Survey Questions for Brenda Andrew Sentencing

Prepared by Barry Edwards, May 9, 2025

This page introduces a summary outline of the survey. Some blocks of questions and statements are seen by all respondents. At two points, the survey branches to different statement blocks, depending on the value of a randomly assigned number. The specific survey questions and statements follow this summary outline.

EmbeddedData: random_assignment = ${rand://int/1:2}
Embedded data is generated by survey program. Here, "random_assignment" is randomly assigned the value of 1 (for actual trial condition) or 2 (for hypothetical trial condition).

Informed consent (1 Question)
If the respondent answers "No," they don't consent to take the survey, the survey ends.

Qualifications for jury service (3 Questions)
These questions cover basic requirements, specific exempt occupation, death qualification.

Follow instructions (1 Statement)
General instruction that respondent is being asked to think like juror in criminal trial.

Branch if random_assignment == 1

Actual trial summary (4 Statements)
Statements are a chronological summary of marriage, separation, the shooting, and flight and arrest, including improper evidence.

Actual sentencing summary (2 Statements)
One statement is the prosecution's argument for death penalty with references to improper evidence; other statement is defense's argument for life imprisonment.

Branch if random_assignment == 2

Hypothetical trial summary (4 Statements)
Statements are a chronological summary of marriage, separation, the shooting, and flight and arrest, without improper evidence.

Hypothetical sentencing summary (2 Statements)
One statement is the prosecution's argument for death penalty without references to improper evidence; other statement is defense's argument for life imprisonment.

Sentencing Outcome (1 Question)
All respondents, regardless of random_assignment, choose between life and death sentences.

Branch if random_assignment == 1

Cross-over to hypothetical trial condition (2 Statements)
One statement instructs respondents to imagine changed circumstances. The other statements describes changes to evidence for sentencing in the hypothetical condition.

Cross-over to hypothetical sentencing arguments (2 Statements)
Statements are new arguments for death/life sentences by prosecution and defense.

Branch if random_assignment == 2

Cross-over to actual trial condition (2 Statements)
One statement instructs respondents to imagine changed circumstances. The other statements described changes to evidence for sentencing in the actual condition.

Cross-over to actual sentencing arguments (2 Statements)
Statements are new arguments for death/life sentences by prosecution and defense.

Sentencing preference after cross-over (3 Questions, 1 Statement)
All respondents choose between life and death sentences. All respondents indicate how much the changed circumstances affected their thoughts and feelings about the defendant. Respondents have an option to write comments. Final statement is instruction about entering code on Cloud Research to verify completion for compensation purposes.

EndSurvey

EmbeddedData: random_assignment = ${rand://int/1:2}

Informed consent (1 Question)

This is a survey about crime and justice. It is conducted by Barry Edwards for Fair Trial Analysis, a non-profit organization (contact: info@fairtrials.us). This survey asks you to read some page-length passages. It describes a violent crime. It does not contain any graphic images, but some people may find the content disturbing. Your answers will be anonymous. The survey should take approximately 6 minutes (reading at steady rate without taking breaks). Are you 18 years old or older and consent to take the survey?

- ○ Yes
- ○ No

Qualifications for jury service (3 Questions)

These questions address whether you meet basic qualifications for jury service. Your answers will not affect survey length or compensation.

Do you meet all of the qualifications listed below? U.S. citizen,proficient with the English language, never been convicted of a felony,not awaiting trial on felony charges, and physically and mentally able to perform jury duty.

- ○ Yes
- ○ No
- ○ Not sure

Are you currently employed in any of these occupations? judge or full-time elected official, member of armed services on active duty, firefighter, police officer, or rescue squad or ambulance crew.

- ○ Yes
- ○ No
- ○ Not sure

Which of the following statements best describes your personal beliefs about the death penalty?

- ○ It should never be used. I would never support putting someone to death regardless of what they did.
- ○ I think it's a bad law, but would follow a judge's instructions about it.
- ○ I don't have a strong opinion for or against the death penalty.
- ○ I think the death penalty should be used more often, but I would follow a judge's instructions about it.
- ○ Murderers should always be put to death regardless of how sorry they are now or how rough their life has been.

Follow instructions (1 Statement)

I want you to imagine that you are a juror in a sentencing trial. The defendant has already been found guilty of first degree murder. You're not deciding whether the defendant is guilty, but whether she deserves the death penalty. You must read carefully, consider the evidence, and make decisions according to your best judgment. The screens that follow summarize events: the defendant's marriage, separation, the shooting, defendant's flight and arrest, and finally, arguments from the attorneys.

Branch if random_assignment == 1
Actual trial summary (4 Statements)

MARRIAGE

The defendant began dating her future husband in high school. They had two children. She stayed home with the kids while he worked as an advertising executive. They seemed like a nice suburban family. He served as a deacon in their local church; she taught Sunday school.

Over time, the defendant’s feelings for her husband faded.

The husband's personal journal describes a marriage without intimacy. He finds new lingerie in the house that the defendant never wore for him. She showed interest in other men and had even cheated on him during their engagement. She seemed indifferent toward him.

The defendant had her first extramarital affair. They would stay in communication—even after her arrest.

She started another affair by giving the man a key to a motel room where they met for sex. These encounters happened several times a week for two years. They also had sex in cars and at her home.

The defendant often wore tight, short dresses to expose her cleavage. A family babysitter said she didn't dress like other mothers. The defendant was called a "hootchie" because of the outfit she wore out to dinner with her husband and another couple. She made sexual advances toward an extramarital lover's college-aged sons who were hired to build a fence on her property. She dyed her hair red—apparently to appeal to one of her husband's friends who preferred redheads.

The defendant began yet another affair, this time with a married insurance agent she met at church. They taught a Sunday school class together.

While the affair was ongoing, the insurance agent helped the defendant's husband set up a life insurance policy worth approximately $1.4 million in today's dollars. The defendant and the insurance agent tried to take control of the policy by forging the husband's signature on a change-of-ownership form.

Witnesses say the defendant trained her children to remain silent about her affairs.

SEPARATION

Eventually, the husband moved out of the family home, and the defendant began divorce proceedings.

Evidence suggests that the defendant tried to kill her husband soon after their separation. She had someone cut the brake lines on his car and then call him about a fake emergency to get him to race to the hospital.

THE SHOOTING

The husband visited the couple's home to pick up their children for a holiday weekend visit. Typically, the defendant would bring the children out to his car. However, on this night, she asked him to come into the garage to light the furnace's pilot light, which had gone out.

As the husband was trying to light the furnace, the insurance agent entered the garage, armed with a shotgun. The husband turned to face him and was shot in the abdomen. He attempted to defend himself and was shot again.

She tells 911 that her husband was shot by masked intruders. Emergency responders arrived and found her kneeling beside his body; they testify that she appeared unusually calm and indifferent about her husband's death.

According to the medical examiner, the husband died from blood loss. His death was not instantaneous. He struggled to defend himself and experienced extreme pain before he died.

The couple's children were found in a bedroom, watching television with the volume turned up very high, unaware of what had happened in the garage.

The defendant sustained a superficial gunshot wound to her arm from a .22 handgun. According to experts, the defendant's wound was staged to make it appear that she was a victim along with her husband.

FLIGHT AND ARREST

The defendant did not attend her husband's funeral. Instead, she took the children and fled to Mexico with the insurance agent. The defendant packed thong underwear for the trip.

The insurance agent's daughter helped authorities track down the pair. Three months later, while attempting to re-enter the United States, the defendant and the insurance agent were arrested for murdering the defendant's husband.

Branch if random_assignment == 1
Actual sentencing summary (2 Statements)

PROSECUTION'S ARGUMENT FOR DEATH SENTENCE

The defendant's husband was a good man. If the defendant wanted to end their marriage, she could have simply divorced him. Instead, she humiliated him. She even trained the children to lie for her.

The defendant deserves the death penalty because of two aggravating factors.

1. She murdered for money—specifically, to collect her husband's $1.4 million life insurance policy.
2. The killing was especially heinous, atrocious, and cruel. She lured the father of their children into an ambush. He suffered greatly as he bled to death on the garage floor, while their children were just inside the house. She staged the crime scene and tried to cover up the murder with lies.

She has no remorse. She skipped the funeral. She fled to Mexico with her sexy lingerie and latest lover. She puts lust and money over family and humanity. She manipulates men. She planned and orchestrated this murder. Death is a just punishment for such a morally depraved person.

The defendant does not deserve mercy. She may look wholesome in court now, but the evidence shows who she really is. She is a bad wife, a bad mother, and a bad woman. She does not care who she hurts. She is not going to change.

DEFENSE'S ARGUMENT FOR LIFE IMPRISONMENT

The defense argues that the defendant's life should be spared due to mitigating circumstances, including her role as a mother, her lack of prior criminal history, and the possibility that the insurance agent was the true driving force behind the murder.

The defense challenges the aggravating factors cited by the prosecution. It argues that the murder was not especially heinous, atrocious, or cruel. Her motivations were more complex than simple greed.

The defense calls witnesses who testify that the defendant has the capacity for rehabilitation, has behaved well while in jail awaiting trial, and wants to maintain a relationship with her children.

Branch if random_assignment == 2
Hypothetical trial summary (4 Statements)

MARRIAGE

The defendant began dating her future husband in high school. They had two children. She stayed home with the kids while he worked as an advertising executive. They seemed like a nice suburban family. He served as a deacon in their local church; she taught Sunday school.

Over time, the defendant's love for her husband faded.

The defendant had multiple extramarital affairs.

She began an affair with a married insurance agent she met at church. They taught a Sunday school class together.

While the affair was ongoing, the insurance agent helped the defendant's husband set up a life insurance policy worth approximately $1.4 million in today's dollars. The defendant and the insurance agent tried to take control of the policy by forging the husband's signature on a change-of-ownership form.

SEPARATION

Eventually, the husband moved out of the family home, and the defendant began divorce proceedings.

Evidence suggests that the defendant tried to kill her husband soon after their separation. She had someone cut the brake lines on his car and then call him about a fake emergency to get him to race to the hospital.

THE SHOOTING

The husband visited the couple's home to pick up their children for a holiday weekend visit. Typically, the defendant would bring the children out to his car. However, on this night, she asked him to come into the garage to light the pilot light on the furnace, which had gone out.

As the husband was trying to light the furnace, the insurance agent entered the garage, armed with a shotgun. The husband turned to face him and was shot in the abdomen. He attempted to defend himself and was shot again.

She tells 911 that her husband was shot by masked intruders. When emergency responders first arrived, they found the defendant kneeling beside his body. She appeared deeply upset and implored officers to help him. However, to those who arrived later, she seemed unusually calm and indifferent about her husband's death.

According to the medical examiner, the husband died from blood loss. His death was not instantaneous. He struggled to defend himself and experienced extreme pain before dying.

The couple's children were found in a bedroom, watching television with the volume turned up very high, unaware of what had happened in the garage.

The defendant sustained a superficial gunshot wound to her arm from a .22 handgun. According to experts, the defendant's wound was staged to make it appear that she was a victim along with her husband.

FLIGHT AND ARREST

The defendant did not attend her husband's funeral. Instead, she took the children and fled to Mexico with the insurance agent.

The insurance agent's daughter helped authorities track down the pair. Three months later, as they attempted to re-enter the United States, both were arrested for the murder of the defendant's husband.

Branch if random_assignment == 2
Hypothetical sentencing summary (2 Statements)

PROSECUTION'S ARGUMENT FOR DEATH SENTENCE

The defendant's husband was a good man. If the defendant wanted to end their marriage, she could have simply divorced him.

The defendant deserves the death penalty because of two aggravating factors.

1. She murdered for money—specifically, to collect her husband's $1.4 million life insurance policy.
2. The killing was especially heinous, atrocious, and cruel. She lured her husband—the father of her children—into an ambush. He suffered as he bled out on the garage floor, while their children were in the house. She tried to stage the crime scene and cover up her actions with lies.

She did not grieve her husband's death. She prioritized lust and money over family and humanity.

She does not deserve mercy. She is manipulative and remorseless. Death, the prosecution argues, is a just punishment for such a morally depraved crime.

DEFENSE'S ARGUMENT FOR LIFE IMPRISONMENT

The defense argues that the defendant's life should be spared due to mitigating circumstances, including her role as a mother, her lack of prior criminal history, and the possibility that the insurance agent was the true driving force behind the murder.

It challenges the aggravating factors cited by the prosecution. The murder was not especially heinous, atrocious, or cruel. When first responders arrived, the defendant was found kneeling over

her husband, deeply upset, imploring the police to help him. Her motivations were more complex than simple greed.

It also calls witnesses who testify that the defendant has the capacity for rehabilitation, has behaved well in jail while awaiting trial, and wants to maintain ongoing relationships with her children.

Sentencing Outcome (1 Question)

The law requires you to weigh aggravating and mitigating factors. Aggravating factors are specific circumstances that make the crime more serious or blameworthy. Mitigating factors may justify a more lenient sentence, based on fairness, sympathy, or mercy. How you weigh these factors is entirely up to you. Following state law, if aggravating factors outweigh mitigating factors, the defendant should be sentenced to death. If mitigating factors outweigh aggravating factors, the defendant should be sentenced to life imprisonment.

Which sentence would you support?

- ○ Death penalty. I think the aggravating factors outweigh the mitigating factors.
- ○ Life imprisonment. I think the mitigating factors outweigh the aggravating factors.

Branch if random_assignment == 1
Cross-Over to hypothetical trial summary (2 Statements)

For the remaining questions, I want you to imagine you're a juror in an "alternate universe" where things are different. In this alternate universe, they could have married different people and made different choices. You experienced one version of the story, but this experience may be different.

As much as possible, let go of your past judgments and reset your mind. Whatever you thought before doesn't stick with you; it's like waking up from a dream and starting a fresh day.

CHANGES TO EVIDENCE FOR SENTENCING

- The defendant is a typical suburban mom and housewife. There's no mention of provocative clothing or her efforts to attract other men. While the trial acknowledges her

affairs—including one with the insurance agent she met at church—it does not go into detail about them.
- When emergency personnel first arrived, they found the defendant kneeling over her husband's body. She appeared deeply upset and implored officers to help him.
- The defendant did not attend her husband's funeral. Instead, she went to Mexico with her children and the insurance agent. There are no details about what she packed for the trip.

Branch if random_assignment == 1
Cross-Over to hypothetical sentencing summary (2 Statements)

PROSECUTION'S NEW ARGUMENT FOR DEATH SENTENCE

The prosecution's sentencing argument focuses on the defendant's role in planning and carrying out her husband's murder. It continues to argue that the death penalty is justified by two aggravating factors:

1. The murder was committed for money—specifically, to collect her husband's $1.4 million life insurance policy.
2. The killing was especially heinous, atrocious, and cruel.

The prosecution still describes the husband as a good man. However, it no longer portrays the defendant as a bad wife, bad mother, or bad woman based on her appearance, clothing, or sex life. Instead, the prosecution argues that she deserves the death penalty because of why and how she committed the murder.

DEFENSE'S NEW ARGUMENT FOR LIFE IMPRISONMENT

The defense continues to argue that the defendant's life should be spared due to mitigating circumstances. The defense also argues that the defendant is not cold-blooded—she was visibly upset and implored first responders to help her husband. It asks the jury to allow the defendant to live.

Branch if random_assignment == 2
Cross-Over to actual trial summary (2 Statements)

For the remaining questions, I want you to imagine you're a juror in an "alternate universe" where things are different. In this alternate universe, they could have married different people and made different choices. You experienced one version of the story, but this experience may be different.

As much as possible, let go of your past judgments and reset your mind. Whatever you thought before doesn't stick with you; it's like waking up from a dream and starting a fresh day.

CHANGES TO EVIDENCE FOR SENTENCING

- The husband's personal journal describes a marriage without intimacy. He finds new lingerie in the house that the defendant never wore for him. The defendant showed interest in other men—even cheating on him during their engagement—but seemed emotionally indifferent toward him.
- The defendant had a series of extramarital affairs. She kept in frequent phone contact with her first affair, even after her arrest.
- She started another affair by giving a man a key to a motel room where they met for sex. These motel encounters occurred several times a week for two years. They also had sex in cars and at the defendant's home.
- The defendant dressed provocatively—wearing tight, short dresses to expose her cleavage. A family babysitter said she didn't dress like other mothers. The defendant was called a "hootchie" because of the outfit she wore out to dinner with her husband and another couple.
- She made sexual advances toward an extramarital lover's two college-aged who were hired to build a fence on her property.
- She dyed her hair red—apparently to appeal to one of her husband's friends who preferred redheads.
- When emergency personnel arrived at the scene of the shooting, they testify that the defendant did not appear upset or ask officers to help him. They describe her demeanor as unusually calm and indifferent.
- The defendant did not attend her husband's funeral. Instead, she went to Mexico with her children and the insurance agent. She even packed sexy thong underwear for the trip.

Branch if random_assignment == 2
Cross-Over to actual sentencing summary (2 Statements)

PROSECUTION'S NEW ARGUMENT FOR DEATH SENTENCE

The prosecution continues to describe the defendant's husband as a good man. The defendant could have simply divorced him. Instead, she humiliated him—through the way she dressed, by coming on to his friends, and by carrying on affairs with other men. She even trained their children lie about her affairs to maintain the image of a normal, caring mother.

The prosecution maintains that the death penalty is justified based on two aggravating factors:

1. She murdered for money—specifically, to collect her husband's $1.4 million life insurance policy.
2. The murder was especially heinous, atrocious, and cruel.

She has no remorse. She skipped the funeral. She fled to Mexico with her sexy lingerie and latest lover. She puts lust and money over family and humanity. She manipulates men. She planned and orchestrated this murder. Death is a just punishment for such a morally depraved person.

The defendant does not deserve mercy. She may appear to be a Sunday school teacher in court now, but the evidence shows otherwise. She is a bad wife, a bad mother, and a bad woman. She does not care who she hurts. She is not going to change.

DEFENSE'S NEW ARGUMENT FOR LIFE IMPRISONMENT

The defense continues to argue that the defendant's life should be spared due to mitigating circumstances. The defense asks the jury to show mercy.

Sentencing preference after cross-over (3 Question, 1 Statement)

Following state law, if aggravating factors outweigh mitigating factors, the defendant should be sentenced to death. If mitigating factors outweigh aggravating factors, the defendant should be sentenced to life imprisonment.

Assuming the trial were different in the manner just described, which sentence would you choose?

- ○ Death penalty. I think the aggravating factors outweigh the mitigating factors.
- ○ Life imprisonment. I think the mitigating factors outweigh the aggravating factors.

Regardless of whether you changed your vote, how much do the revisions change your thoughts and feelings about the defendant, either positively or negatively?

- ○ No difference at all
- ○ A small difference
- ○ A moderate difference
- ○ A significant difference
- ○ An extreme difference

If you would like to share your thoughts about the different version of the trial, we welcome your input. (Optional but appreciated.)

If you encounter a problem with the completion redirect URL on Cloud Research, manually submit your survey with "NOCODE." Your participation will be compensated.

EndSurvey