

This 2004 report, by the First Amendment Center in collaboration with *American Journalism Review* magazine, was released June 28. Additional findings were released Aug. 1 in *AJR* and also posted on www.ajr.org.

**State of the First Amendment 2004 survey
Final Annotated Questionnaire
Weighted Data (N=1,002)**

1. As you may know, the First Amendment is part of the U.S. Constitution. Can you name any of the specific rights that are guaranteed by the First Amendment?

	<u>1997</u>	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>
Freedom of the press	11%	12%	12%	14%	14%	16%	15%
Freedom of speech	49%	44%	60%	59%	58%	63%	58%
Freedom of religion	21%	13%	16%	16%	18%	22%	17%
Right to petition	2%	2%	2%	1%	2%	2%	1%
Right of assembly/association	10%	8%	9%	10%	10%	11%	10%
Other	7%	6%	12%	14%	19%	21%	20%
Don't know/refused to answer	N/A	N/A	37%	36%	35%	37%	35%

2. The First Amendment became part of the U.S. Constitution more than 200 years ago. This is what it says: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances." Based on your own feelings about the First Amendment, please tell me whether you agree or disagree with the following statement: The First Amendment goes too far in the rights it guarantees.

	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>
Strongly agree	16%	10%	29%	41%	19%	19%
Mildly agree	12%	12%	10%	8%	15%	11%
Mildly disagree	22%	26%	19%	15%	18%	21%
Strongly disagree	45%	48%	39%	32%	42%	44%
Don't know/refused to answer	5%	5%	3%	3%	7%	5%

3. Even though the U.S. Constitution guarantees freedom of the press, government has placed some restrictions on it. Overall, do you think Americans have too much press freedom, too little press freedom, or is the amount of press freedom about right?

	<u>1999f</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>
Too much freedom	31%	40%	36%	33%	36%	36%
Too little freedom	17%	14%	13%	13%	13%	17%
Right amount of freedom	49%	43%	47%	51%	48%	46%
Don't know/refused to answer	4%	3%	4%	2%	2%	2%

4. Overall, do you think the press in America has too much freedom to do what it wants, too little freedom to do what it wants, or is the amount of freedom the press has about right?

	<u>1997</u>	<u>1999</u>	<u>1999f</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>
Too much freedom	38%	53%	42%	51%	46%	42%	46%	42%
Too little freedom	9%	7%	8%	7%	8%	8%	9%	12%
About right	50%	37%	48%	41%	42%	49%	43%	44%
Don't know/refused to answer	3%	2%	3%	2%	3%	1%	1%	3%

5. Journalists should be allowed to keep a news source confidential.

	<u>1997</u>	<u>1999</u>	<u>2000</u>	<u>2004</u>
Strongly agree	58%	48%	52%	42%
Mildly agree	27%	31%	25%	28%
Mildly disagree	6%	10%	8%	13%
Strongly disagree	6%	9%	10%	12%
DK/Ref.	2%	3%	5%	5%

6. Overall, the news media tries to report the news without bias.

	<u>2004</u>
Strongly agree	15%
Mildly agree	24%
Mildly disagree	19%
Strongly disagree	39%
DK/Ref.	3%

7. It is important for our democracy that the news media act as a watchdog on government.

	<u>2004</u>
Strongly agree	49%
Mildly agree	28%
Mildly disagree	11%
Strongly disagree	10%
DK/Ref.	3%

8. Have you heard or read anything about recent reports concerning the falsifying of facts in news stories and columns in some of the nation's newspapers?

	<u>2004</u>
Yes (go to Q. 9)	52%
No (go to Q.10)	45%
DK/Ref.	2%

If yes ...

9. In general, do you think these reports have decreased your level of trust in your local newspaper, increased your level of trust in your local newspaper, or has the level of trust you maintain in your local newspaper remained about the same?

	<u>2004</u>
Decreased	30%
Increased	2%
Remained about the same	66%
DK/Ref.	2%

10. Please also tell me whether you agree or disagree with the following statement: "The falsifying or making up of stories in the American news media is a widespread problem."

	<u>2004</u>
Strongly agree	37%
Mildly agree	24%
Mildly disagree	24%
Strongly disagree	12%
DK/Ref.	6%

11. Even though the U.S. Constitution guarantees freedom of speech, government has placed some restrictions on it. Overall, do you think Americans have too much freedom to speak freely, too little freedom to speak freely, or is the amount of freedom to speak freely about right?

	<u>1997</u>	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>
Too much freedom	10%	12%	11%	12%	10%	12%	11%
Too little freedom	18%	26%	25%	26%	21%	23%	28%
About right	68%	59%	62%	61%	67%	63%	60%
Don't know/refused to answer	4%	3%	2%	2%	1%	2%	2%

12. Even though the U.S. Constitution guarantees freedom of religion, government has placed some restrictions on it. Overall, do you think Americans have too much religious freedom, too little religious freedom, or is the amount of religious freedom about right?

	<u>1997</u>	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>
Too much freedom	6%	8%	5%	4%	6%	8%	7%
Too little freedom	21%	26%	29%	32%	20%	24%	27%
About right	71%	63%	63%	62%	70%	66%	64%
Don't know/refused to answer	2%	3%	3%	2%	4%	3%	3%

Now please tell me whether you agree or disagree with the following statements:

13. People should be allowed to say things in public that might be offensive to religious groups.

	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>
Strongly agree	22%	25%	29%	26%	30%
Mildly agree	24%	22%	28%	23%	24%
Mildly disagree	15%	16%	14%	14%	13%
Strongly disagree	38%	35%	28%	36%	31%
Don't know/refused to answer	1%	3%	2%	1%	2%

14. Musicians should be allowed to sing songs with lyrics that others might find offensive.

	<u>1997</u>	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>
Strongly agree	23%	27%	32%	34%	31%	35%	34%
Mildly agree	28%	29%	27%	27%	26%	26%	25%
Mildly disagree	16%	15%	12%	9%	14%	10%	12%
Strongly disagree	31%	26%	28%	28%	27%	26%	26%
Don't know/refused to answer	3%	4%	2%	2%	2%	3%	3%

15. People should be allowed to say things in public that might be offensive to racial groups.

	<u>1997</u>	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>
Strongly agree	8%	8%	15%	16%	14%	18%	17%
Mildly agree	15%	13%	17%	18%	20%	20%	18%
Mildly disagree	14%	16%	15%	15%	16%	14%	14%
Strongly disagree	61%	62%	52%	49%	48%	47%	49%
Don't know/refused to answer	2%	1%	1%	2%	1%	1%	1%

Now, think about broadcast television programs on networks such as ABC, CBS, NBC and Fox. Please tell me if you agree or disagree with the following statements:

16. Government officials should have the power to regulate during the morning, afternoon and early evening hours those broadcast television programs that contain references to sexual activity.

	<u>2004</u>
Strongly agree	44%
Mildly agree	21%
Mildly disagree	13%
Strongly disagree	20%
Don't know/refused to answer	2%

17. Government officials should have the power to regulate during the late evening and overnight those broadcast television programs that contain references to sexual activity.

	<u>2004</u>
Strongly agree	27%
Mildly agree	22%
Mildly disagree	19%
Strongly disagree	30%
Don't know/refused to answer	2%

Now think about cable television programs on basic cable networks such as CNN, ESPN and the Discovery Channel. Please tell me whether you agree or disagree with the following statements:

18. Government officials should have the power to regulate during the morning, afternoon and early evening hours those cable television programs that contain references to sexual activity.

	<u>2004</u>
Strongly agree	31%
Mildly agree	24%
Mildly disagree	15%
Strongly disagree	27%
Don't know/refused to answer	3%

19. Government officials should have the power to regulate during the late evening and overnight those cable television programs that contain references to sexual activity.

	<u>2004</u>
Strongly agree	23%
Mildly agree	22%
Mildly disagree	19%
Strongly disagree	34%
Don't know/refused to answer	2%

Now think about radio shows and programs. Please tell me whether you agree or disagree with the following statements:

20. Government officials should have the power to regulate during the morning, afternoon and early evening hours those radio shows that contain references to sexual activity.

	<u>2004</u>
Strongly agree	38%
Mildly agree	25%
Mildly disagree	13%
Strongly disagree	23%
Don't know/refused to answer	1%

21. Government officials should have the power to regulate during the late evening and overnight hours those radio shows that contain references to sexual activity.

	<u>2004</u>
Strongly agree	25%
Mildly agree	25%
Mildly disagree	19%
Strongly disagree	29%
Don't know/refused to answer	2%

22. Congress recently passed a law that blocks many telemarketers from making calls to you if you place your name on a national “Do Not Call” registry. Do you favor or oppose adding charities and other nonprofit organizations to the “Do Not Call” registry?

	<u>2004</u>
Favor strongly	42%
Favor mildly	20%
Oppose mildly	21%
Oppose strongly	15%
Don't know/ refused to answer	2%

23. Some people feel that the U.S. Constitution should be amended to make it illegal to burn or desecrate the American flag as a form of political dissent. Others say that the U.S. Constitution should not be amended to specifically prohibit flag burning or desecration. Do you think the U.S. Constitution should or should not be amended to prohibit burning or desecrating the American flag?

	<u>1997</u>	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>
Should not (<i>go to question 25</i>)	49%	48%	51%	59%	51%	55%	53%
Should (<i>go to question 24</i>)	49%	51%	46%	39%	46%	44%	45%
Don't know/refused to answer (<i>go to question 25</i>)	2%	1%	3%	2%	2%	2%	3%

24. If an amendment prohibiting burning or desecrating the flag were approved, it would be the first time any of the freedoms in the First Amendment have been amended in over 200 years. Knowing this, would you still support an amendment to prohibit burning or desecrating the flag?

	<u>1997</u>	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>
Yes	88%	90%	87%	81%	83%	87%	82%
No	9%	8%	12%	15%	15%	12%	16%
Don't know/refused to answer	3%	2%	1%	4%	2%	1%	3%

Now please tell me whether you agree or disagree with the following statements:

25. Newspapers should be allowed to freely criticize the U.S military about its strategy and performance.

	<u>2002</u>	<u>2003</u>	<u>2004</u>
Strongly agree	33%	32%	32%
Mildly agree	24%	22%	24%
Mildly disagree	18%	14%	12%
Strongly disagree	24%	30%	29%
Don't know/refused to answer	1%	1%	4%

26. Some people believe that the media has too much freedom to publish whatever it wants. Others believe there is too much government censorship. Which of these beliefs lies closest to your own?

	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>
Too much media freedom	41%	42%	43%	49%
Too much government censorship	36%	32%	38%	34%
Neither (<i>volunteered</i>)	12%	15%	10%	6%
Both (<i>volunteered</i>)	7%	8%	4%	8%
Don't know/refused to answer	4%	4%	5%	4%

27. Overall, do you think Americans have too much, too little, or just the right amount of access to information about the federal government's war on terrorism?

	<u>2002</u>	<u>2003</u>	<u>2004</u>
Too much access	16%	12%	15%
Too little access	40%	48%	50%
Just about the right amount	38%	38%	31%
Don't know/refused to answer	6%	2%	4%

Please tell me whether you agree or disagree with the following statements:

28. As part of its war on terrorism, the government should be allowed to monitor certain religious groups even if that means infringing upon the religious freedom of those groups' members.

	<u>2003</u>	<u>2004</u>
Strongly agree	27%	31%
Mildly agree	23%	20%
Mildly disagree	18%	17%
Strongly disagree	27%	29%
Don't know/refused to answer	5%	4%

29. Overall, how would you rate the job that the American educational system does in teaching students about First Amendment freedoms?

	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>
Excellent	5%	5%	6%	7%
Good	25%	26%	25%	21%
Fair	39%	35%	33%	32%
Poor	24%	28%	29%	35%
Don't know/ refused to answer	7%	6%	7%	5%

30. Overall, do you think that students in public schools have too much religious freedom, too little religious freedom, or about the right amount of religious freedom while at school?

	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>
Too much	3%	3%	4%	3%
Too little	53%	53%	46%	52%
About right	40%	40%	45%	41%
Don't know/refused to answer	4%	4%	5%	5%

31. Overall do you think students in public high schools have too much freedom to express themselves, too little freedom to express themselves, or is the freedom of public high school students to express themselves about right?

	<u>2003</u>	<u>2004</u>
Too much freedom	13%	15%
Too little freedom	28%	29%
Right amount	54%	51%
Don't know/refused to answer	4%	5%

32. Many public schools require teachers to lead students in recitation of the Pledge of Allegiance, which includes the phrase “one nation under God,” although students are permitted to opt out of reciting the pledge if they so choose. In your opinion, does that school practice violate the constitutional principle of separation of church and state?

	<u>2003</u>	<u>2004</u>
Yes, it violates the constitutional principle	26%	26%
No, it does not.	68%	70%
Don't know/refused to answer	5%	4%

33. When you say or hear the Pledge of Allegiance, which includes the phrase “one nation, under God,” do you think of that phrase as primarily a religious statement, or as primarily a statement related to the American political tradition?

	<u>2003</u>	<u>2004</u>
Primarily a religious statement	18%	19%
Primarily a statement related to the American political tradition	73%	71%
Both (<i>volunteered</i>)	5%	6%
Neither (<i>volunteered</i>)	1%	3%
Don't know/refused to answer	2%	2%

Please tell me whether you agree or disagree with the following statements:

34. Government officials should be allowed to post the Ten Commandments inside government buildings.

	<u>2002</u>	<u>2003</u>	<u>2004</u>
Strongly agree	52%	44%	50%
Mildly agree	18%	18%	18%
Mildly disagree	12%	13%	10%
Strongly disagree	16%	22%	19%
Don't know/refused to answer	2%	3%	3%

35. Parents should have the option of sending their children to non-public schools, including those with a religious affiliation, using vouchers or credits provided by the government that would pay for some or all of the costs.

	<u>2003</u>	<u>2004</u>
Strongly agree	40%	40%
Mildly agree	22%	22%
Mildly disagree	12%	10%
Strongly disagree	23%	25%
Don't know/refused to answer	4%	4%

36. Do you favor or oppose allowing the government to give money to religious institutions or churches to help them run drug-abuse prevention programs, even if the religious institutions would be allowed to include a religious message as part of their program?

	<u>2003</u>	<u>2004</u>
Strongly favor	34%	40%
Mildly favor	26%	26%
Mildly oppose	15%	11%
Strongly oppose	21%	19%
Don't know/refused to answer	4%	4%

37. Public school students should be allowed to wear a T-shirt with a message or picture that others might find offensive.

	<u>1997</u>	<u>1999</u>	<u>2004</u>
Strongly agree	9%	10%	13%
Mildly agree	17%	17%	11%
Mildly disagree	22%	23%	21%
Strongly disagree	48%	48%	51%
Don't know/refused to answer	4%	2%	4%

38. In your view, who should be primarily responsible for keeping inappropriate printed materials away from children: parents, government officials or publishers?

	<u>2004</u>
Parents	87%
Government officials	1%
Publishers	10%
Nobody (<i>volunteered</i>)	0%
Don't know/refused to answer	2%

39. In your view, who should be primarily responsible for keeping inappropriate television programming away from children: parents, government officials or broadcasters?

	<u>2004</u>
Parents	81%
Government officials	5%
Broadcasters	14%
Nobody (<i>volunteered</i>)	0%
Don't know/refused to answer	1%

40. In your view, who should be primarily responsible for keeping inappropriate radio programming away from children: parents, government officials or broadcasters?

	<u>2004</u>
Parents	77%
Government officials	5%
Broadcasters	17%
Nobody (<i>volunteered</i>)	0%
Don't know/refused to answer	2%

41. In your view, who should be primarily responsible for keeping inappropriate movies shown in theaters away from children: parents, government officials, movie studios, or theater owners and operators?

	<u>2004</u>
Parents	71%
Government officials	3%
Movie studios	5%
Theater owners and operators	19%
Motion Picture Association of America (<i>volunteered</i>)	1%
Nobody (<i>volunteered</i>)	0%
Don't know/refused to answer	2%

As you may know, since the year 2000, most television sets sold in the United States must be equipped with the so-called V-chip. The V-chip reads information encoded in the rated television program. The chip was intended to allow parents to block viewing of certain programs based upon selected ratings.

42. Is your television set equipped with a V-chip?

	<u>2004</u>
Yes	35%
No (<i>go to question 38</i>)	47%
Don't have TV (<i>volunteered</i>)	1%
Don't know/refused to answer	17%

43. Are you currently using the V-chip to monitor or restrict certain programs from being viewed in your household?

	<u>2004</u>
Yes	24%
No	76%

Now think specifically about entertainment programs.

44. Do you think there is currently too much government regulation of entertainment programming on television, too little government regulation of entertainment programming on television, or is the current amount of government regulation about right?

	<u>2004</u>
Too much	16%
Too little	21%
About right	58%
Don't know/refused to answer	5%

45. Do you think there is currently too much government regulation of entertainment programming on radio, too little government regulation of entertainment programming on radio, or is the current amount about right?

	<u>2004</u>
Too much	16%
Too little	18%
About right	59%
Don't know/refused to answer	7%

Now I'd just like to ask a few questions for classification purposes only...

46. In what year were you born? (Enter two digits: "76" for 1976)

18-30 years old	22%
31-44 years old	31%
45-61 years old	25%
62 years old +	20%
Don't know/refused to answer	2%

47. What was the last grade of school you completed? Grade school or less, some high school, high school, some college, college grad, post graduate.

Grade school or less	3%
Some high school	7%
High school grad	38%
Trade school (vol.)	1%
Some college	26%
College graduate	13%
Post-graduate	10%
Don't know/refused to answer	1%

48. Are you White, Black, Hispanic, Asian, or something else?

White	77%
Black	9%
Hispanic	5%
Asian	2%
Bi-racial (vol.)	1%
Other	4%
Don't know/refused to answer	2%

49. For classification purposes only, is the total yearly income of all the members of your family now living at home \$40,000 or more, or would it be less than \$40,000?

Less than \$40,000	40%
\$40,000 or more	54%
Don't know/refused to answer	6%

50. And is that.....

Under \$10,000	17%
\$10 K to less than \$20 K	24%
\$20 K to less than \$30 K	27%
\$30 K to less than \$40K	27%
Don't know/refused to answer	5%

51. And is that . . .

\$40 K to less than \$50 K	19%
\$50 K to less than \$75 K	32%
\$75 K to less than \$100 K	22%
\$100 K or more	20%
Don't know/refused to answer	7%

52. Are you Catholic, Protestant, Jewish, or some other religion?

Catholic	22%
Protestant	27%
Jewish	2%
Other (specify)	35%
No religious affiliation (vol.)	9%
Don't know/refused to answer	6%

53. Would you describe yourself as either a fundamentalist or evangelical Christian, or would you not describe yourself that way?

Fundamentalist/Evangelical	20%
Neither	71%
Not sure (vol.)	4%
Don't know/refused to answer	5%

54. In politics TODAY, are you a Democrat, a Republican, an Independent or what?

Democrat	36%
Republican	26%
Independent	24%
No preference (vol.)	7%
Other (vol.)	4%
Don't know/refused to answer	4%

55. Do you have any children under the age of 18?

Yes	36%
No	63%
Don't know/refused to answer	1%

56. [Follow-up if "Yes":] Do you have any children under the age of 12?

Yes	78%
No	22%

57. [Follow-up if "Yes":] Do you have any children under the age of 6?

Yes	56%
No	44%

RESPONDENT'S SEX:

Male	48%
Female	52%

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