total</b>	47%	50
Men	44%	51
Women	49%	48
White	51%	45
African American/Black	29%	67
Hispanic	42%	53
Other	44%	53
18-29	44%	53
30-44	41%	56
45-59	43%	53
60+	58%	38
Non high school grad	39%	55
HS grad	45%	48
Some college	47%	52
College grad	51%	48
<\$30,000 annual income	42%	52
\$30-60,000	43%	54
\$60-100,000	52%	44
\$100,000+	53%	47
Registered voters	47%	50
Likely voters	48%	49
Liberal	41%	57
Moderate	45%	52
Conservative	51%	44
Democrat	45%	52
Republican	50%	45
Independent	48%	49
Something else	43%	53
Northeast	43%	50
Midwest	46%	51
South	49%	48
West	46%	52
Self/family rep by PD	36%	61

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### Federal Requirement versus State Determination

7. Which of the following two statements comes closer to your own views: A. The federal government should require all fifty states to provide a qualified lawyer to every defendant that cannot afford one; or B. Each state should be allowed to determine how far it goes in providing lawyers to criminal defendants? Do you agree more with (A/B) strongly or somewhat?

	Strongly federal	Somewhat federal	Somewhat state	Strongly state
<b>Total</b>	37%	13	17	30
Men	38%	12	17	32
Women	37%	15	18	29
White	33%	12	18	36
African American/Black	57%	15	14	13
Hispanic	43%	16	15	23
Other	34%	20	22	22
18-29	40%	20	19	19
30-44	40%	13	17	28
45-59	41%	11	14	32
60+	30%	10	19	39
Non high school grad	39%	16	19	21
HS grad	34%	12	21	31
Some college	35%	11	17	37
College grad	43%	15	14	27
<\$30,000 annual income	42%	13	19	24
\$30-60,000	37%	12	19	31
\$60-100,000	34%	12	15	35
\$100,000+	35%	17	14	34
Registered voters	38%	13	15	32
Likely voters	40%	12	14	33
Liberal	62%	14	11	12
Moderate	33%	16	18	32
Conservative	25%	10	20	42
Democrat	50%	18	12	20
Republican	19%	11	17	50
Independent	39%	9	20	31
Something else	31%	14	28	22
Northeast	36%	10	17	33
Midwest	38%	12	21	28
South	36%	13	17	33
West	40%	18	15	26
Self/family rep by PD	43%	16	13	26

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**Increase Tax Dollars for Public Defense System**


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Q8. Would you favor or oppose your state spending more tax dollars to improve its public defense system for people accused of crimes who cannot afford a lawyer on their own? Is that strongly or somewhat favor/oppose?

	<b>Net favor</b>	<b>Net oppose</b>	<b>Strongly favor</b>	<b>Somewhat favor</b>	<b>Somewhat oppose</b>	<b>Strongly oppose</b>
<b>Total</b>	61%	37	21%	40	24	13
Men	63%	35	21%	42	23	12
Women	60%	40	21%	38	25	15
White	58%	40	19%	39	24	16
African American/Black	72%	27	33%	39	19	8
Hispanic	66%	34	23%	42	25	9
Other	62%	34	14%	49	27	7
18-29	60%	37	16%	45	27	10
30-44	59%	41	17%	42	28	13
45-59	65%	35	25%	40	20	14
60+	61%	37	25%	36	21	16
Non high school grad	58%	42	22%	36	24	18
HS grad	57%	41	20%	37	27	14
Some college	61%	37	19%	42	20	18
College grad	67%	32	24%	43	25	7
<\$30,000 annual income	69%	29	27%	42	19	11
\$30-60,000	59%	39	16%	43	23	16
\$60-100,000	56%	42	19%	37	28	14
\$100,000+	57%	42	20%	37	29	13
Registered voters	61%	37	21%	40	24	13
Likely voters	64%	35	24%	41	22	13
Liberal	81%	18	38%	43	12	6
Moderate	58%	42	16%	42	29	13
Conservative	50%	47	13%	37	27	19
Democrat	75%	24	32%	43	19	6
Republican	44%	54	8%	36	32	22
Independent	63%	36	17%	46	22	15
Something else	51%	46	20%	31	28	17
Northeast	63%	33	29%	34	21	12
Midwest	60%	40	20%	40	25	14
South	58%	40	18%	40	25	15
West	66%	34	21%	45	22	11
Self/family rep by PD	65%	35	24%	41	23	12

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### Public Defenders for Undocumented Immigrants

Q9. Would you favor or oppose your state spending tax dollars providing public defenders for undocumented immigrants accused of crimes who cannot afford a lawyer on their own? Is that strongly or somewhat favor/oppose?

	Net favor	Net oppose	Strongly favor	Somewhat favor	Somewhat oppose	Strongly oppose
<b>Total</b>	33%	65	12%	21	23	42
Men	33%	65	12%	21	21	44
Women	33%	66	13%	20	25	41
White	25%	74	9%	16	21	52
African American/Black	48%	51	19%	29	27	24
Hispanic	53%	46	22%	30	24	22
Other	35%	59	8%	28	32	27
18-29	39%	58	14%	25	31	27
30-44	39%	60	14%	25	23	37
45-59	27%	71	10%	18	21	50
60+	28%	70	13%	15	19	51
Non high school grad	48%	52	18%	29	20	32
HS grad	26%	72	12%	13	22	49
Some college	30%	69	10%	20	20	49
College grad	37%	61	12%	24	28	34
<\$30,000 annual income	37%	61	16%	22	25	36
\$30-60,000	30%	70	11%	19	20	50
\$60-100,000	31%	66	10%	21	21	45
\$100,000+	32%	66	12%	20	26	40
Registered voters	31%	67	12%	20	22	44
Likely voters	33%	65	13%	21	20	45
Liberal	54%	45	21%	33	22	23
Moderate	29%	69	9%	20	28	42
Conservative	22%	76	9%	13	19	57
Democrat	48%	50	19%	29	25	26
Republican	12%	86	5%	7	17	68
Independent	30%	69	10%	20	27	42
Something else	32%	66	10%	21	22	45
Northeast	29%	66	15%	14	25	41
Midwest	28%	71	10%	18	24	46
South	32%	67	11%	20	22	45
West	41%	57	13%	28	22	35
Self/family rep by PD	32%	67	12%	20	24	43

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**Public Defense Proposals: National Standards for Qualifications**


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Q10a. There are a number of proposals to improve public defense across the U.S. Please tell me if you think each of the following is a good idea or a not a good idea. Do you feel that way strongly or somewhat? [RANDOMIZED]

**Set national standards for the qualifications for public defenders instead of letting qualifications vary from state to state and county to county**

	<b>Strongly good idea</b>	<b>Somewhat good</b>	<b>Somewhat not good</b>	<b>Strongly not a good idea</b>
<b>Total</b>	39%	38	13	8
Men	40%	35	12	10
Women	39%	40	15	6
White	38%	37	15	9
African American/Black	53%	32	7	4
Hispanic	35%	45	11	6
Other	40%	40	15	3
18-29	35%	43	17	3
30-44	41%	40	13	4
45-59	47%	32	12	8
60+	34%	37	13	13
Non high school grad	33%	45	12	7
HS grad	40%	38	13	6
Some college	39%	38	13	8
College grad	42%	34	14	10
<\$30,000 annual income	41%	39	11	5
\$30-60,000	36%	41	15	7
\$60-100,000	41%	38	10	8
\$100,000+	40%	31	17	11
Registered voters	41%	36	13	8
Likely voters	42%	36	11	9
Liberal	55%	32	7	4
Moderate	43%	40	13	3
Conservative	26%	39	18	14
Democrat	50%	37	6	5
Republican	23%	42	20	12
Independent	44%	33	17	6
Something else	30%	40	15	12
Northeast	40%	32	16	7
Midwest	42%	43	9	6
South	38%	37	15	9
West	39%	39	13	8
Self/family rep by PD	43%	34	13	8

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**Public Defense Proposals: National Standards for Resources**


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Q10b. There are a number of proposals to improve public defense across the U.S. Please tell me if you think each of the following is a good idea or a not a good idea. Do you feel that way strongly or somewhat? [RANDOMIZED] **Set national standards for a minimum level of resources that should be available to all public defenders, such as access to expert witnesses, investigators and DNA testing when appropriate**

	Strongly good idea	Somewhat good	Somewhat not good	Strongly not a good idea
<b>Total</b>	49%	37	8	6
Men	48%	36	7	7
Women	49%	37	8	5
White	46%	36	9	7
African American/Black	62%	29	5	3
Hispanic	50%	41	5	4
Other	48%	47	1	2
18-29	44%	44	6	3
30-44	47%	42	7	3
45-59	55%	31	6	6
60+	46%	33	10	10
Non high school grad	53%	34	10	3
HS grad	47%	38	7	5
Some college	44%	43	6	6
College grad	52%	31	9	8
<\$30,000 annual income	56%	34	5	3
\$30-60,000	44%	42	8	5
\$60-100,000	45%	38	6	8
\$100,000+	47%	32	12	8
Registered voters	49%	36	8	6
Likely voters	52%	34	7	7
Liberal	68%	25	4	2
Moderate	48%	40	7	5
Conservative	36%	43	11	9
Democrat	62%	32	3	2
Republican	24%	48	16	9
Independent	54%	32	7	6
Something else	43%	40	6	10
Northeast	48%	33	10	5
Midwest	53%	36	6	4
South	47%	39	8	6
West	47%	39	5	9
Self/family rep by PD	54%	31	9	6

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**Public Defense Proposals: System of Review for People Who Need Services**


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Q10c. There are a number of proposals to improve public defense across the U.S. Please tell me if you think each of the following is a good idea or a not a good idea. Do you feel that way strongly or somewhat? [RANDOMIZED]

**Establish a system of supervision and review to make sure that public defender systems are serving the people who need them** SPLIT SAMPLE: n= 721

	Strongly good idea	Somewhat good	Somewhat not good	Strongly not a good idea
<b>Total</b>	50%	40	6	2
Men	47%	40	6	3
Women	53%	40	5	1
White	47%	44	6	2
African American/Black	67%	25	4	1
Hispanic	46%	47	3	3
Other	61%	20	12	3
18-29	50%	47	1	1
30-44	45%	40	11	3
45-59	51%	40	4	2
60+	54%	36	6	4
Non high school grad	46%	51	1	2
HS grad	51%	43	3	1
Some college	53%	36	8	1
College grad	49%	38	8	5
<\$30,000 annual income	59%	34	2	1
\$30-60,000	47%	44	7	1
\$60-100,000	40%	52	2	4
\$100,000+	53%	30	13	4
Registered voters	51%	39	7	2
Likely voters	50%	40	6	3
Liberal	61%	34	1	1
Moderate	54%	39	4	2
Conservative	39%	46	10	3
Democrat	59%	35	3	0
Republican	30%	55	11	2
Independent	52%	39	5	4
Something else	58%	31	4	3
Northeast	46%	45	4	1
Midwest	57%	32	6	3
South	50%	42	5	2
West	48%	41	7	3
Self/family rep by PD	55%	36	5	2

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**Public Defense Proposals: System of Review for Low-Income People**


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Q10d. There are a number of proposals to improve public defense across the U.S. Please tell me if you think each of the following is a good idea or a not a good idea. Do you feel that way strongly or somewhat? [RANDOMIZED]

**Establish a system of supervision and review to make sure that public defender systems are serving the low-income people who are accused of a crime** SPLIT SAMPLE : n= 757

	Strongly good idea	Somewhat good	Somewhat not good	Strongly not a good idea
<b>Total</b>	44%	41	7	7
Men	43%	40	7	8
Women	45%	41	7	6
White	39%	44	7	10
African American/Black	63%	28	5	2
Hispanic	52%	38	6	4
Other	46%	34	17	3
18-29	42%	42	10	6
30-44	43%	45	7	5
45-59	50%	37	6	7
60+	43%	40	6	11
Non high school grad	50%	39	2	9
HS grad	46%	38	5	10
Some college	39%	47	9	5
College grad	46%	38	10	6
<\$30,000 annual income	51%	40	4	4
\$30-60,000	48%	38	8	6
\$60-100,000	35%	42	13	10
\$100,000+	39%	44	6	11
Registered voters	45%	40	7	7
Likely voters	47%	39	8	7
Liberal	65%	28	5	2
Moderate	40%	51	6	3
Conservative	34%	40	11	14
Democrat	57%	36	5	2
Republican	30%	40	15	15
Independent	49%	40	5	6
Something else	29%	55	4	10
Northeast	46%	38	7	9
Midwest	41%	49	7	3
South	44%	39	7	9
West	48%	37	9	7
Self/family rep by PD	56%	33	5	6

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**Public Defense Proposals: Same Resources as Prosecutors**


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Q10e. There are a number of proposals to improve public defense across the U.S. Please tell me if you think each of the following is a good idea or a not a good idea. Do you feel that way strongly or somewhat? [RANDOMIZED]

**Provide public defenders with the same resources per case as prosecutors to spend on things such as expert witnesses, investigators, and lab tests.**

	Strongly good idea	Somewhat good	Somewhat not good	Strongly not a good idea
<b>Total</b>	48%	36	10	5
Men	44%	38	12	4
Women	52%	35	8	5
White	45%	36	12	6
African American/Black	66%	26	6	2
Hispanic	46%	43	6	4
Other	53%	39	5	2
18-29	46%	38	10	3
30-44	45%	39	12	3
45-59	49%	36	7	6
60+	51%	32	10	6
Non high school grad	44%	40	10	4
HS grad	48%	35	8	5
Some college	47%	39	9	4
College grad	50%	33	12	5
<\$30,000 annual income	56%	33	6	3
\$30-60,000	49%	39	9	4
\$60-100,000	43%	37	12	5
\$100,000+	41%	37	13	8
Registered voters	49%	34	11	5
Likely voters	51%	35	9	5
Liberal	66%	25	5	3
Moderate	46%	39	11	3
Conservative	37%	42	12	6
Democrat	60%	33	5	1
Republican	29%	42	15	11
Independent	49%	37	11	4
Something else	47%	35	12	4
Northeast	43%	34	12	7
Midwest	47%	40	9	2
South	51%	35	9	5
West	49%	38	9	4
Self/family rep by PD	57%	26	10	6

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**Public Defense Proposals: Assign Lawyer with Three Business Days**


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Q10f. There are a number of proposals to improve public defense across the U.S. Please tell me if you think each of the following is a good idea or a not a good idea. Do you feel that way strongly or somewhat? [RANDOMIZED]

**Require states to assign a lawyer to meet with those who cannot afford one on their own within three business days after being arrested**

	Strongly good idea	Somewhat good	Somewhat not good	Strongly not a good idea
<b>Total</b>	46%	38	10	4
Men	44%	39	10	5
Women	48%	37	10	4
White	42%	40	11	5
African American/Black	64%	26	6	3
Hispanic	49%	37	7	4
Other	41%	45	12	2
18-29	42%	45	9	1
30-44	43%	39	14	4
45-59	50%	32	11	6
60+	48%	38	7	6
Non high school grad	51%	32	7	8
HS grad	44%	37	12	3
Some college	47%	39	10	4
College grad	45%	40	9	5
<\$30,000 annual income	54%	33	7	4
\$30-60,000	45%	40	11	3
\$60-100,000	39%	41	11	6
\$100,000+	41%	40	12	6
Registered voters	47%	38	10	4
Likely voters	49%	37	9	4
Liberal	65%	25	6	3
Moderate	46%	36	14	4
Conservative	33%	48	10	7
Democrat	60%	31	7	2
Republican	29%	45	15	9
Independent	43%	40	12	4
Something else	43%	45	5	6
Northeast	44%	36	13	4
Midwest	47%	41	7	4
South	47%	37	9	6
West	44%	39	13	3
Self/family rep by PD	54%	32	8	5

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**Summary Table of Proposals for Public Defense**

Q10. There are a number of proposals to improve public defense across the U.S. Please tell me if you think each of the following is a good idea or a not a good idea. Do you feel that way strongly or somewhat? [RANDOMIZED]  
 c. (SPLIT SAMPLE n=721) Establish a system of supervision and review to make sure that public defender systems are serving the people who need them. b. Set national standards for a minimum level of resources that should be available to all public defenders, such as access to expert witnesses, investigators and DNA testing when appropriate. e. Provide public defenders with the same resources per case as prosecutors to spend on things such as expert witnesses, investigators, and lab tests. f. Require states to assign a lawyer to meet with those who cannot afford one on their own within three business days after being arrested. d. (SPLIT SAMPLE n=757) Establish a system of supervision and review to make sure that public defender systems are serving the low-income people who are accused of a crime. a. Set national standards for the qualifications for public defenders instead of letting qualifications vary from state to state and county to county.

<i>% saying 'strongly'</i>	<b>Review system/people who need</b>	<b>Resource standard</b>	<b>Same resources</b>	<b>Lawyer in 3 days</b>	<b>Review system /low-income</b>	<b>Qualif. standard</b>
<b>Total</b>	50%	49%	48%	46%	44%	39%
Men	47%	48%	44%	44%	43%	40%
Women	53%	49%	52%	48%	45%	39%
White	47%	46%	45%	42%	39%	38%
African American/Black	67%	62%	66%	64%	63%	53%
Hispanic	46%	50%	46%	49%	52%	35%
Other	61%	48%	53%	41%	46%	40%
18-29	50%	44%	46%	42%	42%	35%
30-44	45%	47%	45%	43%	43%	41%
45-59	51%	55%	49%	50%	50%	47%
60+	54%	46%	51%	48%	43%	34%
Non high school grad	46%	53%	44%	51%	50%	33%
HS grad	51%	47%	48%	44%	46%	40%
Some college	53%	44%	47%	47%	39%	39%
College grad	49%	52%	50%	45%	46%	42%
<\$30,000 annual income	59%	56%	56%	54%	51%	41%
\$30-60,000	47%	44%	49%	45%	48%	36%
\$60-100,000	40%	45%	43%	39%	35%	41%
\$100,000+	53%	47%	41%	41%	39%	40%
Registered voters	51%	49%	49%	47%	45%	41%
Likely voters	50%	52%	51%	49%	47%	42%
Liberal	61%	68%	66%	65%	65%	55%
Moderate	54%	48%	46%	46%	40%	43%
Conservative	39%	36%	37%	33%	34%	26%
Democrat	59%	62%	60%	60%	57%	50%
Republican	30%	24%	29%	29%	30%	23%
Independent	52%	54%	49%	43%	49%	44%
Something else	58%	43%	47%	43%	29%	30%
Northeast	46%	48%	43%	44%	46%	40%
Midwest	57%	53%	47%	47%	41%	42%
South	50%	47%	51%	47%	44%	38%
West	48%	47%	49%	44%	48%	39%
Self/family rep by PD	55%	54%	57%	54%	56%	43%



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**Messages in Favor: Fundamental Right in Our Constitution**


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Q11a. Here are some statements people have made about why we need to spend more tax dollars on public defense. Please indicate if you find each statement very convincing, somewhat convincing, not very convincing, or not at all convincing as a reason to spend more tax dollars on public defense? [RANDOMIZED] **Guaranteeing that every person accused of a crime has the right to a lawyer is a fundamental American right that is written into our Constitution.**

	Very convincing	Somewhat convincing	Not very convincing	Not at all convincing
<b>Total</b>	56%	29	10	4
Men	58%	28	7	5
Women	55%	29	12	3
White	55%	29	11	4
African American/Black	64%	24	8	4
Hispanic	58%	30	8	3
Other	59%	31	2	8
18-29	56%	30	9	2
30-44	50%	33	11	5
45-59	60%	26	9	4
60+	58%	27	9	5
Non high school grad	53%	29	11	6
HS grad	56%	27	11	3
Some college	58%	30	9	3
College grad	57%	29	8	5
<\$30,000 annual income	62%	24	9	3
\$30-60,000	58%	30	8	4
\$60-100,000	50%	30	11	6
\$100,000+	53%	33	10	4
Registered voters	59%	27	10	4
Likely voters	59%	27	9	5
Liberal	71%	20	6	3
Moderate	56%	31	9	3
Conservative	47%	32	13	5
Democrat	64%	27	6	2
Republican	45%	33	14	6
Independent	59%	23	13	5
Something else	52%	36	7	5
Northeast	56%	28	10	4
Midwest	58%	28	11	1
South	56%	29	9	5
West	57%	29	9	4
Self/family rep by PD	59%	21	13	6

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**Messages in Favor: Prevents Innocent People from Going to Jail**


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Q11b. Here are some statements people have made about why we need to spend more tax dollars on public defense. Please indicate if you find each statement very convincing, somewhat convincing, not very convincing, or not at all convincing as a reason to spend more tax dollars on public defense? [RANDOMIZED] **Providing competent legal representation is necessary to prevent innocent people from going to jail.** SPLIT SAMPLE: n= 751

	Very convincing	Somewhat convincing	Not very convincing	Not at all convincing
<b>Total</b>	59%	29	8	3
Men	56%	28	11	3
Women	62%	29	6	3
White	53%	32	10	3
African American/Black	74%	20	4	1
Hispanic	66%	23	7	3
Other	73%	23	1	3
18-29	57%	24	13	1
30-44	55%	36	8	1
45-59	61%	29	5	4
60+	61%	26	7	5
Non high school grad	74%	18	5	3
HS grad	52%	32	10	3
Some college	58%	31	8	2
College grad	60%	27	9	4
<\$30,000 annual income	67%	23	5	4
\$30-60,000	58%	33	7	2
\$60-100,000	55%	32	7	2
\$100,000+	53%	27	15	4
Registered voters	60%	28	9	3
Likely voters	62%	29	6	3
Liberal	74%	19	6	1
Moderate	59%	32	6	3
Conservative	50%	31	12	5
Democrat	73%	25	2	0
Republican	40%	35	15	7
Independent	60%	28	11	2
Something else	54%	29	11	6
Northeast	56%	26	8	5
Midwest	53%	38	8	2
South	62%	27	8	3
West	61%	26	9	3
Self/family rep by PD	66%	17	11	6

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**Messages in Favor: Reduce Over-incarceration**


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Q11c. Here are some statements people have made about why we need to spend more tax dollars on public defense. Please indicate if you find each statement very convincing, somewhat convincing, not very convincing, or not at all convincing as a reason to spend more tax dollars on public defense? [RANDOMIZED] **Providing competent legal representation will help to reduce over-incarceration in the U.S. because fewer people will be wrongly convicted and sentenced.** SPLIT SAMPLE: n= 717

	Very convincing	Somewhat convincing	Not very convincing	Not at all convincing
<b>Total</b>	39%	35	17	7
Men	40%	36	16	7
Women	39%	35	17	7
White	36%	36	19	8
African American/Black	52%	30	12	6
Hispanic	45%	40	10	5
Other	39%	31	20	11
18-29	44%	36	16	4
30-44	32%	39	24	5
45-59	42%	35	13	9
60+	40%	32	15	10
Non high school grad	36%	45	15	4
HS grad	40%	35	20	5
Some college	39%	35	13	12
College grad	41%	33	18	7
<\$30,000 annual income	42%	38	13	5
\$30-60,000	39%	33	18	9
\$60-100,000	33%	39	21	7
\$100,000+	42%	31	17	9
Registered voters	41%	34	17	7
Likely voters	44%	30	17	8
Liberal	62%	26	7	4
Moderate	33%	43	18	5
Conservative	30%	33	24	13
Democrat	54%	30	11	5
Republican	24%	36	28	11
Independent	40%	33	16	9
Something else	25%	53	18	5
Northeast	38%	35	22	5
Midwest	40%	34	18	6
South	39%	36	14	11
West	41%	37	17	5
Self/family rep by PD	40%	33	20	6

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**Messages in Favor: Reduce Unfairness and Expense of Jail for Minor Crimes**


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Q11d. Here are some statements people have made about why we need to spend more tax dollars on public defense. Please indicate if you find each statement very convincing, somewhat convincing, not very convincing, or not at all convincing as a reason to spend more tax dollars on public defense? [RANDOMIZED] **Providing competent legal representation will mean that alternatives to incarceration are considered more often for poor people who are accused of less serious crimes. This will reduce the unfairness and expense of sending people to jail for minor crimes.**

	Very convincing	Somewhat convincing	Not very convincing	Not at all convincing
<b>Total</b>	42%	40	11	6
Men	41%	40	11	7
Women	43%	40	12	4
White	39%	41	13	6
African American/Black	53%	36	7	4
Hispanic	43%	40	11	5
Other	46%	39	7	8
18-29	43%	42	9	4
30-44	39%	40	16	5
45-59	44%	40	8	6
60+	40%	39	13	6
Non high school grad	41%	38	12	6
HS grad	41%	43	9	5
Some college	39%	43	13	5
College grad	45%	37	12	6
<\$30,000 annual income	45%	40	7	6
\$30-60,000	42%	40	12	5
\$60-100,000	35%	39	19	5
\$100,000+	42%	42	10	6
Registered voters	43%	39	11	5
Likely voters	44%	38	11	6
Liberal	66%	26	4	4
Moderate	37%	46	11	5
Conservative	29%	44	17	8
Democrat	56%	35	5	4
Republican	28%	41	20	8
Independent	35%	44	15	5
Something else	37%	47	8	6
Northeast	38%	46	8	5
Midwest	42%	40	13	5
South	42%	38	12	7
West	43%	40	11	5
Self/family rep by PD	52%	28	13	7

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**Messages in Favor: Racial Unfairness**


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Q11e. Here are some statements people have made about why we need to spend more tax dollars on public defense. Please indicate if you find each statement very convincing, somewhat convincing, not very convincing, or not at all convincing as a reason to spend more tax dollars on public defense? [RANDOMIZED] **Improving public defense for all will be a step toward correcting the racial unfairness in our criminal justice system.**

	Very convincing	Somewhat convincing	Not very convincing	Not at all convincing
<b>Total</b>	39%	32	16	11
Men	37%	31	16	13
Women	41%	33	15	10
White	34%	33	18	13
African American/Black	56%	31	7	4
Hispanic	47%	33	13	6
Other	45%	30	13	11
18-29	39%	36	15	7
30-44	30%	35	19	15
45-59	44%	29	15	11
60+	43%	31	14	11
Non high school grad	44%	39	11	5
HS grad	40%	32	19	6
Some college	34%	33	14	17
College grad	42%	29	16	13
<\$30,000 annual income	47%	34	9	7
\$30-60,000	34%	36	19	11
\$60-100,000	36%	26	20	15
\$100,000+	39%	31	17	13
Registered voters	41%	30	16	12
Likely voters	42%	29	15	13
Liberal	62%	25	7	6
Moderate	33%	40	18	8
Conservative	30%	30	21	17
Democrat	58%	30	8	4
Republican	24%	29	25	20
Independent	35%	32	20	12
Something else	21%	47	15	15
Northeast	41%	27	17	11
Midwest	38%	37	15	9
South	39%	31	16	14
West	41%	34	16	8
Self/family rep by PD	41%	28	18	12

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**Messages in Favor: Quality of Justice Should Not Be Determined by Money**


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Q11f. Here are some statements people have made about why we need to spend more tax dollars on public defense. Please indicate if you find each statement very convincing, somewhat convincing, not very convincing, or not at all convincing as a reason to spend more tax dollars on public defense? [RANDOMIZED] **The quality of justice a person receives should not be determined by how much money a person has.**

	<b>Very convincing</b>	<b>Somewhat convincing</b>	<b>Not very convincing</b>	<b>Not at all convincing</b>
<b>Total</b>	61%	23	8	6
Men	59%	24	8	7
Women	63%	23	8	6
White	61%	24	8	6
African American/Black	67%	19	6	7
Hispanic	60%	22	9	8
Other	53%	32	9	5
18-29	62%	24	8	3
30-44	52%	28	13	6
45-59	64%	22	6	8
60+	65%	20	6	8
Non high school grad	62%	23	7	8
HS grad	59%	23	10	6
Some college	60%	23	9	8
College grad	63%	25	6	5
<\$30,000 annual income	64%	21	7	7
\$30-60,000	65%	24	5	6
\$60-100,000	57%	24	12	5
\$100,000+	56%	26	10	8
Registered voters	63%	21	8	6
Likely voters	65%	21	6	7
Liberal	77%	15	3	5
Moderate	62%	23	10	4
Conservative	50%	28	10	9
Democrat	68%	20	5	6
Republican	51%	28	12	7
Independent	66%	18	10	6
Something else	49%	36	5	9
Northeast	64%	20	7	5
Midwest	61%	23	12	4
South	59%	25	5	9
West	61%	25	10	4
Self/family rep by PD	69%	17	7	7

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**Messages in Favor: Fairness Requires a Competent Attorney**


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Q11g. Here are some statements people have made about why we need to spend more tax dollars on public defense. Please indicate if you find each statement very convincing, somewhat convincing, not very convincing, or not at all convincing as a reason to spend more tax dollars on public defense? [RANDOMIZED] **Fairness requires that all accused persons have access to a competent attorney to represent them.**

	Very convincing	Somewhat convincing	Not very convincing	Not at all convincing
<b>Total</b>	54%	33	9	3
Men	54%	34	7	3
Women	54%	32	11	2
White	52%	34	10	3
African American/Black	73%	18	6	2
Hispanic	56%	34	7	2
Other	39%	45	11	5
18-29	49%	36	12	1
30-44	49%	34	13	4
45-59	60%	30	5	2
60+	57%	31	6	4
Non high school grad	56%	35	6	2
HS grad	52%	32	11	2
Some college	54%	36	6	3
College grad	55%	29	10	4
<\$30,000 annual income	62%	28	7	2
\$30-60,000	51%	38	7	2
\$60-100,000	46%	39	9	2
\$100,000+	53%	26	13	7
Registered voters	56%	30	9	3
Likely voters	58%	29	8	3
Liberal	76%	15	5	2
Moderate	52%	37	8	2
Conservative	40%	40	12	5
Democrat	67%	26	4	2
Republican	38%	40	16	4
Independent	56%	28	12	3
Something else	41%	48	6	4
Northeast	54%	24	16	2
Midwest	57%	30	10	3
South	54%	36	6	3
West	53%	36	6	3
Self/family rep by PD	59%	25	10	4

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**Messages in Favor: Someday You May Need a Public Defender**


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Q11h. Here are some statements people have made about why we need to spend more tax dollars on public defense. Please indicate if you find each statement very convincing, somewhat convincing, not very convincing, or not at all convincing as a reason to spend more tax dollars on public defense? [RANDOMIZED] **Some day you or someone you know may need the help of a public defender.**

	Very convincing	Somewhat convincing	Not very convincing	Not at all convincing
<b>Total</b>	37%	34	20	8
Men	34%	36	19	8
Women	39%	33	20	8
White	33%	35	22	9
African American/Black	55%	28	11	5
Hispanic	45%	39	12	4
Other	28%	29	30	13
18-29	32%	39	22	4
30-44	32%	36	23	8
45-59	43%	32	16	9
60+	38%	31	20	9
Non high school grad	45%	35	11	9
HS grad	42%	30	20	5
Some college	34%	41	16	8
College grad	32%	32	26	10
<\$30,000 annual income	48%	32	15	4
\$30-60,000	35%	39	18	7
\$60-100,000	34%	30	23	10
\$100,000+	25%	37	27	11
Registered voters	38%	33	20	8
Likely voters	39%	31	20	9
Liberal	49%	30	15	5
Moderate	36%	36	22	6
Conservative	30%	35	22	12
Democrat	48%	29	15	6
Republican	22%	40	26	10
Independent	38%	31	25	6
Something else	29%	45	13	12
Northeast	37%	34	19	7
Midwest	38%	29	26	6
South	38%	36	17	8
West	34%	37	19	10
Self/family rep by PD	48%	30	14	7

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**Messages in Favor: Overburdened – Only Seven Minutes Per Case**


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Q11i. Here are some statements people have made about why we need to spend more tax dollars on public defense. Please indicate if you find each statement very convincing, somewhat convincing, not very convincing, or not at all convincing as a reason to spend more tax dollars on public defense? [RANDOMIZED] **Today in many states the public defenders are very overburdened – sometimes with caseloads so high that a public defender can devote only *even minutes per case*.** SPLIT SAMPLE: n= 741

	Very convincing	Somewhat convincing	Not very convincing	Not at all convincing
<b>Total</b>	47%	30	13	8
Men	45%	33	12	7
Women	49%	27	15	8
White	48%	28	14	7
African American/Black	51%	24	10	14
Hispanic	42%	34	15	8
Other	45%	52	3	-
18-29	40%	33	12	9
30-44	47%	35	13	5
45-59	55%	30	9	5
60+	44%	24	18	11
Non high school grad	40%	26	13	20
HS grad	43%	28	19	6
Some college	50%	28	12	9
College grad	50%	36	9	3
<\$30,000 annual income	53%	28	11	7
\$30-60,000	48%	32	12	8
\$60-100,000	38%	32	19	5
\$100,000+	47%	29	13	11
Registered voters	50%	28	12	8
Likely voters	54%	26	12	6
Liberal	66%	23	7	2
Moderate	46%	34	15	4
Conservative	37%	31	15	14
Democrat	56%	26	11	4
Republican	39%	36	12	10
Independent	52%	27	16	4
Something else	28%	36	19	17
Northeast	48%	25	13	6
Midwest	45%	34	16	4
South	46%	32	10	12
West	50%	28	17	5
Self/family rep by PD	60%	21	11	8

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**Messages in Favor: Overburdened – Only a Couple of Hours per Case**


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Q11j. Here are some statements people have made about why we need to spend more tax dollars on public defense. Please indicate if you find each statement very convincing, somewhat convincing, not very convincing, or not at all convincing as a reason to spend more tax dollars on public defense? [RANDOMIZED]. **Today in many states the public defenders are very overburdened – sometimes with caseloads so high that a public defender can devote only a couple of hours to each case.** SPLIT SAMPLE: n= 737

	Very convincing	Somewhat convincing	Not very convincing	Not at all convincing
<b>Total</b>	51%	32	11	5
Men	50%	35	11	4
Women	53%	30	11	5
White	54%	31	11	4
African American/Black	63%	24	7	5
Hispanic	42%	41	12	4
Other	37%	36	18	9
18-29	45%	35	11	7
30-44	49%	36	11	4
45-59	56%	30	10	4
60+	54%	29	13	4
Non high school grad	46%	36	16	2
HS grad	46%	36	13	5
Some college	53%	32	10	4
College grad	57%	28	9	6
<\$30,000 annual income	55%	29	12	3
\$30-60,000	50%	40	8	3
\$60-100,000	50%	31	16	3
\$100,000+	49%	29	9	12
Registered voters	55%	29	11	5
Likely voters	55%	31	10	4
Liberal	65%	25	5	5
Moderate	54%	27	15	3
Conservative	38%	43	12	6
Democrat	58%	31	8	3
Republican	36%	35	17	11
Independent	54%	31	12	3
Something else	51%	35	9	4
Northeast	57%	29	7	8
Midwest	49%	34	14	2
South	51%	33	10	5
West	50%	33	13	4
Self/family rep by PD	55%	21	14	10

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**Messages in Favor: Public Defenders Paid Minimum Wage**


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Q11k. Here are some statements people have made about why we need to spend more tax dollars on public defense. Please indicate if you find each statement very convincing, somewhat convincing, not very convincing, or not at all convincing as a reason to spend more tax dollars on public defense? [RANDOMIZED] **In some states resources are so lacking, public defenders are paid the equivalent of minimum wage or less.**

	Very convincing	Somewhat convincing	Not very convincing	Not at all convincing
<b>Total</b>	38%	32	18	10
Men	34%	30	21	12
Women	41%	33	16	8
White	37%	30	19	12
African American/Black	47%	29	14	7
Hispanic	34%	35	22	7
Other	41%	42	11	6
18-29	34%	39	15	10
30-44	35%	35	18	10
45-59	44%	24	21	10
60+	36%	31	19	11
Non high school grad	34%	23	29	13
HS grad	29%	34	20	12
Some college	39%	35	16	9
College grad	46%	30	15	8
<\$30,000 annual income	39%	32	16	9
\$30-60,000	36%	36	19	8
\$60-100,000	36%	26	22	14
\$100,000+	40%	31	17	12
Registered voters	40%	31	17	10
Likely voters	43%	30	17	9
Liberal	53%	26	15	4
Moderate	35%	34	19	11
Conservative	30%	33	20	14
Democrat	48%	28	15	6
Republican	25%	34	22	16
Independent	39%	32	20	9
Something else	29%	38	19	14
Northeast	42%	21	21	11
Midwest	32%	38	19	10
South	39%	32	17	11
West	37%	35	18	8
Self/family rep by PD	38%	30	16	15

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**Messages in Favor: Some Wait Six Months for a Lawyer to be Assigned**


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Q111. Here are some statements people have made about why we need to spend more tax dollars on public defense. Please indicate if you find each statement very convincing, somewhat convincing, not very convincing, or not at all convincing as a reason to spend more tax dollars on public defense? [RANDOMIZED] **A lack of funding in many places has resulted in people accused of minor crimes waiting in jail as long as six months to have a lawyer assigned to them and a hearing held.**

	Very convincing	Somewhat convincing	Not very convincing	Not at all convincing
<b>Total</b>	51%	32	10	6
Men	47%	35	10	6
Women	54%	28	11	6
White	50%	32	11	6
African American/Black	61%	23	9	7
Hispanic	43%	34	14	9
Other	50%	41	4	4
18-29	46%	35	9	7
30-44	47%	37	10	5
45-59	54%	30	11	5
60+	53%	27	11	8
Non high school grad	45%	29	13	12
HS grad	47%	31	12	7
Some college	49%	35	10	4
College grad	57%	30	8	5
<\$30,000 annual income	54%	28	11	5
\$30-60,000	51%	34	8	6
\$60-100,000	44%	35	13	4
\$100,000+	51%	31	10	9
Registered voters	52%	31	10	5
Likely voters	55%	30	10	5
Liberal	71%	16	8	5
Moderate	47%	37	11	4
Conservative	39%	38	12	9
Democrat	62%	25	8	4
Republican	32%	40	13	12
Independent	52%	31	12	4
Something else	48%	36	9	7
Northeast	53%	28	7	7
Midwest	46%	35	16	3
South	52%	29	11	7
West	50%	35	8	6
Self/family rep by PD	53%	29	10	8

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**Messages in Favor: Caseloads of 500 to 900 Cases per Year**


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Q11m. Here are some statements people have made about why we need to spend more tax dollars on public defense. Please indicate if you find each statement very convincing, somewhat convincing, not very convincing, or not at all convincing as a reason to spend more tax dollars on public defense? [RANDOMIZED] **In some states, public defense caseloads can range from 500 to 900 cases per year for each public defender.**

	Very convincing	Somewhat convincing	Not very convincing	Not at all convincing
<b>Total</b>	44%	34	16	5
Men	42%	32	16	7
Women	47%	35	15	3
White	45%	31	17	5
African American/Black	50%	33	10	4
Hispanic	37%	41	15	6
Other	43%	40	12	5
18-29	41%	40	14	3
30-44	40%	37	18	4
45-59	51%	32	12	5
60+	45%	27	19	7
Non high school grad	37%	33	17	11
HS grad	42%	32	21	3
Some college	43%	37	15	4
College grad	51%	32	12	5
<\$30,000 annual income	45%	36	13	4
\$30-60,000	45%	33	15	5
\$60-100,000	42%	30	23	3
\$100,000+	45%	34	13	8
Registered voters	46%	32	16	5
Likely voters	49%	30	15	5
Liberal	60%	28	8	4
Moderate	46%	37	14	3
Conservative	32%	35	23	7
Democrat	53%	35	9	3
Republican	33%	32	25	6
Independent	45%	33	17	5
Something else	40%	34	18	7
Northeast	51%	28	13	4
Midwest	40%	39	17	3
South	46%	30	16	6
West	42%	38	15	4
Self/family rep by PD	49%	30	14	7

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**Messages in Favor: Fewer Lives Ruined because of Minor Offenses**


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Q11n. Here are some statements people have made about why we need to spend more tax dollars on public defense. Please indicate if you find each statement very convincing, somewhat convincing, not very convincing, or not at all convincing as a reason to spend more tax dollars on public defense? [RANDOMIZED] **Better public defense system will lead to fewer young people having their lives ruined because they are convicted of minor offences.**

	Very convincing	Somewhat convincing	Not very convincing	Not at all convincing
<b>Total</b>	46%	30	17	7
Men	44%	30	18	7
Women	48%	30	17	6
White	42%	30	20	7
African American/Black	62%	26	9	3
Hispanic	52%	29	13	6
Other	40%	41	13	6
18-29	44%	33	15	7
30-44	37%	34	22	6
45-59	46%	31	16	7
60+	55%	23	16	6
Non high school grad	57%	25	12	5
HS grad	44%	30	17	9
Some college	46%	31	17	5
College grad	43%	31	20	6
<\$30,000 annual income	56%	28	10	5
\$30-60,000	48%	32	16	4
\$60-100,000	39%	29	23	9
\$100,000+	35%	31	24	9
Registered voters	47%	29	17	6
Likely voters	49%	28	17	6
Liberal	61%	23	11	5
Moderate	41%	39	14	5
Conservative	40%	27	24	9
Democrat	57%	28	11	4
Republican	32%	29	28	11
Independent	42%	36	15	7
Something else	48%	23	21	7
Northeast	46%	27	16	11
Midwest	41%	32	20	6
South	48%	31	14	6
West	46%	29	21	4
Self/family rep by PD	54%	24	14	8

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**Summary Table: Messages in Favor**


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Q11. Here are some statements people have made about why we need to spend more tax dollars on public defense. Please indicate if you find each statement very convincing, somewhat convincing, not very convincing, or not at all convincing as a reason to spend more tax dollars on public defense? [RANDOMIZED] f. The quality of justice a person *receives should not be determined* by how much money a person has. b. (SPLIT SAMPLE n= 751) Providing competent legal representation is necessary to prevent innocent people from going to jail. a. Guaranteeing that every person accused of a crime has the right to a lawyer is a fundamental American right that is written into our Constitution. g. Fairness requires that all accused persons have access to a competent attorney to represent them. j. (SPLIT SAMPLE n= 737) Today in many states the public defenders are very overburdened – sometimes with caseloads so high that a public defender can devote only a couple of hours to each case.

<i>% saying 'very convincing'</i>	<b>Quality not det. by \$</b>	<b>Prevent innocnt in jail</b>	<b>Fundamntl right</b>	<b>Fairness requires attny</b>	<b>Only a couple hours/case</b>
<b>Total</b>	61%	59%	56%	54%	51%
Men	59%	56%	58%	54%	50%
Women	63%	62%	55%	54%	53%
White	61%	53%	55%	52%	54%
African American/Black	67%	74%	64%	73%	63%
Hispanic	60%	66%	58%	56%	42%
Other	53%	73%	59%	39%	37%
18-29	62%	57%	56%	49%	45%
30-44	52%	55%	50%	49%	49%
45-59	64%	61%	60%	60%	56%
60+	65%	61%	58%	57%	54%
Non high school grad	62%	74%	53%	56%	46%
HS grad	59%	52%	56%	52%	46%
Some college	60%	58%	58%	54%	53%
College grad	63%	60%	57%	55%	57%
<\$30,000 annual income	64%	67%	62%	62%	55%
\$30-60,000	65%	58%	58%	51%	50%
\$60-100,000	57%	55%	50%	46%	50%
\$100,000+	56%	53%	53%	53%	49%
Registered voters	63%	60%	59%	56%	55%
Likely voters	65%	62%	59%	58%	55%
Liberal	77%	74%	71%	76%	65%
Moderate	62%	59%	56%	52%	54%
Conservative	50%	50%	47%	40%	38%
Democrat	68%	73%	64%	67%	58%
Republican	51%	40%	45%	38%	36%
Independent	66%	60%	59%	56%	54%
Something else	49%	54%	52%	41%	51%
Northeast	64%	56%	56%	54%	57%
Midwest	61%	53%	58%	57%	49%
South	59%	62%	56%	54%	51%
West	61%	61%	57%	53%	50%
Self/family rep by PD	69%	66%	59%	59%	55%

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**Summary Table: Messages in Favor (continued)**


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Q11. Here are some statements people have made about why we need to spend more tax dollars on public defense. Please indicate if you find each statement very convincing, somewhat convincing, not very convincing, or not at all convincing as a reason to spend more tax dollars on public defense? [RANDOMIZED] l. A lack of funding in many places has resulted in people accused of minor crimes waiting in jail as long as six months to have a lawyer assigned to them and a hearing held=i. (SPLIT SAMPLE n= 741) Today in many states the public defenders are very overburdened – sometimes with caseloads so high that a public defender can devote only seven minutes per case. n. Better public defense system will lead to fewer young people having their lives ruined because they are convicted of minor offences. m. In some states, public defense caseloads can range from 500 to 900 cases per year for each public defender. d. Providing competent legal representation will mean that alternatives to incarceration are considered more often for poor people who are accused of less serious crimes. This will reduce the unfairness and expense of sending people to jail for minor crimes.

<i>% saying 'very convincing'</i>	<b>Six months w/o att.</b>	<b>7 min per case</b>	<b>Fewer lives ruined</b>	<b>500-900 cases/year</b>	<b>Unfairness of jail for minor offenses</b>
<b>Total</b>	51%	47%	46%	44%	42%
Men	47%	45%	44%	42%	41%
Women	54%	49%	48%	47%	43%
White	50%	48%	42%	45%	39%
African American/Black	61%	51%	62%	50%	53%
Hispanic	43%	42%	52%	37%	43%
Other	50%	45%	40%	43%	46%
18-29	46%	40%	44%	41%	43%
30-44	47%	47%	37%	40%	39%
45-59	54%	55%	46%	51%	44%
60+	53%	44%	55%	45%	40%
Non high school grad	45%	40%	57%	37%	41%
HS grad	47%	43%	44%	42%	41%
Some college	49%	50%	46%	43%	39%
College grad	57%	50%	43%	51%	45%
<\$30,000 annual income	54%	53%	56%	45%	45%
\$30-60,000	51%	48%	48%	45%	42%
\$60-100,000	44%	38%	39%	42%	35%
\$100,000+	51%	47%	35%	45%	42%
Registered voters	52%	50%	47%	46%	43%
Likely voters	55%	54%	49%	49%	44%
Liberal	71%	66%	61%	60%	66%
Moderate	47%	46%	41%	46%	37%
Conservative	39%	37%	40%	32%	29%
Democrat	62%	56%	57%	53%	56%
Republican	32%	39%	32%	33%	28%
Independent	52%	52%	42%	45%	35%
Something else	48%	28%	48%	40%	37%
Northeast	53%	48%	46%	51%	38%
Midwest	46%	45%	41%	40%	42%
South	52%	46%	48%	46%	42%
West	50%	50%	46%	42%	43%
Self/family rep by PD	53%	60%	54%	49%	52%

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**Summary Table: Messages in Favor (continued)**


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Q11. Here are some statements people have made about why we need to spend more tax dollars on public defense. Please indicate if you find each statement very convincing, somewhat convincing, not very convincing, or not at all convincing as a reason to spend more tax dollars on public defense? [RANDOMIZED] c. (SPLIT SAMPLE n= 717) Providing competent legal representation will help to reduce over-incarceration in the U.S. because fewer people will be wrongly convicted and sentenced. e. Improving public defense for all will be a step toward correcting the racial unfairness in our criminal justice system. k. In some states resources are so lacking, public defenders are paid the equivalent of minimum wage or less. h. Some day you or someone you know may need the help of a public defender.

<i>% saying 'very convincing'</i>	<b>Reduce over-incarceration</b>	<b>Racial unfairness</b>	<b>Minimum wage</b>	<b>May need PD</b>
<b>Total</b>	39%	39%	38%	37%
Men	40%	37%	34%	34%
Women	39%	41%	41%	39%
White	36%	34%	37%	33%
African American/Black	52%	56%	47%	55%
Hispanic	45%	47%	34%	45%
Other	39%	45%	41%	28%
18-29	44%	39%	34%	32%
30-44	32%	30%	35%	32%
45-59	42%	44%	44%	43%
60+	40%	43%	36%	38%
Non high school grad	36%	44%	34%	45%
HS grad	40%	40%	29%	42%
Some college	39%	34%	39%	34%
College grad	41%	42%	46%	32%
<\$30,000 annual income	42%	47%	39%	48%
\$30-60,000	39%	34%	36%	35%
\$60-100,000	33%	36%	36%	34%
\$100,000+	42%	39%	40%	25%
Registered voters	41%	41%	40%	38%
Likely voters	44%	42%	43%	39%
Liberal	62%	62%	53%	49%
Moderate	33%	33%	35%	36%
Conservative	30%	30%	30%	30%
Democrat	54%	58%	48%	48%
Republican	24%	24%	25%	22%
Independent	40%	35%	39%	38%
Something else	25%	21%	29%	29%
Northeast	38%	41%	42%	37%
Midwest	40%	38%	32%	38%
South	39%	39%	39%	38%
West	41%	41%	37%	34%
Self/family rep by PD	40%	41%	38%	48%

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**Messages Against: Stalling Tactics**


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Q12a. Here are some statements people have made about why we should not spend more tax dollars on public defense. Indicate if you find each statement a very convincing, somewhat convincing, not very convincing, or not at all convincing reason to not spend more tax dollars on public defense. [RANDOMIZED] **If we give the public defenders more resources the result will be more stalling tactics by defendants and more court backlog.**

	Very convincing	Somewhat convincing	Not very convincing	Not at all convincing
<b>Total</b>	16%	38	28	16
Men	19%	36	28	15
Women	14%	41	28	16
White	15%	40	28	15
African American/Black	21%	29	31	18
Hispanic	19%	39	26	15
Other	16%	43	22	17
18-29	11%	42	27	16
30-44	13%	43	27	17
45-59	15%	36	32	17
60+	24%	34	25	14
Non high school grad	27%	44	14	13
HS grad	16%	43	26	13
Some college	16%	38	29	15
College grad	13%	32	33	21
<\$30,000 annual income	21%	39	23	15
\$30-60,000	16%	43	25	15
\$60-100,000	14%	31	38	14
\$100,000+	11%	40	28	20
Registered voters	17%	36	29	16
Likely voters	17%	34	30	18
Liberal	10%	29	30	30
Moderate	14%	43	30	12
Conservative	23%	41	25	9
Democrat	16%	35	29	20
Republican	23%	39	25	9
Independent	12%	42	32	13
Something else	15%	39	23	20
Northeast	11%	40	24	22
Midwest	13%	45	27	14
South	21%	35	29	13
West	16%	37	29	17
Self/family rep by PD	19%	29	32	19

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**Messages Against: Resources for Catching and Punishing Criminals**


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Q12b. Here are some statements people have made about why we should not spend more tax dollars on public defense. Indicate if you find each statement a very convincing, somewhat convincing, not very convincing, or not at all convincing reason to not spend more tax dollars on public defense. [RANDOMIZED] **We need to spend more resources on catching and punishing criminals, not on trying to help them escape punishment.**

	Very convincing	Somewhat convincing	Not very convincing	Not at all convincing
<b>Total</b>	32%	28	24	14
Men	34%	27	23	14
Women	31%	29	24	15
White	32%	28	24	14
African American/Black	32%	26	22	18
Hispanic	34%	31	24	11
Other	30%	30	24	15
18-29	24%	31	27	16
30-44	25%	35	24	15
45-59	35%	26	24	14
60+	42%	23	20	12
Non high school grad	42%	28	20	7
HS grad	38%	29	19	11
Some college	34%	33	19	13
College grad	21%	23	33	21
<\$30,000 annual income	38%	31	15	13
\$30-60,000	36%	27	22	15
\$60-100,000	24%	26	34	12
\$100,000+	26%	28	28	16
Registered voters	33%	25	24	16
Likely voters	32%	25	25	17
Liberal	23%	17	31	28
Moderate	28%	34	24	13
Conservative	43%	30	19	6
Democrat	34%	25	24	17
Republican	39%	36	17	6
Independent	26%	25	31	16
Something else	27%	30	21	17
Northeast	33%	25	25	12
Midwest	30%	31	24	14
South	37%	26	22	13
West	25%	31	25	18
Self/family rep by PD	33%	25	26	15

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**Messages Against: Spending Less on Other Important Needs**


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Q12c. Here are some statements people have made about why we should not spend more tax dollars on public defense. Indicate if you find each statement a very convincing, somewhat convincing, not very convincing, or not at all convincing reason to not spend more tax dollars on public defense. [RANDOMIZED] **Spending more on public defense will mean spending less on other, more important needs.**

	Very convincing	Somewhat convincing	Not very convincing	Not at all convincing
<b>Total</b>	21%	35	29	14
Men	23%	31	30	14
Women	20%	39	28	13
White	20%	36	28	14
African American/Black	22%	30	27	20
Hispanic	24%	36	28	11
Other	27%	25	39	9
18-29	20%	37	27	13
30-44	22%	39	26	12
45-59	20%	32	29	18
60+	23%	32	32	12
Non high school grad	31%	31	24	13
HS grad	22%	34	25	17
Some college	22%	37	31	9
College grad	17%	35	32	15
<\$30,000 annual income	25%	33	27	14
\$30-60,000	17%	38	29	16
\$60-100,000	23%	28	36	10
\$100,000+	20%	40	24	15
Registered voters	23%	33	29	14
Likely voters	23%	31	31	15
Liberal	17%	28	33	22
Moderate	21%	33	30	15
Conservative	25%	41	25	7
Democrat	20%	35	29	15
Republican	25%	38	26	9
Independent	21%	30	34	14
Something else	20%	37	23	18
Northeast	23%	29	28	18
Midwest	19%	40	28	12
South	24%	31	29	14
West	17%	40	29	12
Self/family rep by PD	22%	31	30	17

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**Messages Against: Higher Taxes for the Middle Class**


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Q12d. Here are some statements people have made about why we should not spend more tax dollars on public defense. Indicate if you find each statement a very convincing, somewhat convincing, not very convincing, or not at all convincing reason to not spend more tax dollars on public defense. [RANDOMIZED] **Spending more on public defense will result in higher taxes for the middle class.**

	Very convincing	Somewhat convincing	Not very convincing	Not at all convincing
<b>Total</b>	28%	38	20	12
Men	27%	38	20	14
Women	30%	39	20	10
White	29%	39	18	12
African American/Black	26%	35	26	13
Hispanic	27%	36	25	10
Other	31%	40	18	11
18-29	22%	48	16	13
30-44	26%	37	25	11
45-59	30%	33	22	13
60+	34%	36	17	10
Non high school grad	35%	35	20	9
HS grad	29%	42	13	14
Some college	31%	40	17	10
College grad	23%	34	30	13
<\$30,000 annual income	28%	39	17	14
\$30-60,000	33%	36	21	10
\$60-100,000	24%	39	23	12
\$100,000+	27%	39	22	11
Registered voters	30%	37	21	12
Likely voters	29%	35	22	13
Liberal	20%	27	34	18
Moderate	26%	44	17	12
Conservative	37%	41	14	7
Democrat	27%	35	25	12
Republican	34%	46	11	9
Independent	24%	36	25	14
Something else	31%	38	15	14
Northeast	27%	32	21	17
Midwest	30%	43	18	8
South	31%	38	19	10
West	24%	38	23	14
Self/family rep by PD	29%	36	19	15

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**Second Vote: More Tax Dollars to Improve Public Defense**


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Q13. We would like ask you again: Do you favor or oppose your state spending more tax dollars to improve its public defense system defense for people accused of crimes who cannot afford a lawyer on their own?

	<b>Favor</b>	<b>Oppose</b>
<b>Total</b>	65%	33
Men	65%	32
Women	64%	35
White	62%	36
African American/Black	79%	20
Hispanic	64%	34
Other	65%	34
18-29	70%	28
30-44	61%	38
45-59	64%	35
60+	63%	32
Non high school grad	64%	33
HS grad	63%	34
Some college	62%	37
College grad	68%	30
<\$30,000 annual income	74%	24
\$30-60,000	62%	36
\$60-100,000	56%	41
\$100,000+	63%	35
Registered voters	65%	33
Likely voters	66%	33
Liberal	87%	12
Moderate	63%	36
Conservative	50%	46
Democrat	78%	21
Republican	44%	52
Independent	66%	33
Something else	61%	36
Northeast	67%	30
Midwest	64%	35
South	64%	34
West	63%	34
Self/family rep by PD	70%	29

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**Favorability: Barack Obama**


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Q14a. We would like you to rate each of the following individuals or organizations on a scale where five means you feel very favorably toward the person or group and one means you feel very unfavorably toward them.

**RANDOMIZED Barack Obama**

	<b>Very unfavorably (1)</b>	<b>(2)</b>	<b>(3)</b>	<b>(4)</b>	<b>Very favorably (5)</b>
<b>Total</b>	27%	11	16	15	30
Men	28%	12	16	14	28
Women	27%	10	16	15	32
White	35%	14	15	13	22
African American/Black	4%	4	8	16	67
Hispanic	16%	9	21	17	36
Other	22%	2	25	17	34
18-29	16%	12	27	16	27
30-44	23%	10	20	18	29
45-59	28%	13	10	13	35
60+	40%	9	8	12	29
Non high school grad	29%	6	17	14	31
HS grad	33%	12	15	10	28
Some college	30%	13	17	11	27
College grad	19%	10	14	22	34
<\$30,000 annual income	26%	6	15	14	37
\$30-60,000	31%	13	18	11	27
\$60-100,000	29%	13	13	18	24
\$100,000+	24%	13	16	16	30
Registered voters	28%	10	13	15	32
Likely voters	30%	10	10	14	35
Liberal	5%	6	10	22	57
Moderate	22%	14	24	17	24
Conservative	48%	12	13	7	18
Democrat	7%	4	10	21	57
Republican	61%	16	12	4	4
Independent	26%	16	20	16	22
Something else	28%	10	29	12	15
Northeast	19%	16	15	13	33
Midwest	30%	10	15	15	29
South	35%	9	13	14	29
West	20%	10	21	16	32
Self/family rep by PD	32%	11	14	15	28

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**Favorability: Police in Your Community**


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Q14b. We would like you to rate each of the following individuals or organizations on a scale where five means you feel very favorably toward the person or group and one means you feel very unfavorably toward them.

RANDOMIZED **The police in the community where you live**

	<b>Very unfavorably (1)</b>	<b>(2)</b>	<b>(3)</b>	<b>(4)</b>	<b>Very favorably (5)</b>
<b>Total</b>	8%	8	21	26	36
Men	9%	8	20	27	35
Women	6%	8	22	26	38
White	7%	7	18	27	41
African American/Black	17%	14	24	23	22
Hispanic	7%	10	26	27	30
Other	3%	4	32	26	35
18-29	9%	11	27	28	23
30-44	8%	8	27	28	30
45-59	9%	9	17	25	40
60+	6%	4	15	25	48
Non high school grad	11%	6	27	19	36
HS grad	14%	8	18	20	38
Some college	4%	11	20	28	37
College grad	4%	6	22	34	34
<\$30,000 annual income	13%	9	23	22	32
\$30-60,000	6%	9	24	27	35
\$60-100,000	6%	7	18	25	42
\$100,000+	4%	6	16	34	39
Registered voters	7%	7	19	28	38
Likely voters	6%	7	18	28	41
Liberal	6%	8	23	32	31
Moderate	9%	10	27	24	29
Conservative	8%	5	14	25	47
Democrat	7%	9	24	29	30
Republican	3%	3	15	27	50
Independent	13%	9	18	24	37
Something else	7%	10	29	24	28
Northeast	9%	8	18	27	35
Midwest	8%	7	19	25	41
South	8%	8	20	28	37
West	6%	10	26	25	32
Self/family rep by PD	15%	11	21	24	29

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**Favorability: United States Supreme Court**


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Q14c. We would like you to rate each of the following individuals or organizations on a scale where five means you feel very favorably toward the person or group and one means you feel very unfavorably toward them.

RANDOMIZED The **United States Supreme Court**

	<b>Very unfavorably (1)</b>	<b>(2)</b>	<b>(3)</b>	<b>(4)</b>	<b>Very favorably (5)</b>
<b>Total</b>	11%	13	39	22	15
Men	13%	16	36	20	13
Women	8%	11	41	23	16
White	11%	14	39	22	12
African American/Black	11%	16	35	17	19
Hispanic	11%	8	37	22	22
Other	4%	12	43	27	15
18-29	12%	10	43	21	11
30-44	14%	10	40	23	11
45-59	8%	14	38	21	19
60+	9%	17	34	21	17
Non high school grad	11%	12	37	17	21
HS grad	14%	13	38	18	15
Some college	11%	16	42	21	10
College grad	7%	11	37	27	17
<\$30,000 annual income	14%	11	36	19	19
\$30-60,000	10%	15	44	20	11
\$60-100,000	9%	17	35	22	15
\$100,000+	7%	9	40	28	14
Registered voters	10%	14	38	22	16
Likely voters	10%	15	35	24	16
Liberal	6%	10	35	28	21
Moderate	9%	11	45	21	14
Conservative	15%	16	37	18	12
Democrat	8%	9	34	28	20
Republican	15%	19	40	15	9
Independent	12%	12	39	22	15
Something else	8%	15	49	15	10
Northeast	12%	14	38	18	15
Midwest	9%	12	38	24	16
South	11%	14	39	21	14
West	10%	11	39	23	15
Self/family rep by PD	15%	17	37	18	13

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**Favorability: Black Lives Matter Movement**


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Q14d. We would like you to rate each of the following individuals or organizations on a scale where five means you feel very favorably toward the person or group and one means you feel very unfavorably toward them.

RANDOMIZED The **Black Lives Matter movement**

	<b>Very unfavorably (1)</b>	<b>(2)</b>	<b>(3)</b>	<b>(4)</b>	<b>Very favorably (5)</b>
<b>Total</b>	34%	12	23	12	18
Men	38%	12	21	12	15
Women	30%	12	24	12	21
White	42%	14	21	11	11
African American/Black	6%	5	21	13	53
Hispanic	23%	9	30	13	23
Other	27%	16	24	16	15
18-29	27%	12	25	15	17
30-44	35%	15	22	11	16
45-59	33%	11	23	10	22
60+	38%	11	20	11	16
Non high school grad	29%	7	24	7	29
HS grad	36%	13	18	8	21
Some college	39%	13	16	13	18
College grad	28%	12	32	16	11
<\$30,000 annual income	25%	11	19	14	29
\$30-60,000	41%	14	20	9	15
\$60-100,000	35%	13	24	11	15
\$100,000+	36%	10	30	13	9
Registered voters	35%	12	22	12	18
Likely voters	36%	11	21	12	19
Liberal	13%	11	29	22	25
Moderate	31%	16	26	12	14
Conservative	51%	9	15	6	17
Democrat	11%	13	27	18	31
Republican	67%	7	13	4	6
Independent	36%	16	21	13	13
Something else	32%	13	30	8	14
Northeast	34%	8	21	15	19
Midwest	34%	13	25	12	14
South	36%	11	20	9	23
West	29%	16	26	14	13
Self/family rep by PD	37%	11	19	10	23

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**Represented by a Public Defender**


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Q19. Have you or a friend or family member been represented by a public defender or a court appointed lawyer?

<b>Total</b>	29%
Men	30%
Women	29%
White	25%
African American/Black	44%
Hispanic	36%
Other	23%
18-29	31%
30-44	35%
45-59	32%
60+	19%
Non high school grad	44%
HS grad	37%
Some college	29%
College grad	17%
<\$30,000 annual income	39%
\$30-60,000	29%
\$60-100,000	21%
\$100,000+	23%
Registered voters	28%
Likely voters	27%
Liberal	26%
Moderate	31%
Conservative	29%
Democrat	29%
Republican	29%
Independent	28%
Something else	33%
Northeast	27%
Midwest	26%
South	30%
West	32%
Self/family rep by PD	100%

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**Quality of Representation Provided by Court-Appointed Lawyer**


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Q20. (IF Q19=Yes, self, friend, or family member represented by a court appointed lawyer, n= 431): In the most recent experience, would you say that lawyer provided you (or your family member, or your friend) with good representation, or not?

	Provided good representation	Did not provide good representation
<b>Total</b>	53%	47
Men	47%	53
Women	58%	42
White	57%	43
African American/Black	39%	61
Hispanic	55%	45
Other	47%	53
18-29	54%	46
30-44	38%	62
45-59	60%	40
60+	62%	36
Non high school grad	35%	65
HS grad	57%	43
Some college	54%	46
College grad	60%	39
<\$30,000 annual income	52%	47
\$30-60,000	44%	56
\$60-100,000	58%	42
\$100,000+	62%	38
Registered voters	52%	47
Likely voters	52%	48
Liberal	54%	46
Moderate	50%	49
Conservative	55%	45
Democrat	47%	52
Republican	55%	45
Independent	59%	41
Something else	52%	47
Northeast	68%	32
Midwest	57%	42
South	42%	58
West	55%	44
Self/family rep by PD	53%	47

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**Appendix C: Detailed  
Methodology**

**2016 Survey for the Right to  
Counsel National Campaign**

**N=1,478**

**Interviews conducted September 2 to October 1, 2016  
Via AmeriSpeak Panel**



## Overview

The sample for the 2016 Right to Counsel survey was provided by NORC, using NORC's probability-based AmeriSpeak® Panel, targeting the portion of the adult U.S. population age 18 and older. AmeriSpeak® is a probability-based panel designed to be representative of the U.S. household population. Randomly selected U.S. households from the NORC National Frame were contacted by U.S. mail, telephone, and field interviewers (face to face), and invited to join the panel either via visiting a website or by telephone. The final sample of 1,478 adults includes 677 non-Hispanic Whites, 424 African Americans/Blacks, and 301 Latinos. The margin of sampling error for the full sample is plus or minus 3.38 percentage points.

## Sampling

For this study, a general population sample of U.S. adults age 18 and older was selected from the AmeriSpeak Panel. Additional Black and Hispanic samples were drawn for oversample targets of these groups.

The sample was selected from the Panel using sampling strata based on age, race/ethnicity, education, and gender (48 strata in total). The size of the selected sample per sampling stratum was determined by the population distribution for each stratum. In addition, sample selection takes into account expected differential survey completion rates by demographic groups so that the set of panel members with a completed interview for a study is a representative sample of the target population. If a panel household has one more than one active adult panel member, only one adult in the household is eligible for selection (random within-household sampling).

## Field

Interviewing was conducted by NORC using both telephone and on line. A sub-sample of AmeriSpeak web-mode panelists were invited to the survey on September 2, 2016 in a soft-launch. NORC reviewed the initial data from the soft-launch, and no changes were needed before inviting the remaining sample to collect the targeted 1,450 interviews. The remainder of sampled AmeriSpeak panelists was invited to the survey in two batches on September 7 and September 14, 2016. This study was offered in English and Spanish in both web and phone modes.

## Gaining Cooperation of AmeriSpeak Panelists for the Study

To encourage study cooperation, NORC sent a series of email reminders to the web-mode panelists. To administer the phone survey, NORC dialed the phone-mode panelists throughout the field period. In addition, starting on September 22, AmeriSpeak web-mode panelists for whom AmeriSpeak had a phone number were also called to encourage response. These web panelists were allowed to complete the survey via phone if convenient.



Panelists were offered the cash equivalent of \$5 or \$6 dollars for completing the survey. African-American/Black and Hispanic panelists were offered the larger \$6 incentive to boost cooperation from these groups and ensure the oversamples hit the target interview goals.

### **Statistical Weighting**

Statistical panel weights for the AmeriSpeak panelists used population totals (obtained from the Current Population Survey) associated with age, sex, education, race/ethnicity, housing tenure, telephone status, and Census Division.

Statistical survey weights for the Right to Counsel respondents were derived using a combination of the sampled panel member's panel weight and the probability of selection associated with the sampled panel member. Here too the survey nonresponse adjusted weights for the study were adjusted via a raking ratio method to age 18+ general population totals associated with the following socio-demographic characteristics: age, sex, education, race/ethnicity, and Census Division.

### **Data processing, analysis and reporting**

NORC prepared a fully labeled data file of respondent survey data and demographic data for Belden Russonello Strategists. An additional set of cross tabulations and regression analysis were prepared by the BRS analyst. Our narrative report includes graphs and tables to illustrate the findings, and cross tab tables for all the questions are included in Appendix B.



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