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## **NEW POLL FINDS MAJORITY OF NORTH CAROLINIANS FAVOR A MORATORIUM ON THE DEATH PENALTY**

**RALEIGH** – Sixty-five percent of voters in North Carolina favor suspending the death penalty until questions about its fairness can be studied, according to a poll released today by the North Carolina Academy of Trial Lawyers.

Another significant finding of the new survey was that even among voters who identify themselves as strong supporters of the death penalty, 43 percent still favor halting executions in North Carolina until there can be an in-depth study of the death penalty and the fairness of its applications. In addition, 64 percent of voters who favor the death penalty with reservations and 90 percent of those who oppose the death penalty back a moratorium on executions until a study determines whether defendants in capital punishment cases have had access to competent legal counsel and evidence that might demonstrate their innocence, such as DNA.

Support for a moratorium also cuts across demographic lines, including 54 percent of Republicans and 76 percent of Democrats; 61 percent of whites and 78 percent of African Americans; and 54 percent of men and 74 percent of women.

“The importance of these findings — that 65 percent of North Carolinians favor suspending executions — could not be greater as we reach the grim milestone of 1,000 executions since the reinstatement of capital punishment in the United States,” said Dick Taylor, CEO of the North Carolina Academy of Trial Lawyers, a nonprofit, nonpartisan association dedicated to protecting individual rights.

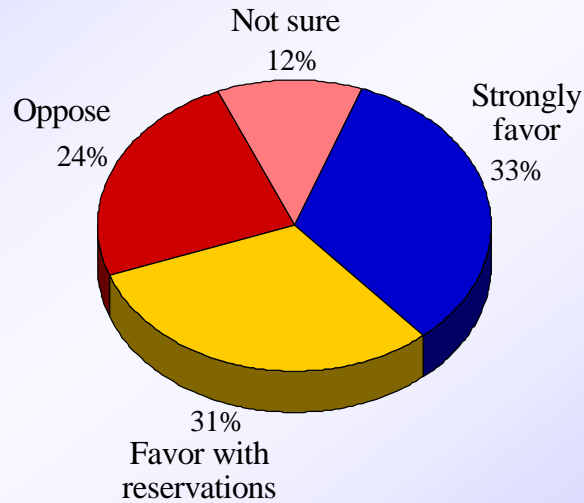
Moreover, the timing of tomorrow’s scheduled execution of Kenneth Lee Boyd in North Carolina is notable given that a new House Select Study Committee on Capital Punishment is scheduled to meet for the first time on Dec. 19 to begin studying issues related to the “accuracy and fairness” of North Carolina’s death penalty. The panel’s recommendations will be considered by the General Assembly when it reconvenes in May.

Calls for lawmakers to study the criminal justice system in North Carolina have been fueled by cases such as that of Alan Gell, who was released from death row after spending nearly a decade behind bars. Gell was cleared last year after a judge ruled that prosecutors withheld key evidence in his case and granted him a new trial. A second jury found him not guilty within 45 minutes of deliberation. His story was a driving force behind the Senate’s passage of a moratorium in the 2004 session.

“We call on Governor Mike Easley to listen to the will of the majority of North Carolinians and suspend executions until this committee has had time to act,” said Taylor.

The poll was conducted for the Academy of Trial Lawyers by Peter D. Hart Research Associates Inc., one of the leading survey research firms in the United States. Hart Research surveyed more than 600 voters in North Carolina by telephone between Oct. 7 and Oct. 11.

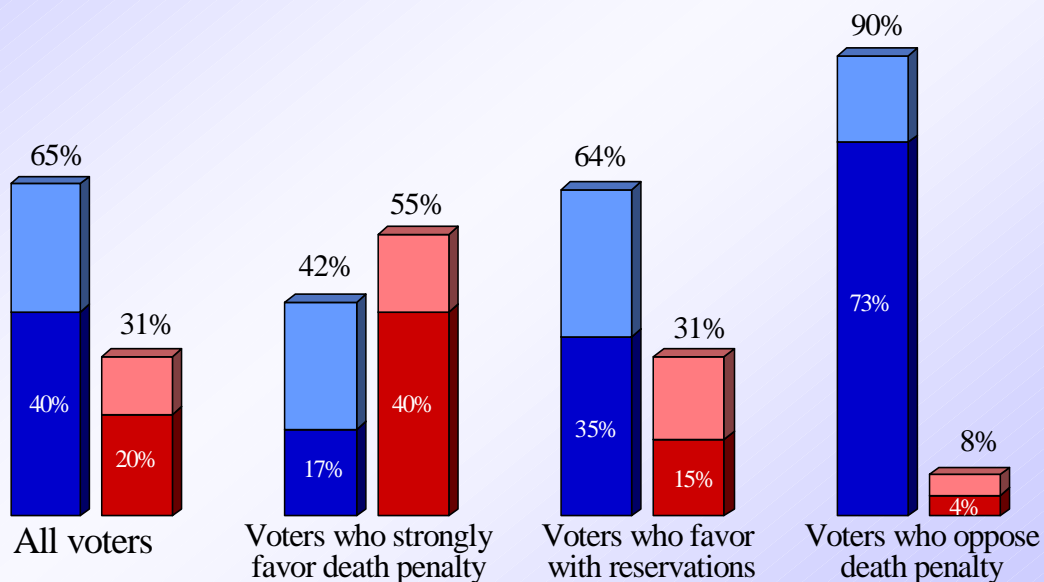
# Feelings Toward The Death Penalty



NC Voters on Trial Lawyers and the Legal System – October 2005/Hart Research

# Position On Suspending Executions Until In-Depth Study Of Death Penalty

■ Strongly favor suspending executions    ■ Somewhat favor  
■ Strongly oppose suspending executions    ■ Somewhat oppose



NC Voters on Trial Lawyers and the Legal System – October 2005/Hart Research

## NCATL Survey, October 7-11, 2005: Demographic Breakdowns

Q: There has been a proposal to suspend executions in North Carolina until there can be an in-depth study of the death penalty and the fairness of its application – including whether defendants in capital punishment cases have had access to competent legal counsel and access to evidence that might demonstrate their innocence, including DNA evidence. Would you favor or oppose a suspension of the death penalty in North Carolina until questions about its fairness can be studied?

### 1) Party Identification

	<b>Favor</b>	<b>Oppose</b>
<b>Democrats</b>	76%	22%
<b>Independents</b>	62%	31%
<b>Republicans</b>	54%	41%
<b>Bush/Easley Voters</b>	59%	39%
<b>All Voters</b>	<b>65%</b>	<b>32%</b>

### 2) Gender

	<b>Favor</b>	<b>Oppose</b>
<b>Male</b>	54%	42%
<b>Female</b>	74%	22%

### 3) Race

	<b>Favor</b>	<b>Oppose</b>
<b>White</b>	61%	35%
<b>African-American</b>	78%	19%

### 4) Age

	<b>Favor</b>	<b>Oppose</b>
<b>18 – 34</b>	66%	30%
<b>35 – 49</b>	59%	37%
<b>50 – 64</b>	66%	31%
<b>65 and over</b>	71%	25%