

**The Pendulum Foundation**  
*A Telephone Survey of Likely Voters*  
**State of Colorado**  
**Prepared by RBI Strategy & Research**  
**Topline Results**  
**Survey Conducted August 19-24, 2005**  
**N = 501, Margin of Error is +/- 4.38%**

**Screen**

1. Are you over the age of 18 and registered to vote?

Yes  
 No      TERMINATE

2. Do you work in any of the following industries?

Politics                      TERMINATE  
 TV, radio or newspaper    TERMINATE  
 Travel and/or tourism      CONTINUE  
 None of the above          CONTINUE

3. In November 2006, elections will be held for Governor, Congress, and state and local offices. Are you certain or very likely to vote or is there a chance you might not vote?

Certain                      74%    CONTINUE  
 Very likely                    26      CONTINUE  
 Possibly                                 TERMINATE  
 Not likely                                TERMINATE

**Current Mood**

4. In general, would you say things in Colorado are headed in the right direction, or are they off on the wrong track?

Right direction                      52%  
 Wrong track                            34  
 DK/NA                                    11

**Familiarity and Favorability**

Let me read you a list of people, organizations, or concepts. Please tell me if you feel very favorable, somewhat favorable, somewhat unfavorable, or very unfavorable to each.

	Very Fav	SW Fav	DK	SW UnFav	Very UnFav
5. Bill Owens	22%	36	6	19	17
6. Judges	8	43	28	13	8
7. District Attorney's	11	46	27	11	4
8. <b>A</b> The Colorado Criminal Justice system	6	43	15	24	12
<b>B.</b> Colorado's Juvenile Justice system	2	29	36	22	10

## Ballot Testing: Message, Components, and Language

9. If the election for Governor were held today, and the race was between (ROTATE: Democrat Bill Ritter and Republican Bob Beauprez (BOW-PREY), for whom would you vote? (IF UNDECIDED: Well, if you had to choose, which way are you leaning?)

Ritter	40%	
Lean Ritter	4	<b>Total Ritter = 44%</b>
Undecided/NA	14	
Lean Beauprez	6	<b>Total Beauprez = 42%</b>
Beauprez	36	

10. What if the race was between Democrat Joan Fitz-Gerald and Republican Bob Beauprez? (IF UNDECIDED: Well, if you had to choose, which way are you leaning?)

Fitz-Gerald	35%	
Lean Fitz-Gerald	4	<b>Total Fitz-Gerald = 39%</b>
Undecided/NA	17	
Lean Beauprez	5	<b>Total Beauprez = 44%</b>
Beauprez	39	

11. This coming November, the following initiative might be on the ballot:

Shall the State of Colorado, in regards to the sentencing and punishment of juveniles, establish the following: the Court, rather than district attorneys, shall determine whether a juvenile is tried as an adult; juveniles tried as adults shall have a different sentencing structure from adults; juveniles will be segregated within their own age group in adult prisons until they reach the age of 21; and juveniles currently serving life in prison may go before the Court and apply for stringent parole after serving 15 years of their sentence?

If you had to vote on this initiative today, would you vote yes or no on this initiative? (Is that strongly or just somewhat?)

Yes, strongly	26%	
Yes, somewhat	29	<b>Total Yes = 62%</b>
Lean Yes	7	
Undecided	11	
Lean No	3	<b>Total No = 27%</b>
No, somewhat	9	
No, strongly	15	

Let's break this down a little bit and talk about some of the potential components of this initiative. Do you favor or oppose each of the following:

12. **A** Keeping all juveniles, regardless of their crime, separate from adult inmates until they reach the age of 21? (IS THAT STRONGLY OR JUST SOMEWHAT?)

Strongly favor	68%
Somewhat favor	17
Undecided/NA	2
Somewhat oppose	5
Strongly oppose	8

12. **B** Keeping all children, regardless of their crime, separate from adult inmates until they reach the age of 21? (IS THAT STRONGLY OR JUST SOMEWHAT?)

Strongly favor	76%
Somewhat favor	12
Undecided/NA	1
Somewhat oppose	6
Strongly oppose	6

13. **A** What if you knew that this would cost several million dollars to implement? Would you favor or oppose?

Strongly favor	47%
Somewhat favor	29
Undecided/NA	6
Somewhat oppose	7
Strongly oppose	11

13. **B**. What if you knew that the only children who are in adult prisons are in for serious violent offenses like murder. Would you then favor or oppose keeping all children separate from adult prisoners?

Strongly favor	58%
Somewhat favor	17
Undecided/NA	4
Somewhat oppose	9
Strongly oppose	11

ROTATE 14-16

14. **A**. Establish that juveniles tried as adults shall have a separate and distinct sentencing structure from that of adults, regardless of the severity of their crime.

Strongly favor	20%
Somewhat favor	31
Undecided/NA	4
Somewhat oppose	20
Strongly oppose	25

14. **B**. Establish that juveniles tried as adults shall have a separate and distinct sentencing structure from that of adults.

Strongly favor	36%
Somewhat favor	27
Undecided/NA	4
Somewhat oppose	15
Strongly oppose	18

15. Would you favor or oppose a law which would allow some juvenile offenders who are accomplices to murder, but do not personally commit the murder to receive a sentence other than life without parole?

Strongly favor	34%
Somewhat favor	40
Undecided/NA	9
Somewhat oppose	8
Strongly oppose	9

16. When it comes to decisions about the appropriate sentence for juvenile offenders, whom do you trust more - district attorneys, or judges? (Is that by a lot, or just a little?)

District Attorneys, by a lot	10%
District Attorneys by a little	12
Undecided/NA	18
Judges, by a little	28
Judges, by a lot	32

17. Which of the following labels best describes judges, here in Colorado? (READ LIST)

Liberal	18%
Conservative	16
Moderate	48
DK/NA	18

18. And which one applies best to the District Attorneys here in Colorado? (READ LIST)

Liberal	14%
Conservative	24
Moderate	40
DK/NA	22

Let me read you a couple of short statements. After you have heard both, please tell me which one is closer to your personal point of view.

19. Some people say that this initiative, if it passes, will lead to chaos in our judicial system, and will allow hundreds of dangerous criminals to go free. The initiative is written to be retroactive, so it would apply to every juvenile offender ever tried as an adult. The lower sentences and new loopholes could allow convicted criminals, even some guilty of murder, to go free, or receive significantly shorter prison terms.

Others say that the system has treated children unfairly for years, and must be changed. They note that, because of mandatory minimum sentencing, there are numerous instances of children currently serving Life in Prison for killing a parent who was sexually abusive to them. Additionally, child offenders are more likely to be rehabilitated than adults, and deserve a second chance. Texas made these changes to their juvenile crime system, and crime has gone down, not up.

Which of these is closer to your personal point of view?

Chaos, by a lot	10%
Chaos, by a little	12
Undecided/DK/NA	8
Change, by a lot	36
Change, by a little	34

20. Does it matter if a child offender shows true remorse for their crime? If a child convicted of a crime apologized to the victim, took responsibility for their actions, and showed remorse for what they had done, should that be a: (READ OPTIONS)

Very important factor in their sentencing	19%
Somewhat important factor	54
Not very important factor	15
Not at all important factor	11
DK/NA	1

21. **A** The State of Texas uses a different system for trying and sentencing juvenile offenders. In Texas, most juveniles who commit serious crimes are sent to a juvenile detention center. If they complete an exhaustive rehabilitation program, when they turn 21 they are eligible to receive parole for the rest of their term. If they violate parole, they are sent to prison to serve the remainder of their term. Would you favor such a process in Colorado?

Strongly Yes	53%
Somewhat Yes	29
Neutral/Don't Know	6
Somewhat No	5
Strongly No	7

22. **B** The State of Texas uses a different system for trying and sentencing juvenile offenders. In Texas, most juveniles who commit serious crimes, including murder, are sent to a juvenile detention center. If they complete an exhaustive rehabilitation program, when they turn 21 they are eligible to receive parole for the rest of their term. If they violate parole, they are sent to prison to serve the remainder of their term. Would you favor such a process in Colorado?

Strongly Yes	47%
Somewhat Yes	32
Neutral/Don't Know	4
Somewhat No	6
Strongly No	11

23. When applying for clemency from the Governor, should a juvenile who kills a parent but is shown to have been molested by the parent be treated the same as other applicants, or given more lenient treatment?

Treat the same	19%
More lenient	73
DK/NA	8

24. On the most serious, violent crimes, should a judge have the discretion to give a juvenile a long adult sentence but withhold the sentence pending the juvenile successfully completing a stringent rehabilitation sentence while in a juvenile facility, and, if the judge is satisfied with the amount of remorse and rehabilitation, keep the sentence suspended so that the juvenile is paroled? (IS THAT STRONGLY, OR JUST SOMEWHAT?)

Yes, strongly	29%
Yes, somewhat	41
DK/NA	6
No, somewhat	9
No, strongly	15

25. Now that you know a little more, how would you vote on the original proposal? Here it is again:

Shall the State of Colorado, in regards to the sentencing and punishment of juveniles, establish the following: the Court, rather than district attorneys, shall determine whether a juvenile is tried as an adult; juveniles tried as adults shall have a different sentencing structure from adults; juveniles will be segregated within their own age group in adult prisons until they reach the age of 21; and juveniles currently serving life in prison may go before the Court and apply for stringent parole after serving 15 years of their sentence?

If you had to vote on this initiative today, would you vote yes or no? (Is that strongly or just somewhat?)

Yes, strongly	35%	
Yes, somewhat	32	
Lean Yes	5	<b>Total Yes = 72%</b>
Undecided	5	
Lean No	2	<b>Total No = 24%</b>
No, somewhat	10	
No, strongly	12	

## Demographics

I have just a few final questions that are for statistical purposes only.

26. How old are you?

18-24	3%
25-34	12
35-49	27
50-64	33
65+	24
DK/NA	2

27. What was your approximate household income for 2004?

Under 25,000	14%
25,000-49,999	25
50,000-74,999	20
75,000-99,999	10
100,000-124,999	8
125,000+	10
DK/NA	14

28. How would you describe your racial or ethnic background?

Caucasian/not Hispanic	86%
Hispanic/Latino	5
African American	2
Asian	1
Other	2
DK/NA	4

CODE

29. Gender

Male	47%
Female	53

30. PARTY AFFILIATION

Democrat	32%
Republican	42
Unaffiliated	26

31. CONGRESSIONAL DISTRICT

01	12%
02	15
03	15
04	15
05	14
06	17
07	13

32. VOTE HISTORY

0 of 5	3%
1 of 5	18
2 of 5	12
3 of 5	24
4 of 5	17
5 of 5	27