



# Crime & Punishment

James Alan Fox on criminal behavior and the justice system

CAPITAL PUNISHMENT

## What the Tsarnaev punishment poll means

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As a long-standing opponent of capital punishment, I was certainly encouraged by a first glance at the front page of today's *Globe*. The top-left headline was a pleasant surprise: "Most want life term for Tsarnaev."

A new [poll](#) conducted by the University of New Hampshire Survey Center had found that a healthy majority of local residents preferred a sentence of life imprisonment without parole eligibility over death for accused Marathon Bomber Dzhokhar Tsarnaev, if convicted. Overall, 57% of the 704 respondents felt that life without parole would be the best option, while 33% insisted on the death penalty and 10% were not sure.

Was it the recent news about the millions spent on prosecuting James Bulger who reportedly was willing to make a not-so-outrageous plea deal that would still have kept him locked up for life that made respondents displeased about the prospect of another long and expensive trial? Or was it a concern for not transforming Tsarnaev into a martyr in the eyes of others who hold anti-American attitudes? Or maybe, just maybe, it was a positive sign of civility and sensibility, even in response to an incredibly heinous crime.

Unfortunately, none of these conclusions would appear to be the best explanation for the poll result. Rather, the sample wasn't drawn from the entire state, but was comprised of just Boston residents, hardly representative of the federal district's jury pool.

It has long been the case that urban dwellers are significantly less supportive of capital punishment than suburbanites and those living in small towns or rural areas. The figure below displays survey results based on the past two decades of the General Social Survey conducted by the National Opinion Research Center. As shown, there is a substantial drop-off in support for capital punishment among those living in cities, and the differential is especially pronounced among New Englanders (state-specific data are not available).



Whatever the meaning of the Tsarnaev punishment poll, hopefully Attorney General Holder will ultimately make his decision on whether or not to seek the death penalty against Tsarnaev by giving greater weight to rationality than emotion. There is nothing to be gained by seeking death, and much to be lost.

*Author's note: You can follow me on twitter at [@jamesalanfox](https://twitter.com/jamesalanfox) or Facebook at [Professor James Alan Fox](https://www.facebook.com/ProfessorJamesAlanFox) for notifications of new blog postings. Also, you can find me on the Web at [www.jamesalanfox.com](http://www.jamesalanfox.com) or contact me by e-mail at [j.fox@neu.edu](mailto:j.fox@neu.edu).*

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