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**FIRST AMENDMENT**



Project sponsored by the

**NEWSEUM  
INSTITUTE**

# 2015 STATE OF THE FIRST AMENDMENT SURVEY

## A Project Sponsored by the Newseum Institute

The Newseum Institute has supported an annual national survey of American attitudes about the First Amendment since 1997. The “State of the First Amendment: 2015” is the Eighteenth survey in this series. This year’s annual survey repeats some of the questions that have been administered since 1997 and includes some new questions as well.

This report summarizes the findings from the 2015 survey, and where appropriate, depicts how attitudes have changed over time. The first section of this report presents the survey methodology used to conduct the State of the First Amendment research. The second section highlights the key findings from the 2015 project. The final section presents the complete survey results including question wording and trend data.

### Survey Methodology

The Newseum conducted a general public survey of attitudes about the First Amendment once again in 2015. The questionnaire was administered to a national sample of 1,002 American adults by telephone. The questionnaire was developed by Dr. Ken Dautrich, President of The Stats Group and Gene Policinski, Chief Operating Officer of the Newseum Institute. The survey was conducted from May 14 through 23, 2015.

Interviews were conducted under the supervision of Dr. Dautrich. The interviews were conducted by trained, professional interviewers through the use of a computer-assisted-telephone-interviewing system (CATI). The survey instrument and related survey protocols were field tested and refined prior to commencing the survey. Interviews were extensively monitored to ensure quality standards.

The national sample used in this survey included national phone numbers in the contiguous 48 states. The sample was stratified to ensure that broad geographic regions were represented in proportion to their share of the total adult population in the United States. Within each of these regions, telephone numbers were generated using a random-digit-dial (RDD) process thus giving every phone number a chance of being selected. Once selected, each phone number was contacted a minimum of four times to attempt to reach an eligible respondent. Within each household, one eligible respondent was interviewed. The RDD sample was supplemented with a random sample of cell phone numbers.

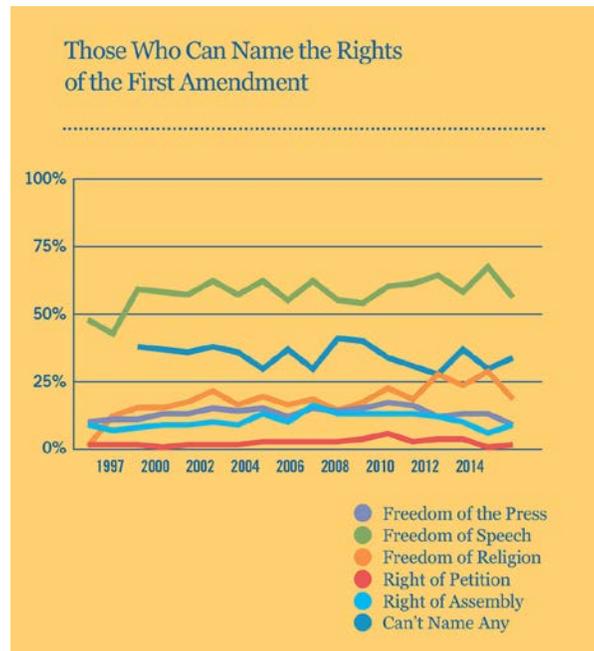
The sampling error for the sample of 1,002 Americans adults is +/-3.2% at the 95% level of confidence. This means that there is only one chance in twenty that the results of a survey this size would differ by more than 3.2 percentage points in either direction from the survey results.

Here are the findings from the 2015 State of the First Amendment survey:

**Do Americans Know What the First Amendment Includes?**

When asked to name the five specific freedoms in the First Amendment, 57% of Americans name freedom of speech, followed by 19% who say the freedom of religion, 10% mention the freedom of the press, 10% mention the right to assemble, and 2% name the right to petition. Thirty-three percent of Americans cannot name any of the rights guaranteed by the First Amendment.

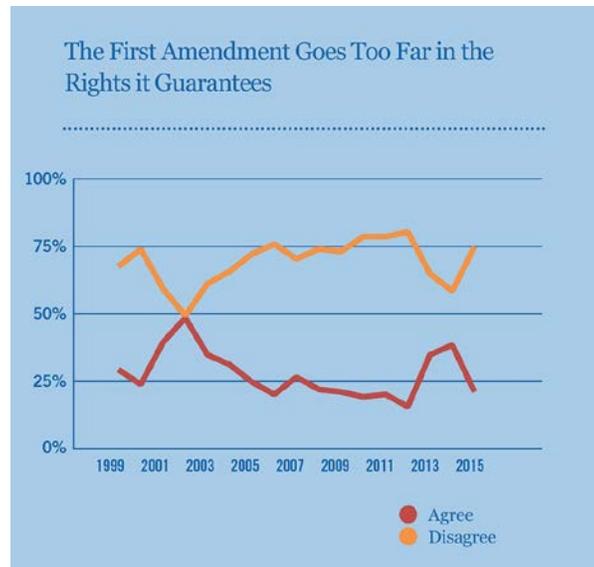
Over the past year, those naming freedom of speech decreased from 68 to 57%, freedom of religion decreased from 29 to 19%, and freedom of the press declined from 14 to 10%.



### Does the First Amendment Go Too Far in Guaranteeing Freedoms?

In 2015, there is a sharp decrease in the percentage of Americans who believe that the First Amendment goes too far in the rights it guarantees.

Last year, 38% stated that the First Amendment goes too far and 57% said it does not go too far. In the current survey, only 19% say the First Amendment goes too far while 75% say it does not. In the 2013 survey we saw a spike in the percentage who said the First Amendment goes too far, likely a response to the perceived safety threat from the Boston Marathon bombings. As that event is now in the more distant past, public support for the First Amendment has returned to more “normal” levels. Interestingly, we noted a similar dive in public opinion after the 2001 terrorist attacks, as seen in the chart below.



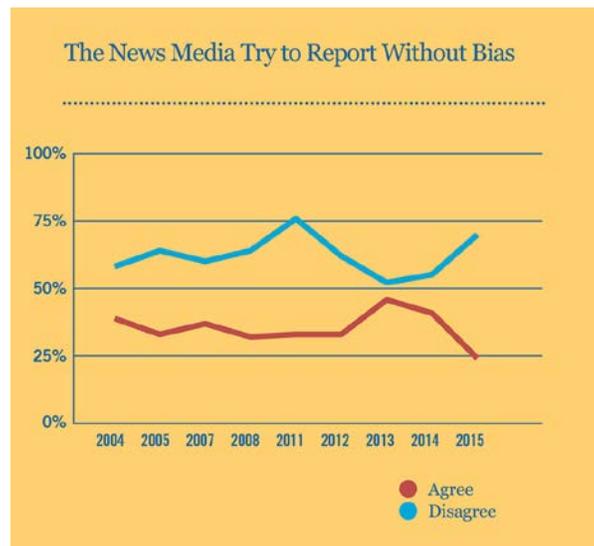
In the current poll, we find a relationship between age and the perception that the First Amendment goes too far: 9% of those under 30 years old, 14% of 30-49 year olds, 18% among the 50-64 group, and 22% of seniors.

### What Do Americans Think About the News Media?

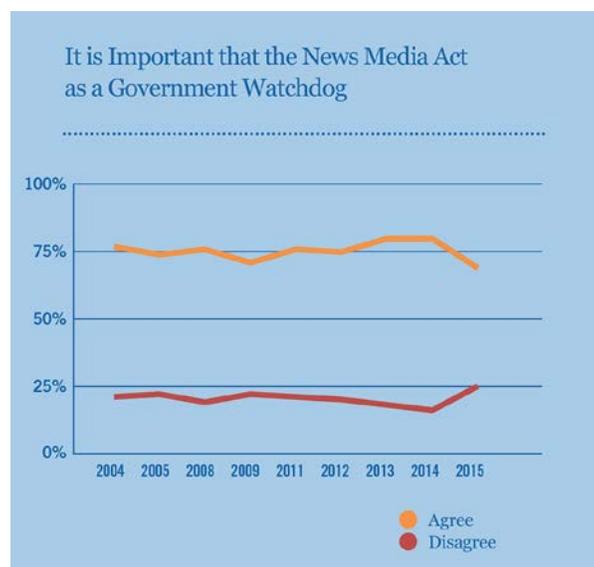
Only 24% now think that the news media try to report on news without bias. This represents a 17-point drop from last year and a 22-point drop from 2013. In fact, the 24% who now say the media try to report news without bias is the lowest since we began asking this question in 2004.

It appears that the negative news stories about such high profile news media personalities as suspended NBC news anchor Brian Williams, and ABC's George Stephanopoulos have taken their toll on news media credibility among Americans. It is also possible that the public is reacting negatively to media coverage of the high profile events in Ferguson and Baltimore over the past year.

Notably, only 7% of 18-29 year olds agree that the media try to report without bias, compared to 13% of 30-49 year olds and 26% of those 50 or older. Also, Democrats (36%) are significantly more likely to think that the news media try to be unbiased than do either Republicans (19%) or independents (21%).



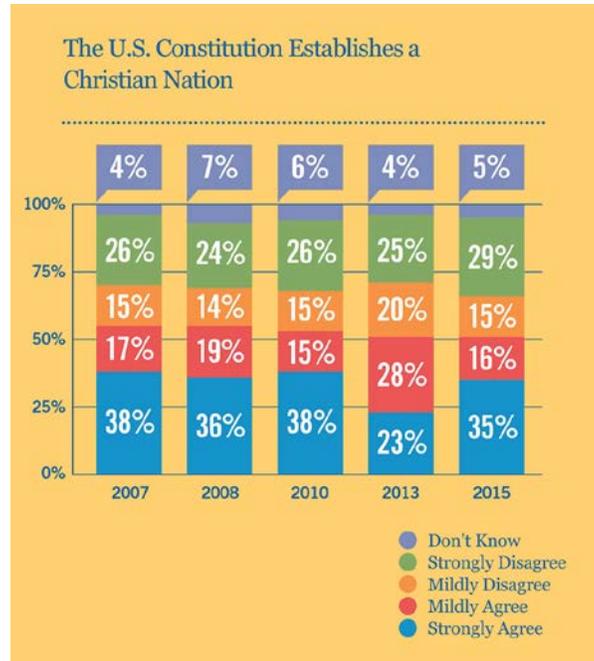
The problematic events surrounding these news personalities may also have eroded the sense among Americans that the media should act as a watchdog against government. Over the years Americans have overwhelmingly agreed that the news media should act as a government watchdog, but again we see the lowest recorded percentage of those agreeing (69%) with this statement in the current poll.



### Do Americans Think the U.S. Constitution Establishes a Christian Nation?

About half of respondents (51%) agree that the United States Constitution establishes a Christian nation. This figure has remained relatively consistent since it was first asked in the 2007 poll.

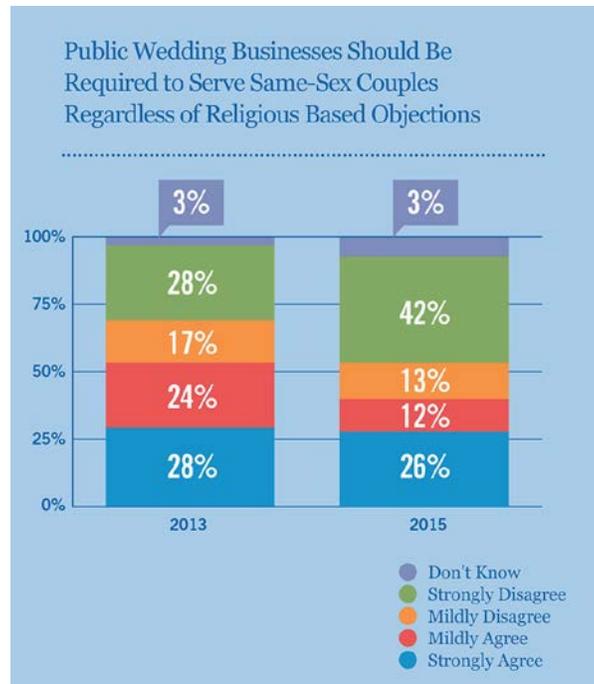
In the current poll, women (55%) are more likely than men (46%) to believe that America was created as a Christian nation. Also, those 50 or older (54%) are more likely to think that than their younger peers (37%).



### Should Businesses Have the Right to Decline Serving Same-Sex Marriages?

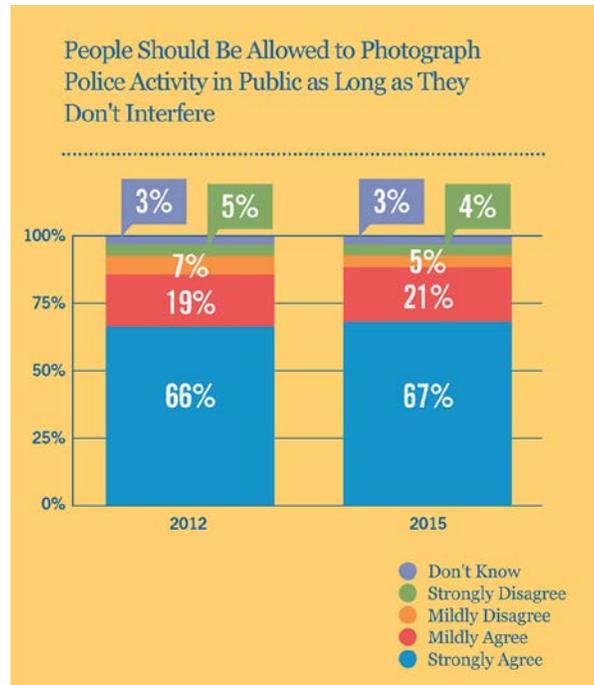
In 2015, we see an interesting shift in what Americans think about whether a business providing wedding services to the public should be required to serve same-sex couple, even if the owners object to same-sex marriage on religious grounds. When first asked in 2013, 52% agreed that business owners should be required to provide service to same-sex couples. In 2015, 38% agree – a 14-point drop.

Younger adults are more supportive of requiring all businesses to serve same-sex couples: 61% of 18-29 year olds, 45% of those 30 to 49, and 37% of those 50 or older. Also, Democrats (57%) are more in agreement with this than are either Republicans (22%) or independents (37%). Those not practicing a religion (54%) are more likely to support this requirement than Catholics (42%), and particularly Protestants (26%). Finally, women (41%) are more in agreement than men (34%).

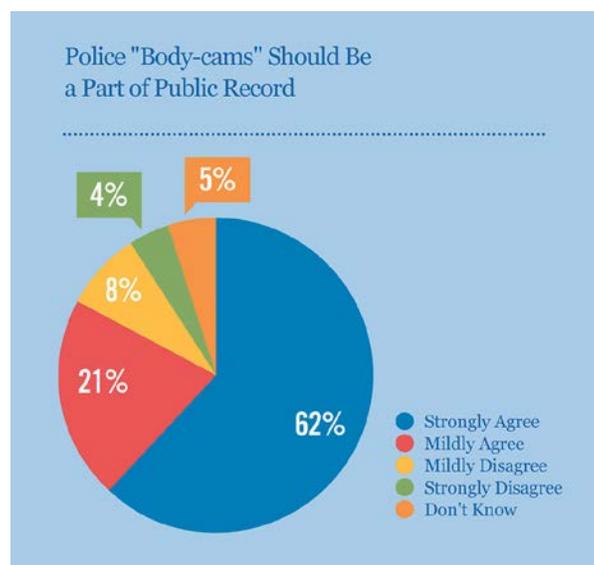


### What Do Americans Think About Video Recordings of Police Activity?

A number of high profile events have occurred over the past year where citizen-bystanders have video recorded intense police activities. Most recently are the shooting and killing of a South Carolina man fleeing a police officer, and another video of New York City police restraining a suspect (who later died) with a chokehold. Our poll finds that an overwhelming 88% of Americans agree that people should be allowed to record the activities of the police as long as they do not interfere with police actions.

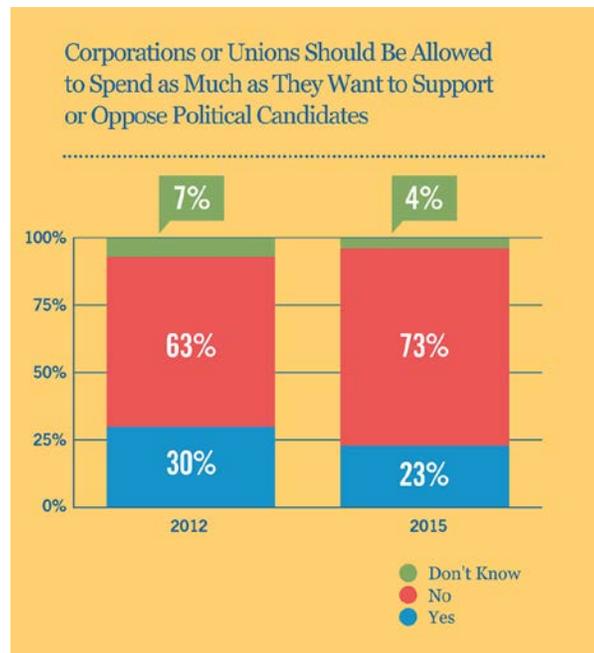


In addition (as the chart below shows), an overwhelming majority of Americans (83%) agree that video from police body-cams should become part of the public record.



### Should There Be Further Limits on Campaign Spending?

The *Citizens' United* Supreme Court decision several years ago ruled that there cannot be limits placed on corporate and/or union campaign spending. In response to that decision, our poll in 2012 found that only 30% agreed that corporate/union political spending should be unlimited. In the current poll three years later we find that only 23% now think that corporations or unions should be able to spend as much as they want.

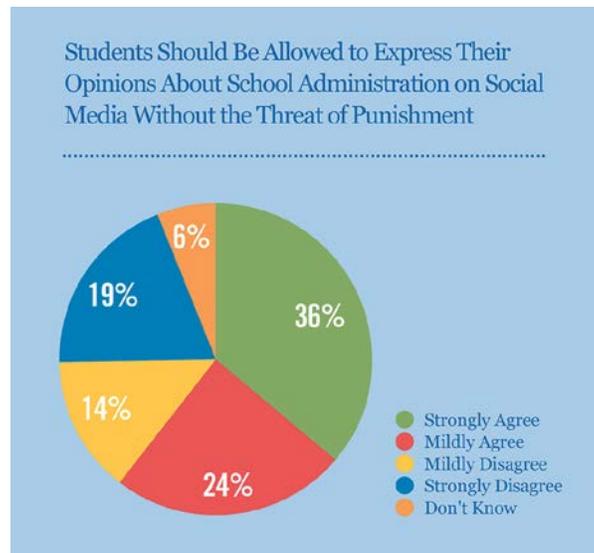


Interestingly, however, when it comes to individual candidates spending their own money on their personal campaigns, Americans are more supportive. The current poll finds that the public is about evenly split on whether individuals should be able to spend as much as they want on their own political campaigns. Republicans (59%) are more likely to support this than either Democrats (43%) or independents (45%).

### Should Students Be Able to Be Punished for Expressing Their Opinions?

Most Americans believe that students should be allowed to express their opinions about teachers and school administrators on social media without worrying about being punished for what they say by the school. Sixty percent of people agree with this statement, while 33% disagree.

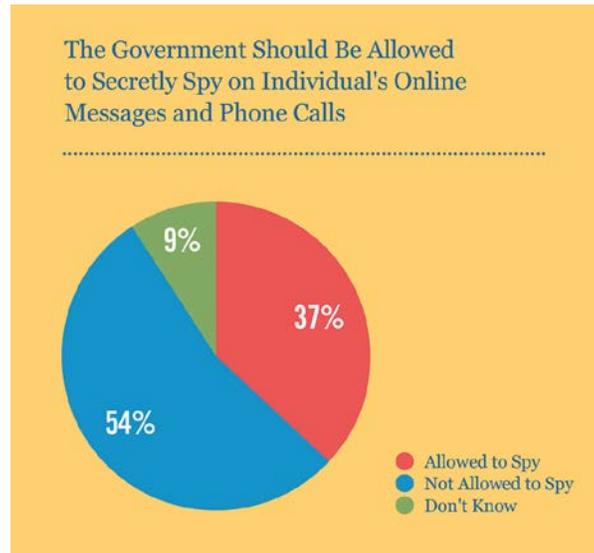
Not surprisingly, younger Americans aged 18 to 29 (84%) who are closer in age to those in school are more likely to agree with this than are those 30 or older (60%).



### Should Government Be Allowed to Spy on Phone Records as a Way to Catch Terrorists?

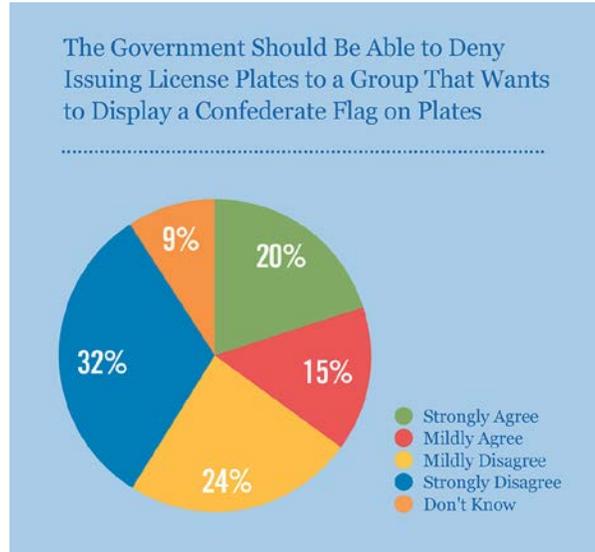
As Congress and President Obama continue to debate the role of the NSA in collecting massive amounts of Americans' telephone and email activities, our survey finds that 54% oppose the idea of allowing the government to secretly spy on individual online messages and phone calls as a means to catch terrorists. Thirty-seven percent are in favor of allowing the government to spy on personal communications to fight terrorism.

Republicans (44%) are more likely than either Democrats (39%) or independents (31%) to support government spying on individuals as a way to catch terrorists.



### The Confederate Flag on License Plates?

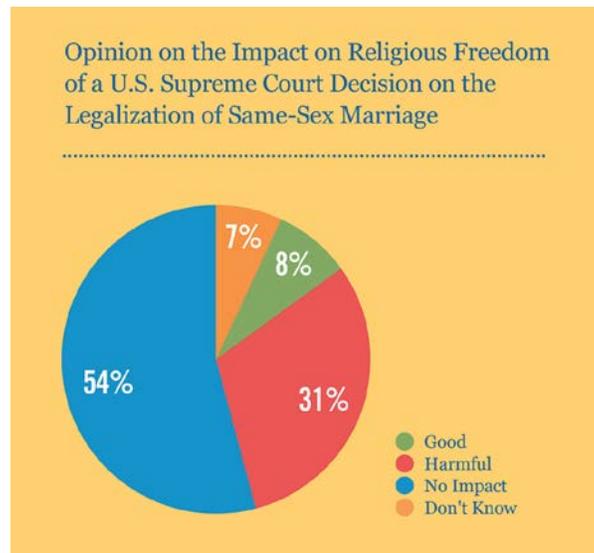
About one third (35%) of the public agrees that the government should be allowed to deny issuing license plates to a group who intends to display a confederate flag on the plates. The majority (56%) is opposed to the idea that the government should be able to deny this.



### Legalizing Same-Sex Marriage and Its Impact on Religious Freedom

When asked about the impact of a possible United States Supreme Court decision to legalize same-sex marriage on religious freedom, the majority (54%) believes the decision would have no impact on religious freedom. Just under a third (31%) feel as though the decision would be harmful to religious freedom, while only 8% say it will be good for religious freedom.

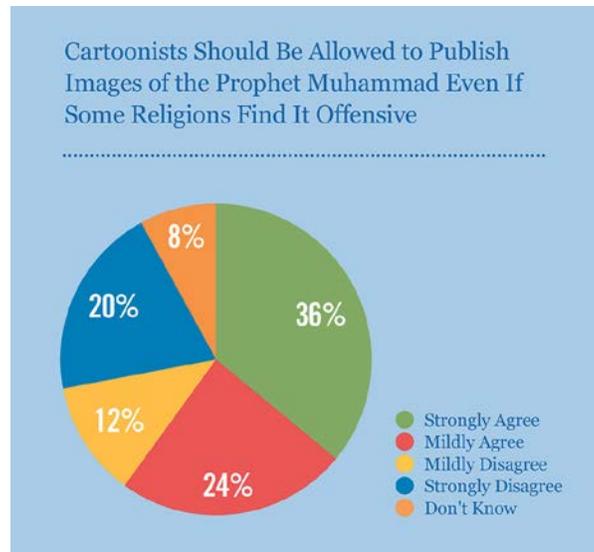
Republicans (50%) are more likely to see this as harmful than either Democrats (19%) or independents (24%).



### What About the Right to Depict of Muhammad in Cartoons?

Recently there have been several controversies revolving around the topic of the Prophet Muhammad being depicted in cartoons. In the poll this year we asked whether cartoonists should be allowed to publish images of Muhammad even though those images could be offensive to some religions. Sixty percent of individuals surveyed are in favor of allowing cartoonists to publish these images, while 32% are against this.

Those younger than 30 years of age (77%) are more likely to agree with cartoonists' right to depict Muhammad in potentially offensive cartoons (compared to 57% of those 30 or older). Non-religious Americans (71%) are more in agreement than either Catholics (56%) or Protestants (62%). Finally, Republicans (66%) and Independents (66%) are more supportive of the cartoonists' rights than Democrats (48%).



Here is the full set of findings from the survey along with the specific questions that were asked:

### State of the First Amendment 2015

Q.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?

	Freedom of the Press	Freedom of Speech	Freedom of Religion	Right to Petition	Right of Assembly	Can't Name Any
1997	11%	49%	2%	2%	10%	
1999	12%	44%	13%	2%	8%	
2000	12%	60%	16%	2%	9%	37%
2001	14%	59%	16%	1%	10%	36%
2002	14%	58%	18%	2%	10%	35%
2003	16%	63%	22%	2%	11%	37%
2004	15%	58%	17%	2%	10%	35%
2005	16%	63%	20%	3%	14%	29%
2006	13%	56%	17%	3%	11%	36%
2007	16%	63%	19%	3%	17%	29%
2008	15%	56%	15%	3%	14%	40%
2009	16%	55%	18%	4%	14%	39%
2010	18%	61%	23%	6%	14%	33%
2011	17%	62%	19%	3%	14%	30%
2012	13%	65%	28%	4%	13%	27%
2013	14%	59%	24%	4%	11%	36%
2014	14%	68%	29%	1%	7%	29%
2015	10%	57%	19%	2%	10%	33%

Q.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.

	Agree	Disagree
1999	28%	67%
2000	22%	74%
2001	39%	58%
2002	49%	47%
2003	34%	60%
2004	30%	65%
2005	23%	72%
2006	18%	76%
2007	25%	70%
2008	20%	74%
2009	19%	73%
2010	17%	79%

2011	18%	79%
2012	13%	81%
2013	34%	64%
2014	38%	57%
2015	19%	75%

Please tell us if you agree or disagree with the following statements:

Q.3 Overall, the news media tries to report the news without bias.

	Agree	Disagree
2004	39%	58%
2005	33%	64%
2007	37%	60%
2008	32%	64%
2011	33%	76%
2012	33%	62%
2013	46%	52%
2014	41%	55%
2015	24%	70%

Q.4 It is important for our democracy that the news media act as a watchdog on government.

	Agree	Disagree
2004	77%	21%
2005	74%	22%
2008	76%	19%
2009	71%	22%
2011	76%	21%
2012	75%	20%
2013	80%	18%
2014	80%	16%
2015	69%	25%

Q.5 The U.S. Constitution establishes a Christian nation.

	Strongly Agree	Mildly Agree	Mildly Agree	Strongly Disagree	DK/Ref.
2007	38%	17%	15%	26%	4%
2008	36%	19%	14%	24%	7%
2010	38%	15%	15%	26%	6%
2013	23%	28%	20%	25%	4%
2015	35%	16%	15%	29%	5%

Q.6 A business providing wedding services to the public should be required to serve same-sex couples, even if the business owner objects to same-sex marriage on religious grounds.

	Strongly Agree	Mildly Agree	Mildly Disagree	Strongly Disagree	DK/Ref.
2013	28%	24%	17%	28%	3%
2015	26%	12%	13%	42%	7%

Q.7 People should be allowed to record or photograph the activities of the police in public as long as they do not interfere with what the police are doing.

	Strongly Agree	Mildly Agree	Mildly Disagree	Strongly Disagree	Don't Know
2012	66%	19%	7%	5%	3%
2015	67%	21%	5%	4%	3%

Q.8 Video from police "body-cams" should be part of the public record?

	Strongly Agree	Mildly Agree	Mildly Disagree	Strongly Disagree	Don't Know
2015	62%	21%	8%	4%	5%

Q.9 Should corporations or unions be able to spend as much money as they want in support or opposition to political candidates?

	Yes	No	Don't Know
2012	30%	63%	7%
2015	23%	73%	4%

Q.10 Should individuals be able to spend as much money as they want in support or opposition to political candidates?

	Yes	No	Don't Know
2015	48%	50%	2%

Q.11 Do you agree or disagree: Students should be allowed to express their opinions about teachers and school administrators on social media without worrying about being punished by teachers or school administrators for what they say.

	Strongly Agree	Mildly Agree	Mildly Disagree	Strongly Disagree	Don't Know
2015	36%	24%	14%	19%	6%

Q.12 Which of the following statements best represents your opinion: Government should be allowed to secretly spy on anyone's online messages and phone calls as a way of catching terrorists, OR Government should not be able to secretly spy on people's online messages and phone calls because it violates our freedom?

	Allowed To Spy	Not Allowed To Spy	Don't Know
2015	37%	54%	9%

Q.13 Do you agree or disagree: Government should be able to deny issuing license plates to a group that wants to display a confederate flag on the plates.

	Strongly Agree	Mildly Agree	Mildly Disagree	Strongly Disagree	Don't Know
2015	20%	15%	24%	32%	9%

Q.14 In your opinion, a U.S. Supreme Court decision legalizing same-sex marriage would be: good for religious freedom, harmful to religious freedom, or have no lasting impact on religious freedom?

	Good	Harmful	No impact	Don't Know
2015	8%	31%	54%	7%

Q.15 Do you agree or disagree: Cartoonists should be allowed to publish images of the prophet Muhammad even if those images are offensive to some religions.

	Strongly Agree	Mildly Agree	Mildly Disagree	Strongly Disagree	Don't Know
2015	36%	24%	12%	20%	8%