



**To:** Interested Parties  
**From:** Danny Franklin, Jessica Reis, Melissa Feldsher; Bully Pulpit Interactive  
**Date:** December 6, 2021  
**Re:** Registered Voters' Attitudes Toward Clemency

## Majority of Voters Calling for President Biden to Use Power of Clemency

Americans continue to show broad, majority support for safe ways to further reduce the prison population. With the deadline approaching to end CARES Act protections for the thousands of people who were transferred during COVID-19 to serve the remainder of their sentences at home, voters overwhelmingly reject sending those who have already re-entered society back to prison. Fully 63% of voters nationally support granting clemency to those who were selected to be transferred home under the CARES Act.

Additionally, overall support for clemency is strong as 64% of voters nationwide say they would support President Biden using his power of clemency to shorten prison sentences for those deemed safe for release.

These views are shaped by a pervasive sense that the criminal justice system needs serious reforms to end America's mass incarceration crisis and undo decades of inhumane sentencing policies.

### American Voters' Attitudes Toward Clemency

#### Clemency and COVID-19

- By 63%-33%, voters nationally favor granting clemency to those select individuals currently serving the remainder of their sentences at home because they were transferred from prison during COVID-19 vs. requiring people to return to prison.
- 70% of voters in swing House districts support allowing those who were transferred home to serve the remainder of their sentences at home to help prevent the spread of COVID-19.

#### Support for Clemency Overall

- 64% of voters nationwide—including 84% of Democrats—support using the president's power of clemency to end or shorten prison sentences of people deemed safe for release. Within swing Congressional districts, 55% support clemency.

Voters across the political spectrum— not just Democrats—support clemency when put in the context of CARES Act protections expiring. Among Independent voters nationally, 63% support clemency for those who are serving their sentences at home due to CARES; among voters in swing House districts – that is, the districts that will be instrumental in forming the next House majority – 65% of voters support clemency. When reminded of the safety concerns around COVID-19, voters in swing Congressional districts increase their support from 65% to 70%.

Underpinning support for clemency is the belief that returning people to prison after they had been successfully released under CARES is fundamentally unfair. Fully 68% of voters nationwide and 58% of voters in swing House districts agree that it's not fair to return people to prison after they have been successfully released to their families and communities and re-entered society. Even 53% of Republican voters agree that it's unfair to release people back to their families and communities and then return them to prison. The cost to taxpayers is another strong motivator to reduce America's prison population: 63% of voters nationally agree that shortening prison sentences means reinvesting some of the \$80 billion that the prison system costs taxpayers yearly into communities.



Further driving this support is a sense that we can no longer wait to solve America’s mass incarceration problem and address the racial justice crisis: 84% of national voters say it is important to reform the criminal justice system, including 71% of Republicans. And only 7% of voters nationally believe the criminal justice system is “working well,” while 35% say it has some problems and 56% say it has serious problems that need to be addressed immediately.

Politically, President Biden and House members are on safe ground on the issue of clemency when proposed for individuals who were granted home release as a result of the pandemic. While most voters say support for clemency would have no impact on their views toward Biden, fully 43% of Democrats say it would make them feel more favorable toward the president. And while only 38% of Independents approve of Biden’s job as president, a majority of them (57%) say they would support the president using clemency. Among voters in swing house districts, if 2022 candidates were to support a plan for clemency, 45% say it would make no difference in their vote – while 46% of Democrats say it would make them more likely to vote for a candidate that voiced support for clemency.

**Methodology:**

Bully Pulpit Interactive (BPI) conducted a nationally representative survey over the phone and online among 822 registered voters, with an oversample of 403 voters in swing House districts from October 14-21, 2021. 625 interviews were conducted via phone (400 base/ 200 oversample) and 600 interviews were conducted online. Results were weighted to be representative of the nation’s registered voters and across swing House districts. While margin of error calculations do not apply to non-random samples, the margin of error on a truly random sample of 1,225 is +/- 3.0 percentage points at the 95% confidence level.

**Targeted Districts Surveyed:**

The oversample of swing House districts included the following:

AZ-01	GA-06	NH-01	PA-01
AZ-02	GA-07	NJ-03	PA-07
AZ-06	IA-01	NE-02	PA-08
CA-10	IA-02	NJ-07	PA-10
CA-21	IA-03	NJ-11	TX-07
CA-25	IL-14	NY-02	TX-15
CA-39	IN-05	NY-22	TX-23
CA-45	KS-03	NY-24	TX-24
CA-48	ME-02	NV-03	TX-32
CA-49	MI-08	NV-04	UT-04
CT-05	MI-11	NY-19	VA-02
FL-26	MN-02	OH-01	VA-07
FL-27	MO-02	OR-04	WA-03

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