

THE FIELD POLL

THE INDEPENDENT AND NON-PARTISAN SURVEY
OF PUBLIC OPINION ESTABLISHED IN 1947 AS
THE CALIFORNIA POLL BY MERVIN FIELD

Field Research Corporation
222 Sutter Street, Suite 700
San Francisco, CA 94108-4411
(415) 392-5763 FAX: (415) 434-2541
EMAIL: fieldpoll@field.com
www.field.com/fieldpollonline

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**LARGE MAJORITY SUPPORTS EASING OF
THREE STRIKES LAW. TELEPHONE SURTAX
TO FUND EMERGENCY SERVICES AND
OPEN PRIMARY LAW ALSO FAVORED, BUT
BY NARROWER MARGINS.**

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by Mark DiCamillo and Mervin Field

Among the long list of fourteen statewide propositions that have qualified for the November general election ballot, three widely diverse measures are likely to generate considerable attention and interest.

One would change the existing “three strikes” criminal sentencing law. This initiative calls for amending the law so that repeat offenders would only face 25 years to life if they commit a serious or violent felony on their third conviction. It would also re-define the violent felony offense as inflicting “great bodily injury” and would permit courts to retroactively reduce penalties imposed on people already imprisoned under the existing three strikes statute.

A second initiative to be voted on in November would place a 3 percent surcharge on telephone bills that would raise an estimated \$550 million for emergency rooms, trauma centers and other emergency services provided at community clinics and hospitals.

A third initiative would open up primary elections for state and federal candidates to all voters regardless of their party registration. The names of all candidates for an office would appear together on a single primary election ballot. If none receives an outright majority, the two top vote getters, regardless of party, would then face off in a general election match-up.

The Field Poll, in its most recent survey completed late May, assessed voters’ initial predispositions to each of these propositions by reading a summary of its official ballot description prepared by the Attorney General’s office.

Revising the “three strikes” criminal sentencing law

The “three strikes” revision law was posed to voters as follows:

“This initiative would amend the three strikes law to require increased sentences after a third offense only when the current conviction is for a specified violent or serious felony. Only prior convictions for specified violent or serious felonies would qualify for second and third strike sentence increases, and allows for re-sentencing of persons if prior convictions used to increase sentences no longer qualify as violent or serious felonies. It also increases punishment for specified sex crimes against children. Fiscal impact: unknown but significant savings to the state ranging from several tens of millions to several hundreds of millions of dollars annually. If the election were being held today, would you vote YES or NO on this proposition?”

By a greater than five to one margin (76% to 14%) voters react favorably to the proposed initiative. Very little differences in sentiment are apparent among each partisan subgroup.

	<u>Yes</u>	<u>No</u>	<u>Undecided</u>
Statewide	76%	14	10
<u>Party</u>			
Democrats	80%	8	12
Republicans	74%	17	9
Non-partisans/others*	74%	20	6

* Small sample base.

Telephone surtax for emergency care

This is how this initiative was described to voters in this survey:

“This proposition provides for emergency personnel training and equipment reimbursement for uncompensated emergency physician care, community clinic care, emergency telephone service improvements and to hospitals for emergency services. It would be funded by adding a 3 per cent surcharge on telephone use within California, with a cap of 50 cents for residential users per month. Fiscal impact: Increased revenues of about 550 million dollars annually. If the election were being held today, would you vote YES or NO on this proposition?”

Overall, 51% of likely voters indicate they are inclined to vote YES on this proposal and 38% say they would vote NO. There is a decided partisan division in voter sentiments. Democrats favor the telephone surtax by a two to one margin (61% to 30%). On the other hand, a small plurality of Republicans – 46% NO and 41% YES – line up against the proposition. Non-partisans and others are slightly in favor of the proposal, 48% to 39%.

Table 2
**Initial voter preferences on the telephone surcharge for
 emergency care ballot proposition**
(among likely voters)

	<u>Yes</u>	<u>No</u>	<u>Undecided</u>
Statewide	51%	38	11
<u>Party</u>			
Democrats	61%	30	9
Republicans	41%	46	13
Non-partisans/others*	48%	39	13

* Small sample base.

Open primary initiative

The wording of the ballot summary posed to voters on the open primary initiative was as follows:

“This proposition would require that primary elections for state and federal candidate offices be open to all voters regardless of party registration. The two candidates getting the most votes for an office in the primary, whether or not from the same party, would then be listed on the general election ballot. If a candidate receives a majority of the votes cast in the primary, he or she would be elected. It also requires party consent to allow identification of candidates’ party on the general election ballot. If the election were being held today, would you vote YES or NO on this proposition?”

By slightly greater than a five to four margin (50% to 37%) voters are initially supportive of this proposition. Non-partisans and those affiliated with parties other than the two major parties strongly back the measure – 60% YES and 35% NO. Democrats also are initially supportive of the open primary idea but by a smaller 48% to 31% margin. Republicans are about evenly divided – 46% YES and 45% NO.

Table 3
Initial voter preferences on the open primary ballot proposition
(among likely voters)

	<u>Yes</u>	<u>No</u>	<u>Undecided</u>
Statewide	50%	37	13
<u>Party</u>			
Democrats	48%	31	21
Republicans	46%	45	9
Non-partisans/others	60%	35	5

* Small sample base.

Information About the Survey

Sample Details

The findings in this report are based on a cross-section sampling of 647 likely voters in the November statewide election. Interviews were conducted by telephone in English and Spanish May 18-24, 2004. Up to five attempts were made to reach a randomly selected voter at each number dialed. After the completion of interviewing, the larger registered voter sample was weighted to Field Poll estimates of the state's total registered voter population. In order to cover a broad range of issues and still minimize respondent fatigue, the overall sample was divided into two random subsamples of 341 and 306 likely voters each when measuring these three initiatives.

According to statistical theory, results in this report have a sampling error of +/- 5.8 percentage points at the 95% confidence level. There are other possible sources of error in any survey in addition to sampling variability. Different results could occur because of differences in question wording, sequencing or through omissions or errors in sampling, interviewing or data processing. Extensive efforts were made to minimize such potential errors.

Questions Asked

This initiative would amend the three strikes law to require increased sentences after a third offense only when the current conviction is for a specified violent or serious felony. Only prior convictions for specified violent or serious felonies would qualify for second and third strike sentence increases, and allows for re-sentencing of persons if prior convictions used to increase sentences no longer qualify as violent or serious felonies. It also increases punishment for specified sex crimes against children. Fiscal impact: unknown but significant savings to the state ranging from several tens of millions to several hundreds of millions of dollars annually. If the election were being held today, would you vote yes or no on this proposition?

This proposition provides for emergency personnel training and equipment reimbursement for uncompensated emergency physician care, community clinic care, emergency telephone service improvements and to hospitals for emergency services. It would be funded by adding a 3 per cent surcharge on telephone use within California, with a cap of 50 cents for residential users per month. Fiscal impact: Increased revenues of about 550 million dollars annually. If the election were being held today, would you vote yes or no on this proposition?

This proposition would require that primary elections for state and federal candidate offices be open to all voters regardless of party registration. The two candidates getting the most votes for an office in the primary, whether or not from the same party, would then be listed on the general election ballot. If a candidate receives a majority of the votes cast in the primary, he or she would be elected. It also requires party consent to allow identification of candidates' party on the general election ballot. If the election were being held today, would you vote yes or no on this proposition?