



# Impact of General Death Penalty Belief on Preferred Punishment in Specific Cases: An Exploratory Examination of Chinese Criminal Justice Professionals' Perspectives

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Accepted: 3 June 2025

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**Keywords** Death penalty public opinion · General beliefs · Specific case scenarios · Trichotomized measurement · Chinese criminal justice professionals

## Introduction

Western studies of public opinion on capital punishment often relied upon general and abstract questions used in polls (e.g., “Do you favor or oppose the death penalty for persons convicted of murder?”) to measure people’s support for the death penalty, despite scholars’ questioning that such general questions are oversimplified and fail to uncover the complexities of people’s opinions which are subject to change (Ellsworth & Ross, 1983; Harris, 1986; Murray, 2003). Nevertheless, only a handful studies examined people’s support for capital punishment within specific contexts measured in crime vignettes (Boots & Cochran, 2011; Burgason & Pazzani, 2014; Durham et al., 1996; Falco & Frieburger, 2011; Mills & Zamble, 1998). Comparative studies from Canada (Mills & Zamble, 1998), Poland (Krajewski, 2009), China (Oberwittler & Qi, 2009), Malaysia (Hood, 2013), Singapore (Chan et al., 2018), and Trinidad (Hood & Seemungal, 2011) showed that people’s support for capital punishment in specific crime scenarios tended to be lower than their support measured in general questions. To date, what has *not* yet been examined is the potential linkage between people’s general belief in capital punishment and their preferred punishment in specific

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crime scenarios. The question is: are people with a higher level of general belief more likely to support the death penalty in specific cases, compared to people with a lower level of general support?

Another issue in this field is the technical measurement of people's death penalty opinion. Most studies (especially quantitative ones) relied on binary measures (e.g., 'favor' vs. 'oppose', 'death sentences' vs. 'other/non-death sentences') and excluded equivocal answers (e.g., 'don't know', 'not sure') in their analysis. This is particularly worrisome in societies where a significant proportion of the population hold equivocal positions (even more than death penalty opposers) such as China (Liang et al., 2019; Oberwittler & Qi, 2009) and Japan (Andreescu & Hughes, 2020; Watamura & Ioku, 2023). To address this inadequacy, scholars have already begun to pay attention to the 'undecided/unsure' group in recent years (Fox et al., 2024; Kort-Butler & Ray, 2019).

Based on a nonrandom sample of 516 criminal justice professionals from one southern Chinese city, this study explores the impact of people's general death penalty belief (measured in three groups, including the supporters, the unsure, and the opponents) on their preferred punishment in five specific capital cases. In the remainder of the article, we first review the literature and discuss the gap on testing the linkage between one's general belief and choice of punishment in specific cases and the importance of heeding the unsure group. Next, we review relevant studies conducted in China. Then we introduce our data and present key findings. Lastly, we draw important lessons and discuss limitations of our study.

## Measuring Death Penalty Opinion Conceptually: General Concept vs. Specific Contexts

Albeit Western studies of public opinion on capital punishment have accumulated a rich body of literature, only a few examined people's support for capital punishment within specific contexts (Burgason & Pazzani, 2014; Durham et al., 1996; Falco & Frieberger, 2011; Mills & Zamble, 1998). Instead, studies overwhelmingly relied upon general and abstract questions used in polls to measure people's opinion. As argued, such oversimplified general questions can be problematic and often fail to uncover the complexities of people's opinions (Ellsworth & Ross, 1983; Harris, 1986; Murray, 2003). The majority support based on general questions, for instance, merely shows people's support for the *concept* of capital punishment (Williams et al., 1988) and reflects people's acceptance but not their preference for the death penalty in specific cases (Bowers et al., 1994). Studies conducted in Canada (Mills & Zamble, 1998), Poland (Krajewski, 2009), China (Oberwittler & Qi, 2009), Malaysia (Hood, 2013), Singapore (Chan et al., 2018), and Trinidad (Hood & Seemungal, 2011) compared people's support for capital punishment in specific crime scenarios with their support measured in general questions and showed that the former was lower than the latter. The lesson is that the context matters when we measure people's death penalty opinion (Liang et al., 2024). People's opinions vary depending upon the specific context, subject to potential influence by a number of factors such as characteristics of offenders and victims, specific crime scenarios, the type and nature of capital offenses, and whether alternative punishment exists. For instance, when respondents were presented with viable alternatives such as life imprisonment without possibility of parole (LWOP), people's support for the death penalty declined significantly (e.g., Bowers et al., 1994; McGarrell & Sandys, 1996).

While the United States (US) limits the application of the death penalty to offenders who commit murder in practice, other nations such as China impose capital punishment for a variety of capital crimes, including nonviolent and nonlethal crimes (Liang & Lu, 2016). Studies showed that Chinese people's support for capital punishment varies depending upon specific capital offenses, and their level of support generally declined when the perceived severity of the crime lessened (Kuang et al., 2010; Liang et al., 2019; Oberwittler et al., 2010; Qi & Oberwittler, 2009).

Despite the acknowledgement that the context matters, quantitative or qualitative studies that provided specific contexts to test people's death penalty support are very limited, both in the US (Boots & Cochran, 2011; Burgason & Pazzani, 2014; Durham et al., 1996; Falco & Frieburger, 2011) and in other nations (Chan et al., 2018; Hood, 2013; Hood & Seemungal, 2011; Mills & Zamble, 1998; Oberwittler & Qi, 2009). Often, such studies present a series of specific crime scenarios (vignettes) to respondents and solicit their judgments regarding the appropriate punishment. Studies by Burgason and Pazzani (2014) and Durham et al. (1996), for example, presented murder vignettes to survey respondents and analyzed their preferred punishment, and the results showed great variations depending upon the specific case scenarios and information provided (e.g., mitigating and aggravating circumstances). In comparison, Falco and Frieburger (2011) conducted focus groups to survey participants' general death penalty beliefs and their responses to specific case scenarios, and their findings confirmed that participants' death penalty views are more multifaceted than what general poll questions indicated. Five studies conducted in non-US nations (cited above) all directly contrasted people's support for capital punishment in general questions with specific crime scenarios, and four of them (conducted in China, Malaysia, Singapore, and Trinidad) relied on similar survey designs (see Hood, 2018). In the fifth study, Mills and Zamble (1998) examined Canadian respondents' opinions based on a general question and 12 homicide vignettes with varying information: while the general question elicited a 38% support rate for capital punishment, support rates in the 12 vignettes ranged from 2 to 51%.

Despite these limited efforts, what is missing is the *potential connection* between individuals' general belief in capital punishment and their preference towards the use of the death penalty in specific cases. Logically, it would make sense to assume that people who hold a more favorable opinion towards capital punishment in general beliefs would be more likely to choose the death penalty in specific capital cases, compared to those who hold a less favorable general opinion. Surprisingly, this hypothesis has *not* yet been empirically tested to our knowledge. Past studies such as the five studies conducted in non-US nations merely contrasted people's death penalty support in general questions with specific crime scenarios, focusing on people's declining support when specific cases were presented. None of them, however, tested if and how people's general death penalty belief would influence their choice of preferred punishment in crime scenarios. Moreover, none of the studies provided a theoretical framework that can help explain the potential correlation (or lack thereof) between people's general belief and their preferred punishment in specific cases. While general penal theories such as retribution, deterrence, and incapacitation may justify people's support for capital punishment in general *or* in specific cases, these theories do not address the potential connection between one's general belief and choice of punishment in specific contexts.

Theoretically, if we view one's general opinion on capital punishment as an 'attitude' and one's punishment choice in specific cases as an 'application (behavior)' of the attitude,

a central concept in social psychology, attitude-behavior consistency (ABC), would offer invaluable insights. Albeit with various proposed theoretical frameworks (e.g., Ajzen & Fishbein, 1973, 1980), ABC essentially examines the relationship between individuals' attitudes and behavior and the consistency that one's general attitudes influence corresponding behavior. Fazio (1990), for instance, proposed two theoretical processes/models that link attitudes and behavior. In the first model, one's behavior is a more spontaneous reaction to a particular event based on the individual's knowledge stored in memory regarding what behaviors are normatively appropriate in a given situation. In comparison, the second model represents deliberative processing which requires scrutiny of available information and an analysis of positive and negative features and costs and benefits of a particular event (see also Ajzen & Fishbein, 1980). Albeit two different processes, Fazio (1990) pointed out that both models could overlap in reality, involving components that are both automatized and deliberated. Of importance to our inquiry in this study, Fazio suggested that norms could exert a moderating influence in the memory-activated, spontaneous process, subject to the strength of one's attitudes (see also Howe & Krosnick, 2017). One's opinion on capital punishment is often a strong normative belief that carries a considerable impact on subsequent actions such as learning new information (Houston & Fazio, 1989; Lord et al., 1979).

Although still being debated, the validity of ABC gained empirical support. For instance, Kraus's meta-analysis (1995) of empirical studies on ABC showed a reliable consistency that attitudes predict future behavior. Granted, the correlation between general attitudes and behavior is subject to the influence of individual and situational factors (e.g., Ajzen & Fishbein, 1973; Fazio, 1990). To our knowledge, ABC has rarely been applied to the field of criminal justice and punishment. Zamble and Kalm (1990) and Cumberland and Zamble (1992) tested general and specific measures of Canadian citizens' public opinion on sentencing and parole respectively. Both studies found a moderate/small correlation between general measures (attitudes toward criminal justice branches) and specific measures (based on various sentencing or parole scenarios) and argued that the general questions are *not* predictive of a person's actions in specified circumstances. Note that general measures in both studies covered various branches of the criminal justice system (e.g., police, court, prisons, and criminal justice system in general), which do not match well with their specific measures on sentencing or parole. In other words, their designs could have suffered from poor correspondence between attitudinal and behavioral entities (Ajzen & Fishbein, 1977). Moreover, neither study referenced ABC as a theory. As reviewed, no study has tested the potential correlation between people's general belief in capital punishment and their preferred punishment in specific crime scenarios. This study aims to fill this gap.

## Operationalizing Measures: Inadequacy of Binary Measures

Besides the contrast between people's general beliefs and their preferred punishment in specific cases, another challenge in gauging people's death penalty opinions (either general or specific) is how to measure potential variations statistically. To date, most studies (especially quantitative ones) relied on binary measures given the simplicity of dichotomy and its easier handling (and increased power) in statistical analysis (e.g., Mills & Zamble, 1998), including some most recent publications (Boateng & Dzordzormenyoh, 2022; Boateng et al., 2023; Watamura & Ioku, 2023). On the one hand, certain designs of survey

instruments leave no room for equivocal answers. For instance, in Norris and Mullinix's study (2020), facing the question "Do you support or oppose the death penalty for persons convicted of murder?", respondents were provided with only four response options (ranging from "Strongly oppose" to "Strongly support") with no room for answers such as "not sure" or "don't know". On the other hand, even if survey instruments tapped into equivocal answers, scholars may opt for conveniently treating such answers as 'missing' or collapsing them into one of the binary groups. For example, Applegate et al. (2002) merged the 'don't know' answers into the 'opposed' group and labeled them 'unsupportive' (vs. 'supportive') in their analysis. In comparison, Trahan et al. (2019) treated the 'don't know' (6.6% of all data) as missing. Conceptually, survey instruments with no room for equivocal answers force respondents to choose a side for which they may be uncomfortable. When equivocal answers are conveniently dropped or merged in analysis, they receive little attention. As a result, "little is known about who the unshures are and how they may differ from those respondents who have clearer opinions" (Kort-Butler & Ray, 2019, p. 476).

The inadequacy of binary measures has already been noted. In their study, Worthen et al. (2014) explored the differences between dichotomous and non-dichotomous measures of college students' death penalty opinion and found that non-dichotomous measures revealed more nuanced results. Encouraging more sophisticated measurements, they argued that scholars must critically examine the ways that people's death penalty attitudes are measured because the results can vary. This issue becomes more problematic when the proportion of the unsure group is large. For instance, in Andreescu and Hughes's study of Japanese people's death penalty opinion (2020), 26.1% of survey respondents did not express a clear opinion to the question "Do you agree or disagree with the death penalty?", much more than people who disagreed (8.7%). They thus trichotomized their death penalty measure (agree, don't know, disagree) in their subsequent analysis. In contrast, Watamura and Ioku (2023) treated 252 respondents who answered "don't know" as missing, albeit they represented more than 30% of the final analyzed sample of 815 participants. Fortunately, scholars have started paying attention to the unsure group in recent years. In their study of Nebraska residents' support for capital punishment, Kort-Butler and Ray (2019) compared the unsure group to people who preferred the death penalty for murder and those who preferred other penalties. Their results revealed that the unsure, while falling somewhere between the two unequivocal groups, are significantly different from the other two groups in many ways. Most recently, drawing upon US General Social Survey data over time, Fox et al. (2024) employed latent class analyses to identify different profiles of supporters, opposers, and the undecided on the death penalty, and found substantial heterogeneity among all three groups, revealing even more variation within each group.

## Testing the Impact of General Belief on Preferred Punishment in Specific Cases in China

Compared to the Western literature, empirical research on Chinese people's death penalty opinion remains limited, although more than 30 published studies have been produced (e.g., see review by Liang et al., 2025). Of particular importance to this study, out of this body of literature, only four tested people's opinions in specific crime scenarios. In two studies conducted by the same researchers (Oberwittler & Qi, 2009; Qi & Oberwittler, 2009), a set

of vignettes with varying degrees of mitigating and aggravating circumstances were posted to respondents to solicit their preferred punishment. The results showed that respondents' support was invariably lower than their support in a general question. A third study (Zhao, 2015) focused on one capital offense, organizing prostitution (which is no longer a capital offense after the Chinese Criminal Law was amended in 2015), and asked respondents to fix a penalty based on a crime scenario adapted from a real case: merely 4.1% of respondents chose the death penalty, an unsurprising result given the nature of this nonlethal and nonviolent crime. In the fourth study, Liang et al. (2024) contrasted Chinese students' death penalty opinion in general questions with a specific crime scenario, and multivariate analyses showed that different factors influenced people's decisions in the general questions and the specific case. Compared to studies conducted in the US and Canada that tested people's preferred punishment in vignettes for homicide only (Boots & Cochran, 2011; Burgason & Pazzani, 2014; Durham et al., 1996; Falco & Frieburger, 2011; Mills & Zamble, 1998), these studies tested Chinese people's opinions across various crime scenarios such as homicide, robbery, drug trafficking, rape, and corruption. Along with similar studies conducted in other Asian nations (Chan et al., 2018; Hood, 2013; Hood & Seemungal, 2011), these studies make a unique contribution to the extant literature by testing potential variation of people's preferred punishment across diverse capital offenses. However, none of these studies directly examined the impact of people's general death penalty belief on their preferred punishment in specific cases.

In terms of specific measures of death penalty opinions, only a few studies that focused on the Chinese population utilized trichotomized measures, including the unsure/undecided group (Cao & Cullen, 2001; Liang et al., 2019, 2025; Qi & Oberwittler, 2009; Oberwittler & Qi, 2009). For example, Cao and Cullen (2001) compared US and Chinese students who agreed, were undecided, or disagreed with tested capital punishment measures. Via collaboration by the German Max Planck Institute and its collaborators in China in 2007 and 2008 (Max Planck survey), Oberwittler and Qi (2009) analyzed survey data of 4,472 residents in Beijing, Hubei, and Guangdong and broke down people's support for capital punishment in three groups, and 28.2% of the total respondents answered 'not sure' (more than the opponents). More recently, samples collected by Liang and his associates (Liang et al., 2019, 2025) also showed that the unsure group outnumbered death penalty opponents, confirming the necessity of heeding the unsure group in China. Theoretically, Bakken (2023) differentiated Chinese respondents into three group based on survey data (e.g., Max Planck survey): the core (supporter) group, the ambivalent (undecided) group, and the signal (opposers) group. Bakken suggested that the signal group would provide a meaningful insight into the future trend of China's death penalty and argued that the undecided group would likely follow the same profile as the signal group based on changes of survey results over time (2023, 242).

In comparison, besides studies that dichotomized measures of death penalty opinions (e.g., Liang et al., 2006; Jiang & Wang, 2008), some studies utilized scales for death penalty measures (e.g., Jiang et al., 2007; Jiang et al., 2009; Wu et al., 2011). For instance, based on 13 specific capital crimes, Qi and Oberwittler (2009) created a scale for people's death penalty support subsequently utilized for their regression analysis. However, such an approach would not be able to reveal potential differences of people's opinion among diverse groups (e.g., supporters, the unsure, opposers) and across different capital offenses. In this study,

we opt to trichotomize one's death penalty support in general questions and test the effect of people's general belief on their preferred punishment in specific cases.

## Current Study

### Research Questions and Hypotheses

Using survey data collected from China, this study explores the impact of people's general death penalty belief on their preferred punishment in specific cases. As outlined, we trichotomize survey respondents into three groups based on their general death penalty opinion: the supporters, the unsure/undecided, and the opponents. We address the following research questions specifically: (1) Are there significant differences among these three groups by demographic and other control variables? (2) How do people's general death penalty beliefs influence their death penalty utilization in specific capital cases? (3) Do we witness variation across diverse capital offenses?

Specifically, we propose the following hypotheses: First, given the suggestion of ABC (reviewed above), we assume that one's general death penalty belief would likely influence one's choice of punishment in specific cases. Therefore, we hypothesize that compared to the supporters, the undecided and opponents would be more likely to choose more lenient punishment in specific case scenarios. Second, regarding variation of capital offenses, past studies on the 'liberation hypothesis' suggest that extra-legal factors (e.g., offenders' race/ethnicity) are more likely to affect sentencing outcomes in less serious cases when the adjudicators possess more discretion (e.g., Kalven & Zeisel, 1966; Spohn & Cederblom, 1991). Studies conducted in China also showed that Chinese people's support for capital punishment generally declines when the perceived severity of the crime lessens (Kuang et al., 2010; Liang et al., 2019; Oberwittler et al., 2010; Qi & Oberwittler, 2009). Relying on similar logic, we hypothesize that it would be more likely to observe potential differences across the three groups among less heinous capital crimes, under the assumption that there is more room for differences for such crimes.

### Data

Data in this research were collected from one southern Chinese city with a population of three million registered residents by 2020. This city shares many typical characteristics of mid-size Chinese cities in socio-economic dimensions and the structure and operation of criminal justice system. Due to increasing restrictions on studies of sensitive topics (e.g., capital punishment), we avoid disclosing further information that can help identify the city.

Conducting criminological fieldwork research in China is very challenging, especially when the topic is viewed as '(politically) sensitive'. In a recent publication, Wei et al. (2023) systematically reviewed major methodological challenges (including political sensitivity and gaining research access) and emphasized the importance of power relations in conducting field research in China. In this study, we encountered similar challenges in securing proper means to conduct surveys, and carefully chose the research site described above and heavily relied upon our personal and professional connections (*guanxi*) with key local informants who helped us connect with administrators at respective agencies. Specifically,

we targeted six groups of criminal justice professionals (CJPs) including the police, prosecutors, judges, lawyers, correctional officers, and others (primarily consisting of bailiffs and forensic experts). Unfortunately, random sampling is not possible. Instead, we adopted purposive samplings to recruit respondents. Alongside a copy of the questionnaire, an introduction letter and a confidential and anonymous agreement letter were provided to respective administrators to whom the research team had access and applied for permission and help with survey distribution within their institutions. After gaining approval and support, the final surveys were conducted between April 15 and May 10, 2021.

Due to their strict regulations, the administrative staff of each institution insisted on handling the distribution and return of the questionnaires internally, thus allowing no direct contact between the researchers and survey respondents. An agreement was reached that the distributed questionnaires be returned to the researchers in four days and the anonymity of both the institutions and respondents be protected. The Chinese questionnaire contained two parts: the first part covers respondents' demographic information, their death penalty opinions, and other criminal justice related issues; the second part taps their opinion on five hypothetical capital cases (detailed below). Granted, our research suffered from non-random sampling, and the researchers did not have direct control over the data collection, limitations we acknowledge below. About 700 questionnaires were distributed and a total of 516 completed questionnaires were returned (73.7% return rate). Despite our best effort, the subsample sizes were uneven and rather small for some groups: while the 'others' group had the largest number ( $n = 172$ ), the 'correctional officers' group had the fewest ( $n = 31$ ). We treat the Chinese CJPs as a collective group in our analysis below.

## Variables

Variables utilized in this study are summarized in Table 1. Dependent variables are measured by survey respondents' preferred punishment in five hypothetical cases contained in part two of the survey, which covered (1) murder (Article 232 of the Criminal Law), (2) drug trafficking (Article 347), (3) sexual assault of minors (Articles 236–37), (4) abducting and trafficking children (Article 240), and (5) bribe-taking (Articles 385–386) respectively (see Appendix 1 for the details). Defendants in all five cases are potentially subject to capital punishment based on the Chinese Criminal Law, and respondents were given a wide range of sentencing options, from immediate death sentence, suspended death sentence, LWOP, life imprisonment with possibility of parole, to various years of incarceration. Based on frequency distributions, we collapsed respondents' answers into four groups, including immediate death sentence, suspended death sentence, LWOP, and Others.

Our primary (independent) variable of interest is respondents' general death penalty opinion. Specifically, we asked them "What is your basic (overall) opinion on the death penalty?" in our survey. Respondents' original answers based on a 5-point Likert scale (from 'strongly support', 'support', 'neutral/not sure', 'oppose', to 'strongly oppose') were recoded into three groups: the 'supporters', 'undecided', and 'opposers'. Among all respondents, 84.3% ( $n = 435$ ) were supporters, 13.6% ( $n = 70$ ) were undecided, and merely 2.1% ( $n = 11$ ) were opposers.

Our questionnaire surveyed a number of demographic variables, including age (measured in years), one's career length (in years), sex (dichotomized), education level (recoded in three groups), whether one received a law degree (dichotomized), residence location

**Table 1** Descriptive statistics for all variables ( $N=516$ )

Variables	Mean (s.d.) or %	Variables	Mean (s.d.) or %
Preferred punishment			
1. Homicide			
Immediate death sentence	37.2%	Household registration	
Suspended death sentence	23.4%	Local	84.1%
LWOP	11.4%	Nonlocal	15.9%
Other penalties	27.9%		
2. Drug trafficking			
Immediate death sentence	40.7%	Marital status	
Suspended death sentence	29.8%	Others	20.9%
LWOP	16.1%	Married	52.9%
Other penalties	13.4%	Single	26.2%
3. Sexual assault of minors			
Immediate death sentence	30.2%	Ethnicity	
Suspended death sentence	25.2%	Minorities	14.0%
LWOP	16.7%	Han	86.0%
Other penalties	27.9%		
4. Abducting & trafficking children			
Immediate death sentence	36.6%	Annual income	
Suspended death sentence	19.0%	> 100 K	18.0%
LWOP	22.5%	60–100 K	35.3%
Other penalties	21.9%	< 60 K	46.7%
5. Bribe-taking			
Immediate death sentence	22.3%	Deterrence	3.75 (0.58)
Suspended death sentence	28.3%		
LWOP	23.8%	Just deserts	3.40 (0.73)
Other penalties	25.6%		
General death penalty opinion			
Supporters	84.3%	Law & order	3.53 (0.58)
Unsure/undecided	13.6%	Inhuman punishment	3.18 (0.75)
Opponents	2.1%		
Age	33.46 (8.09)	Inadequacy of LWOP	3.31 (0.77)
Career length	7.77 (7.11)		
Sex		Sentencing fairness	3.20 (0.81)
Female	42.4%		
Male	57.5%	Victimization	3.08 (0.95)
Education			
Graduate degree	9.9%	Fear of crime	
Bachelor degree	67.4%	Yes	48.8%
Below bachelor	22.7%	Not sure	18.2%
Law degree		No	32.9%
No	60.1%		
Yes	39.9%		
Residence location			
Cities	52.1%		
Suburbs	39.1%		
Urban villages	8.7%		

(recoded in three groups), household registration (dichotomized as local or non-local registration), marital status (recoded in three groups), ethnicity (dichotomized as Han people or ethnic minorities), and annual income (recoded in three groups) (see Table 1 for specific coding).

Given suggestions from the literature (Jiang et al., 2007, 2009; Liang et al., 2006; Oberwittler & Qi, 2009; Wu et al., 2011), our questionnaire also contained a series of questions that solicited respondents' justifications for their support or disapproval of the death penalty based on a 5-point Likert scale (from 'strongly support' to 'strongly oppose'). Based on the rationales of these justifications, we created six justification indexes as control variables after their coding was reversed, including deterrence, just deserts, (maintaining) law and order, (death penalty being) inhumane punishment, inadequacy of the LWOP (as the alternative punishment), and sentencing unfairness (concerns about disparities and unfairness of death sentencing). Reliability coefficients (Cronbach's alpha) of these indexes range from 0.567 to 0.759 (see Appendix 2 for questions included in each index and corresponding alpha coefficient). Being mathematical means of included variables, the index values represent respondents' agreement to each index: the higher the value is, the stronger one's belief is in an index. Finally, two other control variables, fear of crime and victimization experience were surveyed given their salience in the literature (e.g., Andreescu & Hughes, 2020; Wu et al., 2011). First, we asked respondents to rate one single statement that "I would fear walking alone outdoors in my neighborhood at night". Respondents' original responses based on a 5-point Likert scale were recoded into three groups ('yes', 'not sure', and 'no') (see Table 1). In contrast, one's victimization index was created based on two survey questions (after their coding was reversed) detailed in Appendix 2 (Cronbach's alpha = 0.804): the higher the value is, the more victimization experience one expresses.

## Analytical Strategy

Analytically, we address our research questions through the following steps. First, to examine the profiles of the supporters, unsure/undecided, and opponents, we run cross-tab analyses between demographic and control variables and respondents' general death penalty opinions. Significant differences observed across the three groups could potentially indicate different profiles. Second, to examine the impact of respondents' general death penalty opinion on their preferred punishment, we test bivariate correlations (in cross-tabs) to see if the supporters, unsure, and opponents groups would favor different punishment and whether such differences are statistically significant. Results across five capital cases could also reveal how respondents' general death penalty opinion impacts their preferred punishment differently in various crime scenarios.

Third, we utilize regressions to assess the independent and net effect of respondents' general death penalty opinion on their preferred punishment in specific cases after controlling for demographic and control variables. As our dependent variables are ordinal level variables, we ran ordinal regressions initially (via the PLUM program in SPSS). Nevertheless, the assumption of parallel lines is violated at the 0.05 significance level in all models. As a result, we turned to generalized ordered logit models (GOLOGIT). Presenting a new program (gologit2) in STATA for ordinal dependent variables, Williams (2006, 2016) recommended generalized ordered logit/partial proportional-odds models over either proportional-odds models that violate the proportional-odds assumption or multinomial models

that fail to use the information about the proper order of various categories contained in ordinal dependent variables and often generate less parsimonious results. Before the availability of the GOLOGIT, when the proportional-odds assumption (the parallel line assumption in SPSS) is violated, researchers often choose either multinomial models or proportional-odds models despite such violations. Fortunately, the GOLOGIT is able to cope with violations of the proportional-odds assumption, identifying predictors that violate the assumption and allowing these predictors to fit without constraints, and keeping intact predictors that do not violate the assumption at the same time. Our data analyses below were conducted with both SPSS (version 29) and STATA (version 18).

## Findings

### Profiles of Three Groups by Demographic and Control Variables

Tables 2 and 3 examine potential differences of three groups by demographic and control variables. Specifically, in Table 2, demographic variables and fear of crime are tested and significant statistical results are indicated by either Pearson's Chi-square or ANOVA test results. As shown, death penalty supporters are more likely to possess a bachelor's degree (vs. opposers more likely to have a graduate degree), live in cities (vs. opposers more likely to live in rural areas), have a local household registration (vs. opposers more likely to have a non-local registration), have an annual income below 60 K (vs. opposers more likely to have an annual income above 100 K), and have a higher level of fear of crime (vs. the undecided group more likely to hold a 'not sure' position). Table 3 tests respondents' death penalty justification and victimization indexes by three groups. As seen, death penalty supporters are more likely to hold a stronger belief in deterrence, just deserts, and law and order compared to the undecided and opponents. Unexpectedly, death penalty supporters are more likely to express concerns about death penalty sentencing unfairness than the other two groups. Additionally, for victimization experience, the opponents and the undecided have higher mean scores than the supporters unexpectedly (indicating more victimization experience), though the differences are nonsignificant statistically.

### Bivariate Analysis

Table 4 tests correlations between the general belief (trichotomized) and preferred punishment (in four groups) in five hypothetical cases and significant statistical differences are indicated by Chi-square test results. Regarding the results, first, significant differences were found across three groups in all five cases (Chi-square statistics ranging from 14.000 in sexual assault case to 29.164 in homicide case). Overall, as expected, death penalty supporters are more likely to support harsher penalties compared to the undecided and opponents. Comparisons between the undecided and opponents seemingly hinges upon specific cases: while the results are similar for homicide and drug trafficking cases, more differences are observed for other three cases (arguably with less severe crime natures). For instance, for the homicide case, 38.6% of the undecided and 36.4% of the opponents favored death sentences (including suspended death sentences) and 38.6% and 36.4% of them chose other penalties respectively. In comparison, for bribe-taking, 41.4% of the undecided chose vari-

**Table 2** Demographic variables and fear of crime by three groups

All respondents ( <i>n</i> = 516)	Supporters ( <i>n</i> = 435)	'Undecided' ( <i>n</i> = 70)	Opponents ( <i>n</i> = 11)	Pearson's Chi-square/ANOVA
Age (mean in years)	33.61	32.60	33.00	0.491
Career length (mean in years)	7.94	6.45	9.64	1.713
Sex				
Female	41.4%	47.1%	54.5%	1.494
Male	58.6%	52.9%	45.5%	
Education				
Graduate degree	9.0%	11.4%	36.4%	11.346*
Bachelor degree	69.2%	61.4%	36.4%	
Below bachelor	21.8%	27.1%	27.3%	
Law degree				
No	59.5%	61.4%	72.7%	0.840
Yes	40.5%	38.6%	27.3%	
Residence location				
Cities	52.6%	54.3%	18.2%	23.037***
Suburbs	40.2%	32.9%	36.4%	
Rural villages	7.1%	12.9%	45.5%	
Household registration				
Local	84.8%	85.7%	54.5%	7.406*
Nonlocal	15.4%	14.3%	45.5%	
Marital status				
Others	22.1%	14.3%	18.2%	9.080
Married	53.8%	51.4%	27.3%	
Single	24.1%	34.3%	54.5%	
Ethnicity				
Minorities	13.6%	14.3%	27.3%	1.687
Han	86.4%	85.7%	72.7%	
Annual income				
>100 K	15.2%	31.4%	45.5%	16.619**
60–100 K	36.6%	28.6%	27.3%	
<60 K	48.3%	40.0%	27.3%	
Fear of crime				
Yes	49.7%	44.3%	45.5%	10.026*
Not sure	16.1%	31.4%	18.2%	
No	34.3%	24.3%	36.4%	

\* $p < 0.05$ , \*\*  $p < 0.01$ , \*\*\*  $p < 0.001$ 

ous death sentences but not a single opponent fixed a death sentence and 63.6% the opponents chose the LWOP.

Second, significant variations are evident across different capital offenses for each group. For the supporters: the percentage of death sentences (including suspended death sentences) range from 53.3% in bribe-taking to 73.8% in drug trafficking; for the undecided, the percentage of death sentences range from 32.9% in abducting and trafficking children to 54.3% in drug trafficking; for the opponents, the percentage of death sentences range from 0% in bribe-taking to 54.6% in drug trafficking. Based on the range of percentage changes, the

**Table 3** Death penalty justifications and victimization by three groups

All respondents ( <i>n</i> = 516)	Supporters ( <i>n</i> = 435)	'Undecided' ( <i>n</i> = 70)	Opponents ( <i>n</i> = 11)	ANOVA
Deterrence (mean)	3.85	3.27	2.97	47.275***
Just deserts (mean)	3.46	3.15	2.73	10.266***
Law & order (mean)	3.61	3.15	2.70	34.936***
Inhuman punishment (mean)	3.20	3.07	3.21	0.847
Inadequacy of LWOP (mean)	3.34	3.13	3.27	2.250
Sentencing fairness (mean)	3.24	3.04	2.64	4.689*
Victimization (mean)	3.07	3.10	3.13	0.039

\*  $p < 0.05$ , \*\*  $p < 0.01$ , \*\*\*  $p < 0.001$

**Table 4** Preferred punishment in five cases by three groups

All respondents ( <i>n</i> = 516)	Supporters ( <i>n</i> = 435)	'Undecided' ( <i>n</i> = 70)	Opponents ( <i>n</i> = 11)	Pearson $\chi^2$
<b>Homicide</b>				
Immediate execution	41.4%	14.3%	18.2%	29.164***
Suspended DP	23.4%	24.3%	18.2%	
LWOP	9.2%	22.9%	27.3%	
Others	26.0%	38.6%	36.4%	
<b>Drug trafficking</b>				
Immediate execution	43.7%	25.7%	18.2%	19.955**
Suspended DP	29.9%	28.6%	36.4%	
LWOP	14.3%	28.6%	9.1%	
Others	12.2%	17.1%	36.4%	
<b>Sexual assault of minors</b>				
Immediate execution	32.4%	18.6%	18.2%	14.000*
Suspended DP	24.6%	32.9%	0.0%	
LWOP	15.4%	21.4%	36.4%	
Others	27.6%	27.1%	45.5%	
<b>Abducting &amp; trafficking children</b>				
Immediate execution	38.6%	30.0%	0.0%	20.207**
Suspended	20.2%	12.9%	9.1%	
LWOP	21.1%	30.0%	27.3%	
Others	20.0%	27.1%	63.6%	
<b>Bribe-taking</b>				
Immediate execution	24.1%	14.3%	0.0%	20.781***
Suspended DP	29.2%	27.1%	0.0%	
LWOP	21.1%	34.3%	63.6%	
Others	25.5%	24.3%	36.4%	

\*  $p < 0.05$ , \*\*  $p < 0.01$ , \*\*\*  $p < 0.001$

supporters are seemingly the least volatile group, and the opponents the most volatile group. For the opponents specifically, they rejected death sentences with immediate executions in abducting and trafficking children case, but 18.2% of them chose immediate executions in sexual assault case, again indicating potentially high volatility of this group in specific contexts.

## Regression Analyses

As explained above, to test if respondents' general belief has a net, independent impact on their sentencing preferences in specific cases, we turn to GOLOGIT models to control other variables. The results are presented in Table 5. Given the nature of GOLOGIT, for each ordinal dependent variable, three comparisons were generated between a lower ranked category and a higher ranked category in our case, including (1) the 'immediate execution' group (lower ranked) vs. the combined group of three other categories (higher ranked), (2) the combined 'immediate execution' and 'suspended death sentences' group (lower ranked) vs. the combined 'LWOP' and 'Others' group (higher ranked), and (3) the combined group of 'immediate execution', 'suspended death sentence', and 'LWOP' (lower ranked) vs. the 'Others' (higher ranked). These comparisons are labeled 'Model 1', 'Model 2', and 'Model 3' accordingly in Table 5. For respondents' general death penalty opinion (our primary variable of interest), the supporters were set as the reference group. Besides continuous variables (age, career length, and death penalty justification and victimization indexes), the reference groups of all other categorical demographic and control variables are explicitly labeled in Table 5. Our examination focuses on full models when all variables are entered. A positive result of a variable (or a category of a variable) would indicate its correlation with the higher ranked category of the dependent variable (thus, being significantly less likely to support harsher penalties given the coding of our variables); in contrast, a negative result would indicate an association with the lower ranked category of the dependent variable (thus a higher likelihood to support harsher punishment).

As shown in Table 5, regarding the impact of general death penalty opinion on respondents' choice of punishment (our primary inquiry), it is apparent that the results depend upon three things, the specific capital offense tested (five types), the specific model tested (that is, what comparisons were done among four categories of our dependent variables), and which two groups (the supporters, undecided, or opponents) were contrasted. Overall, as hypothesized, significant results of the undecided and opponent groups are all *positive*, indicating that either of them would be less likely to favor harsher penalties compared to the supporters while holding other variables constant. Nevertheless, much variation is found across various capital offenses and models. For homicide and drug trafficking (the two most heinous capital offenses), the differences between the supporters and the undecided were statistically significant in *every* model (after controlling for other variables), reaffirming significant differences observed between these two groups in Table 4. In comparison, significant differences were only found in some models between the supporters and the opponents: for example, for drug trafficking, significant differences were only found in model 3 which contrasted all death sentences and LWOP with 'Others'. This result also confirms the bivariate result in Table 4: 87.8% of the supporters chose either death sentences or LWOP and 12.2% chose other penalties, while 36.4% of the opponents chose other penalties.

Interestingly, the situation was reversed for abducting and trafficking children and bribe-taking (arguably the two least severe capital offenses among the tested): significant differences were observed between the supporters and the opponents in *every* model; in comparison, only one significant difference was found between the supporters and the undecided in model 2 for abducting and trafficking children (which again confirmed the bivariate results in Table 4: 58.8% of the supporters chose various death sentences and 41.2% favored LWOP or other penalties, while 42.9% and 57.1% of the undecided did so respectively).

Sexual assault of minors was the only capital offense in which no significant differences were found in comparisons of the supporters with either the undecided or the opponents after controlling for others, indicating little impact of one's general opinion on one's preferred punishment in this crime scenario.

We found few discernible patterns among demographic and control variables. Among all, victimization experience produced consistent results significant in all crimes: people who reported higher scores of victimization experience were more likely to fix harsher penalties. Additionally, a number of other variables produced consistent results but were significant only in limited models: having a law degree, marital status being 'others' and 'married' (compared to singles), living in cities or suburbs (compared to living in rural areas), and being ethnic minority members were associated with an increased likelihood of fixing more lenient penalties; being older in age and having a longer career, a higher annual income, and a local household registration were correlated with fixing harsher penalties. Other variables such as fear and education produced inconsistent results.

Death penalty justification indexes we tested can be grouped into two categories. The first group (deterrence, just deserts/retribution, and law and order) represent the 'core' beliefs that directly buttress people's death penalty support (at least theoretically). Deterrence was significant in nine models for four crimes: As expected, holding else constant, respondents who had a stronger belief in deterrence were more likely to fix a harsher penalty. Law and order was significant in six models for three crimes: except one model, its effect also met our expectation: respondents with a stronger belief were more likely to fix a harsher penalty. In contrast, just deserts (significant in five models for homicide and drug trafficking) produced inconsistent results depending upon specific models tested. The second group of death penalty justifications (inhumane punishment, inadequacy of LWOP, and sentencing unfairness) had mean values lower than that of the first group, indicating people's weaker belief in these indexes (Table 1). Theoretically, respondents who believe that the death penalty is inhumane in nature and that death sentencing would produce unfairness *should* favor alternative, non-death penalties, while respondents who believe that the LWOP is inadequate to replace the death penalty *should* favor death sentences. In Table 5, inhuman punishment was significant in seven models with inconsistent results; the inadequacy of LWOP was significant in nine models, all with positive results, indicating that respondents who questioned the adequacy of LWOP were more likely to prefer more lenient punishment unexpectedly; sentencing unfairness was significant only in one model for bribe-taking: the negative result indicated that respondents who had more concerns about death penalty sentencing unfairness were more likely to prefer harsher punishment, again contrary to our expectation.

## Discussion and Conclusion

Past studies of death penalty public opinion often relied on oversimplified general questions utilized in the polls to measure people's attitude but failed to uncover the complexities of people's opinions which are subject to change depending upon the specific context. Only a limited number of studies (reviewed above) explored people's choice of punishment with specific case scenarios, thus testing the application of the death penalty beyond their general belief. What has not yet been tested, however, is the potential impact of one's general belief on the application of the death penalty in specific cases.

**Table 5** Generalized ordered logit regression on preferred punishment in five hypothetical cases

	Homicide			Drug trafficking		
	Model 1 B(S.E.)	Model 2 B(S.E.)	Model 3 B(S.E.)	Model 1 B(S.E.)	Model 2 B(S.E.)	Model 3 B(S.E.)
General DP Opinion						
Supporters (reference)						
Undecided	0.685(0.28)*	0.685(0.28)*	0.685(0.28)*	0.559(0.27)*	0.559(0.27)*	0.559(0.27)*
Opponents	2.577(0.98)**	1.872(0.80)*	0.089(0.84)	1.412(0.88)	0.393(0.75)	2.32(0.83)**
Sex						
Females	0.093(0.22)	0.486(0.23)*	-0.454(0.28)	0.118(0.18)	0.118(0.18)	0.118(0.18)
Males (reference)						
Age	0.002(0.02)	0.002(0.02)	0.002(0.02)	-0.056(0.03)*	-0.056(0.03)*	-0.056(0.03)*
Career length	-0.048(0.03)	-0.035(0.03)	-0.088(0.03)**	0.027(0.03)	-0.018(0.03)	0.051(0.04)
Education						
Graduate	-0.090(0.39)	-0.090(0.39)	-0.090(0.39)	0.076(0.39)	0.076(0.39)	0.076(0.39)
Bachelor	0.344(0.23)	0.344(0.23)	0.344(0.23)	-0.150(0.25)	0.279(0.27)	1.12(0.38)**
Below bachelor (reference)						
Law degree						
No	-0.466(0.25)	0.254(0.25)	-0.204(0.31)	-0.529(0.21)*	-0.529(0.21)*	-0.529(0.21)*
Yes (reference)						
Location						
Cities	1.540(0.42)***	0.620(0.44)	-0.791(0.51)	0.065(0.33)	0.065(0.33)	0.065(0.33)
Suburbs	1.216(0.42)**	0.646(0.44)	-0.560(0.48)	0.313(0.34)	0.313(0.34)	0.313(0.34)
Urban villages (reference)						
Household registration						
Local	0.392(0.28)	0.392(0.28)	0.392(0.28)	-0.078(0.26)	-0.078(0.26)	-0.078(0.26)
Nonlocal (reference)						
Marital status						
Others	0.380(0.28)	0.380(0.28)	0.380(0.28)	0.652(0.27)*	0.652(0.27)*	0.652(0.27)*
Married	0.269(0.29)	-0.174(0.29)	-0.845(0.32)**	0.540(0.27)*	0.850(0.28)**	0.142(0.37)
Single (reference)						



Table 5 (continued)

Females	0.109(0.18)	0.109(0.18)	0.109(0.18)	0.086(0.18)	0.086(0.18)	0.086(0.18)
Males (reference)						
Age	-0.044(0.03)	-0.052(0.03)	0.040(0.03)	-0.035(0.02)	-0.035(0.02)	-0.035(0.02)
Career length	0.031(0.04)	0.003(0.03)	-0.085(0.04)*	-0.010(0.03)	-0.010(0.03)	-0.010(0.03)
Education						
Graduate	-0.093(0.45)	0.227(0.44)	-1.60(0.54)**	0.053(0.43)	0.641(0.42)	-0.089(0.45)
Bachelor	0.234(0.27)	0.157(0.27)	0.519(0.31)	-0.059(0.23)	-0.059(0.23)	-0.059(0.23)
Below bachelor (reference)						
Law degree						
No	-0.435(0.25)	-0.002(0.23)	-0.467(0.26)	-0.822(0.23)***	-0.213(0.22)	-0.374(0.26)
Yes (reference)						
Location						
Cities	0.351(0.38)	-0.154(0.38)	0.546(0.39)	-0.016(0.36)	-0.016(0.36)	-0.016(0.36)
Suburbs	0.644(0.36)	0.644(0.36)	0.644(0.36)	0.490(0.36)	0.490(0.36)	0.490(0.36)
Urban villages (reference)						
Household registration						
Local	0.119(0.35)	0.294(0.30)	-0.923(0.33)**	0.103(0.25)	0.103(0.25)	0.103(0.25)
Nonlocal (reference)						
Marital status						
Others	0.819(0.33)*	0.019(0.31)	1.01(0.34)**	0.471(0.27)	0.471(0.27)	0.471(0.27)
Married	0.351(0.25)	0.351(0.25)	0.351(0.25)	-0.143(0.27)	0.572(0.26)*	0.686(0.30)*
Single (reference)						
Ethnicity						
Minorities	-0.356(0.28)	-0.356(0.28)	-0.356(0.28)	-0.230(0.31)	-0.046(0.30)	0.839(0.34)*
Han (reference)						
Income						
> 100 K	-0.105(0.31)	-0.105(0.31)	-0.105(0.31)	-0.655(0.30)*	-0.655(0.30)*	-0.655(0.30)*
60–100 K	-0.821(0.25)***	-0.306(0.25)	-0.714(0.30)*	-0.127(0.24)	-0.449(0.23)	-1.03(0.29)***
< 60 K (reference)						

**Table 5** (continued)

Fear of crime									
Yes	-0.329(0.26)	-0.329(0.26)	-0.329(0.26)	-0.329(0.26)	0.261(0.26)	0.261(0.26)	0.261(0.26)	0.261(0.26)	0.261(0.26)
Not sure	-0.452(0.34)	-0.342(0.31)	-1.02(0.35)**	-0.780(0.32)*	-0.353(0.32)	-0.353(0.32)	-0.353(0.32)	-0.353(0.32)	0.614(0.36)
No (reference)									
Deterrence	0.277(0.22)	0.277(0.22)	0.277(0.22)	0.307(0.25)	-0.053(0.25)	-0.053(0.25)	-0.053(0.25)	-0.053(0.25)	-0.599(0.28)*
Just deserts	0.136(0.19)	0.136(0.19)	0.136(0.19)	-0.204(0.18)	-0.204(0.18)	-0.204(0.18)	-0.204(0.18)	-0.204(0.18)	-0.204(0.18)
Law & order	-0.839(0.29)**	-0.839(0.29)**	-0.839(0.29)**	-0.557(0.29)	-0.557(0.29)	-0.557(0.29)	-0.557(0.29)	-0.557(0.29)	-0.557(0.29)
Inhumane punishment	0.570(0.20)**	0.017(0.19)	-0.936(0.23)***	0.748(0.18)***	0.191(0.18)	0.191(0.18)	0.191(0.18)	0.053(0.21)	0.053(0.21)
Inadequacy of LWOP	-0.277(0.23)	0.535(0.21)*	0.954(0.23)***	-0.024(0.20)	0.346(0.21)	0.346(0.21)	0.346(0.21)	1.00(0.26)***	1.00(0.26)***
Sentencing unfairness	-0.369(0.20)	-0.369(0.20)	-0.369(0.20)	0.139(0.18)	0.139(0.18)	0.139(0.18)	0.139(0.18)	0.139(0.18)	0.139(0.18)
Victimization	-0.445(0.16)**	-0.376(0.15)*	-0.086(0.17)***	0.016(0.14)	0.021(0.13)	0.021(0.13)	0.021(0.13)	-0.651(0.16)***	-0.651(0.16)***
Constant	5.01(1.20)***	2.75(1.12)*	4.297(1.22)***	1.62(1.10)	1.06(1.04)	1.06(1.04)	1.06(1.04)	2.26(1.17)	2.26(1.17)
Observations	516			516					
LR chi2	271.03***			210.38***					
McFadden R <sup>2</sup>	0.193			0.151					
		Bribe-taking							
General DP Opinion		Model 1 B(S.E.)		Model 2 B(S.E.)		Model 3 B(S.E.)			
Supporters (reference)									
Undecided		0.281(0.26)		0.281(0.26)		0.281(0.26)			
Opponents		1.57(0.61)*		1.57(0.61)*		1.57(0.61)*			
Sex									
Females		0.270(0.24)		0.270(0.20)		0.106(0.23)			
Males (reference)									
Age		-0.000(0.02)		-0.000(0.02)		-0.000(0.02)			
Career length		-0.052(0.03)*		-0.052(0.03)*		-0.052(0.03)*			
Education									
Graduate		1.06(0.51)*		0.888(0.41)*		-0.386(0.46)			

Table 5 (continued)

Bachelor	0.439(0.22)*	0.439(0.22)*	0.439(0.22)*
Below bachelor (reference)			
Law degree			
No	0.061(0.25)	0.247(0.21)	-0.399(0.24)
Yes (reference)			
Location			
Cities	-0.452(0.35)	-0.452(0.35)	-0.452(0.35)
Suburbs	-0.478(0.39)	-0.402(0.36)	-0.226(0.36)
Urban villages (reference)			
Household registration			
Local	-0.107(0.25)	-0.107(0.25)	-0.107(0.25)
Nonlocal (reference)			
Marital status			
Others	0.300(0.27)	0.300(0.27)	0.300(0.27)
Married	0.457(0.23)	0.457(0.23)	0.457(0.23)
Single (reference)			
Ethnicity			
Minorities	-0.398(0.26)	-0.398(0.26)	-0.398(0.26)
Han (reference)			
Income			
> 100 K	-0.401(0.29)	-0.401(0.29)	-0.401(0.29)
60–100 K	-0.248(0.21)	-0.248(0.21)	-0.248(0.21)
< 60 K (reference)			
Fear of crime			
Yes	-0.051(0.37)	-0.520(0.28)	0.449(0.31)
Not sure	-0.206(0.35)	-0.520(0.29)	0.324(0.33)
No (reference)			
Deterrence	-0.510(0.22)*	-0.510(0.22)*	-0.510(0.22)*
Just deserts	-0.210(0.17)	-0.210(0.17)	-0.210(0.17)

Table 5 (continued)

Law & order	0.270(0.28)	0.270(0.28)	0.270(0.28)
Inhumane punishment	-0.134(0.21)	-0.727(0.18)***	-0.013(0.20)
Inadequacy of LWOP	1.21(0.26)***	0.293(0.21)	0.307(0.24)
Sentencing unfairness	-0.842(0.27)**	0.318(0.21)	0.198(0.24)
Victimization	0.062(0.18)	0.232(0.13)	-0.325(0.14)*
Constant	2.31(1.10)*	1.89(1.00)	0.006(1.02)
Observations	516		
LR chi2	179.87***		
McFadden R <sup>2</sup>	0.126		

Z score test: \*  $p < 0.05$ , \*\*  $p < 0.01$ , \*\*\*  $p < 0.001$

Based on a nonrandom sample of 516 CJPs from one southern Chinese city, this study tested the potential impact of respondents' general belief on their preferred punishment in five capital cases, and produced several key findings as follows. First, although working in the same criminal justice system in a fashion which is characterized as an assembly-line emphasizing on coordination, cooperation, and efficiency instead of checks and balances (McConville et al., 2011; Mou, 2020), Chinese CJPs in our sample held different death penalty opinions in general and chose different punishments in various specific offenses. When we separate them into three groups (the supporters, undecided, and opponents), their general opinions and choices of punishment in specific cases are significantly correlated with certain demographic and control variables (Tables 2, 3 and 5), indicating potential different profiles of these three groups.

Second, testing the impact of one's general belief on one's choice of punishment in specific cases, the results of both bivariate (Table 4) and multivariate analyses (Table 5) confirmed our hypothesis that compared to the supporters, the undecided and opponents are more likely to fix more lenient punishment in specific case scenarios. Albeit our study is not designed for theory-testing, the results are intuitive and lend support to the ABC theory in general (e.g., Ajzen & Fishbein, 1973, 1980; Fazio, 1990).

Third, the multivariate results also indicated that the impact of one's general death penalty belief on their preferred punishment in specific cases is subject to the influence of two key factors tested, capital offenses and alternative punishments offered to respondents. This finding is also consistent with the suggestion of ABC that the correlation between general attitudes and behavior is subject to the influence of situational (and individual) factors (e.g., Ajzen & Fishbein, 1973; Fazio, 1990), as variations of capital offenses and availability of alternative punishments would change people's decision-making in specific cases.

We tested five different capital offenses specifically: for homicide and drug trafficking, arguably the two most heinous capital offenses among the five (indicated by the high death penalty support rates by all three groups), the regression results found significant differences between the supporters and the undecided in more models than that between the supporters and the opponents. The opposite is true, however, for abducting and trafficking children and bribe-taking, in which more significant differences were found between the supporters and the opponents instead of the undecided, after controlling for other variables. In comparison, no significant differences were found for sexual assault of minors between the supporters and the undecided or the opponents in the regressions. The results confirmed that the specific crime scenario matters. We hypothesized that more significant differences would be found among less heinous capital offenses in which there is presumably more room for variation. The results only partially supported our hypothesis: it is true for the contrast between the supporters and the opponents, as more significant differences were observed among less severe crimes (abducting children and bribe-taking); for the comparison between the supporters and the undecided, nevertheless, it is among the more severe capital offenses (homicide and drug trafficking) where more significant differences were observed. These results marked fundamental differences between the undecided and the opponents: when capital offenses are very severe, (significantly) different support rates exist between the supporters and the undecided (and the opponents); when the perceived severity of capital offenses lessened, the support rates of both the supporters and the undecided decline, thus mitigating differences between them. In contrast, given their unique position, the opponents would be far more likely to reject death sentences among the least severe capital offenses, thus

departing significantly from the supporters. The declining support rate by the opponents at a faster rate relative to the other two groups when crimes become less severe also explains the high volatility of this group. Granted, there is always the likelihood that in some scenarios (sexual assault of minors), one's general belief matters little on one's choice of punishment (when other variables/factors might play more salient roles). Note that these five capital offenses covered both crimes *mala in se* (homicide, sexual assault of minors, and abducting and trafficking children) and *mala prohibita* (drug trafficking and bribe-taking) and fact patterns are all severe and death-eligible by law (see Appendix 1). It is not readily clear how crime nature itself (*mala in se* or *prohibita*) affects respondents' decisions. Rather, it is how these crimes are *perceived* within a specific scenario by three groups of respondents.

The second factor that might influence the impact of general belief on choice of punishment in specific cases is punishment options offered to respondents. In our study, we collapsed respondents' answers on preferred punishment into four groups. The multivariate results (Table 5) indicate that the outcomes varied depending upon the specific models tested. Representing various combinations of comparisons among the four punishment options, model-testing can be viewed as comparisons of alternative punishments offered to respondents. The results thus confirmed that viable alternative punishments matter when measuring people's support for the death penalty (e.g., Bowers et al., 1994; McGarrell & Sandys, 1996).

Last but not least, the multivariate results showed that one's personal background (e.g., demographic variables) and experience (e.g., fear of crime, victimization), and rationales for supporting the death penalty either in ideology (e.g., deterrence, just deserts, law and order, inhuman punishment) or practice (e.g., inadequacy of LWOP and sentencing unfairness) could impact one's preferred punishment in specific cases, although clear patterns are difficult to pinpoint as the results are contingent upon capital offenses and models tested.

Our study makes several significant contributions to the extant literature. First, our study is the first one to test how one's general death penalty belief might influence punishment decision in specific cases, confirming the hypothesis that compared to the supporters, the undecided and the opponents would be more likely to favor more lenient punishment in specific cases (holding else constant). Whether such comparisons produce significant differences, however, is subject to influence of other factors such as the crime scenarios, alternative punishment offered, and respondents' personal background, experience, and death penalty justifications. The results make intuitive sense and are consistent with the ABC theory in general and the past literature which emphasizes the importance of measuring people's death penalty opinions within specific contexts (Liang et al., 2024).

Second, utilizing trichotomized dependent variables, our study revealed the importance of including the equivocal (unsure/undecided) group in death penalty opinion measurements. This is particularly critical for societies such as China and Japan (Andreescu & Hughes, 2020; Watamura & Ioku, 2023) where a significant proportion of the population holds unclear answers (even more than the opponents). Our study echoes the call to pay more attention to the unsure/undecided group (Kort-Butler & Ray, 2019; Fox et al., 2024). When Bakken (2023) differentiated Chinese respondents into the core (supporter), the ambivalent (the undecided), and the signal (opposers) groups, he envisioned that the opposers would lead the change to China's death penalty in the future and the undecided would likely follow the opposers. Our examination of the CJPs, key players of the Chinese criminal justice system, showed some fundamental differences between the undecided and

the opponents when they fix punishment in capital cases. The choices of the undecided are seemingly closer to that of the supporters instead of the opponents when capital crimes are not as severe (abducting and trafficking children and bribe-taking). The results indicate potential challenge to China's effort to limit or even abolish the death penalty in nonviolent and nonlethal crimes. Whether the undecided would follow the footsteps of the opponents in the long run (as hoped by Bakken) remains to be seen.

Lastly, our study, testing a variety of capital offenses in China, enriches the existing literature as the bulk of Western studies limited their examinations to homicide only. Given the finding that the nature of capital offenses does matter to people's opinion, our study adds to the small body of studies that examined public opinions for non-homicide crimes in specific cases (Chan et al., 2018; Hood, 2013; Hood & Seemungal, 2011). This finding is critically important to nations that practice the death penalty among a variety of capital offenses. Our study covered both crimes *mala in se* (homicide, sexual assault of minors, and abducting and trafficking children) and *mala prohibita* (drug trafficking and bribe-taking) in nature. Nevertheless, the Chinese government has traditionally condemned both drug trafficking (e.g., Lu et al., 2009) and official corruption (Jiang et al., 2024) relentlessly given China's history (e.g., the impact of the Opium Wars in the 19th century) and anti-corruption political demand by the Chinese Communist Party, thus elevating both to capital offenses. Therefore, these specific capital offenses could be perceived differently by Chinese people within China's unique social, cultural, and political context (Liang & Liu, 2021). Whether people in other nations treat such offenses the same warrants further inquiry and study.

We'd like to acknowledge some major limitations of our study. First, our study focused on a nonrandom sample of Chinese CJPs, the central players of the criminal justice system. Their views on capital punishment may be very different from the general public and more punitive in certain circumstances as shown by studies conducted in China (e.g., Max Planck survey). Future studies should extend our inquiry to the general population in China for comparison purposes. Additionally, the surveyed CJPs are not statistically representative of the city (let alone the whole nation), although this limitation was a common challenge to all past studies given limited access to CJPs. Being explorative and non-generalizable in nature, the results of our study need to be interpreted with caution. Another limitation was our lack of control over data collection, as we had to rely on the administrative staff of each professional institution to handle questionnaires.

In conclusion, testing the impact of Chinese CJPs' general death penalty belief on their preferred punishment in specific cases, our study confirmed the hypothesis that the undecided and the opponents are more likely to choose more lenient punishment in specific cases compared to the death penalty supporters. In the meantime, the results depend upon the specific context including but not limited to capital offenses tested and alternative punishments offered. Future studies should aim to validate these results in other cultures and societies among various populations.

**Supplementary Information** The online version contains supplementary material available at <https://doi.org/10.1007/s10610-025-09632-1>.

**Funding** This work was supported by the National Science Foundation (SES-2215480) and Alliance for Safety and Justice. [the University of Macau Multi-Year Research Grant General Research Grant (MYRG-GRG2023-00064-FLL) and the University of Macau Research & Development Grant for Chair Professor (CPG2024-00012-FLL)]

**Data Availability** The dataset generated during and/or analyzed during the current study is not publicly available due to the sensitive nature of the research topic in China and its form in Chinese but is available from the corresponding author on reasonable request.

## Declarations

**Ethical Standards** This study was conducted in compliance with general research ethics guidelines and received the necessary approvals from relevant authorities in China. All participants were informed of their rights and voluntary choices. The research process and data records ensured confidentiality and anonymity only accessible by the PIs.

**Financial and Non-Financial interests** The authors have no relevant financial or non-financial interests to disclose.

**Conflicting interests** The authors declared no potential conflicts of interest with respect to the research, authorship, and/or publication of this article.

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