

## **The State of the First Amendment: 2014**

The First Amendment Center has conducted an annual national survey since 1997 of American attitudes toward the First Amendment. The “State of the First Amendment: 2014” is the seventeenth 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 2014 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 2014 project. The final section presents the complete survey results including question wording and trend data.

### **Survey Methodology**

The First Amendment Center conducted a general public survey of attitudes toward the First Amendment in May 2014. The questionnaire was administered to a national sample of 1,006 American adults by telephone. The questionnaire was developed by Dr. Ken Dautrich and Gene Policinski, Chief Operating Officer of the Newseum Institute and senior vice president of the Institute’s First Amendment Center.

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.

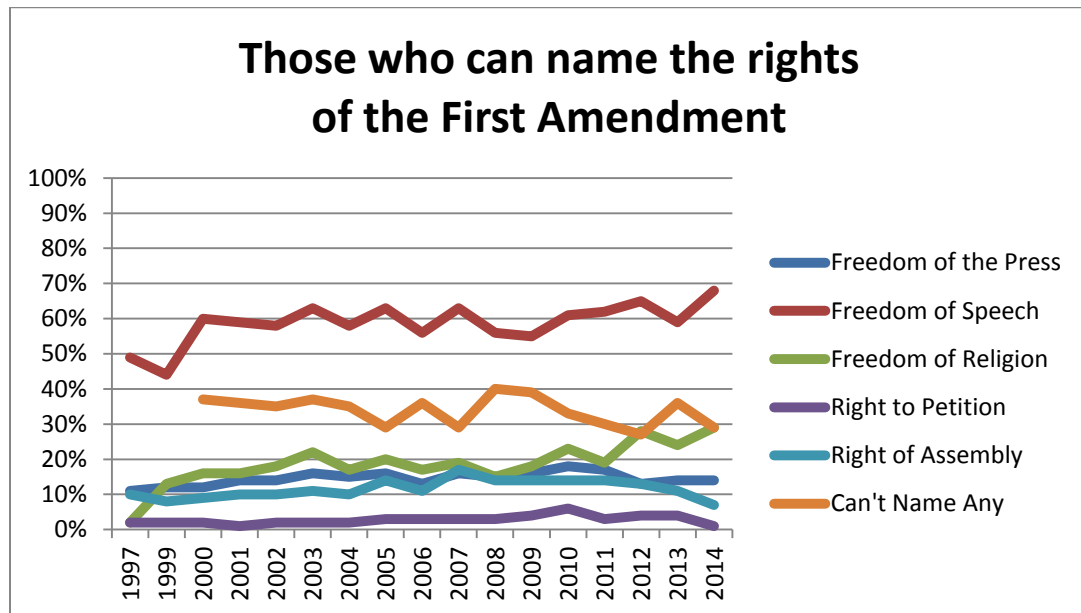
The national sample used in this survey included national phone numbers in the contiguous 48 states. The sample was stratified to ensure that broad geographic regions were represented in proportion to their share of the total adult population in the United States. Within each of these regions, telephone 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 1,006 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.

## Key Findings

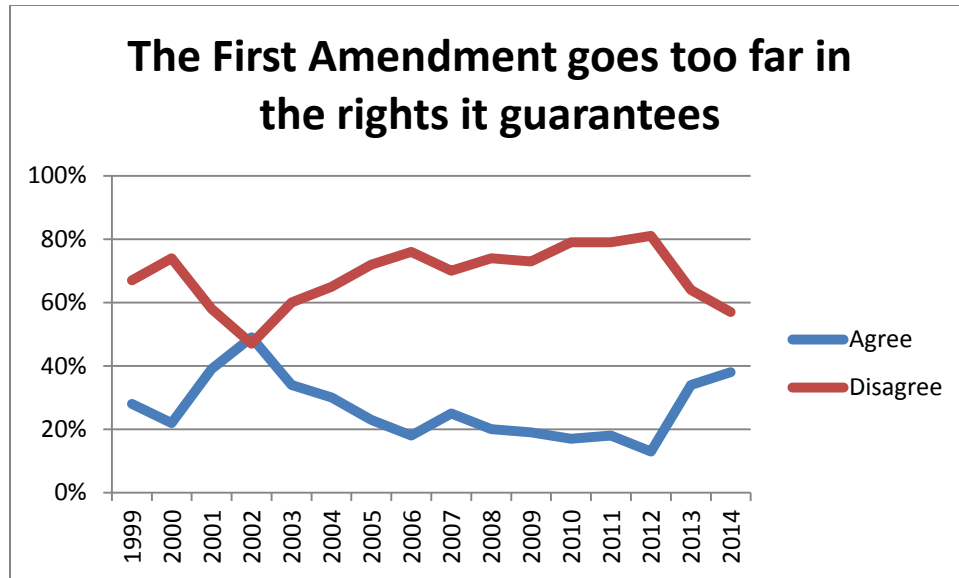
- When asked to name the five specific freedoms in the First Amendment, 68% of Americans name freedom of speech, followed by 29% who say the freedom of religion, 14% mention the freedom of the press, 7% mention the right to assemble, and 1% name the right to petition. Twenty-nine percent of those surveyed cannot name any of the rights guaranteed by the First Amendment.

Those who could name freedom of speech and freedom of religion increased this year from 59% to 68% and 24% to 29% respectively. Meanwhile, the knowledge of right to petition and right of assembly decreased from 4% to 1% and 11% to 7% respectively. The percentage of Americans who can't name any First Amendment rights dropped from 36% to 29%.

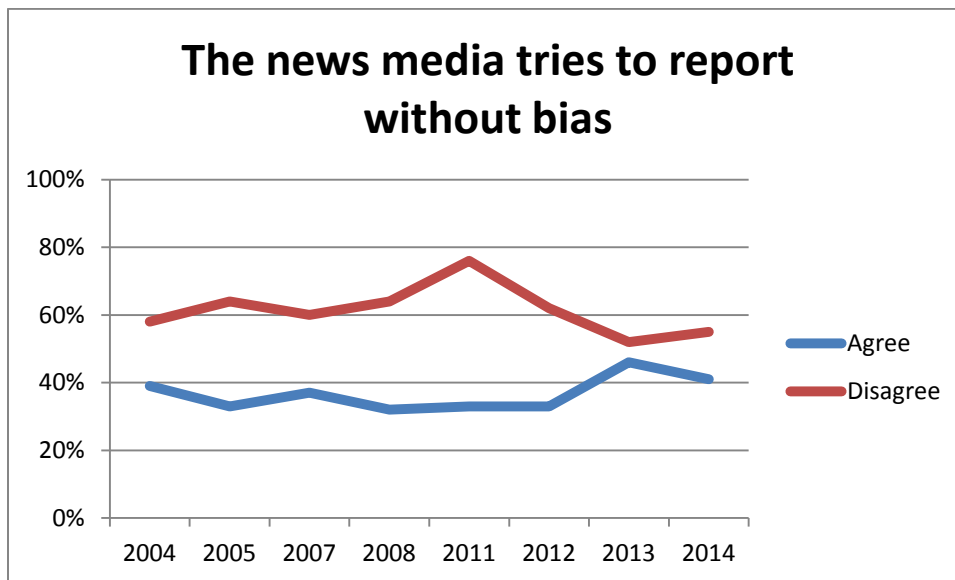


- A declining majority of Americans believe that the First Amendment does not overextend its boundaries in the rights it guarantees. The gap between those who believe it goes too far and not too far was previously widening, but recently has been converging.

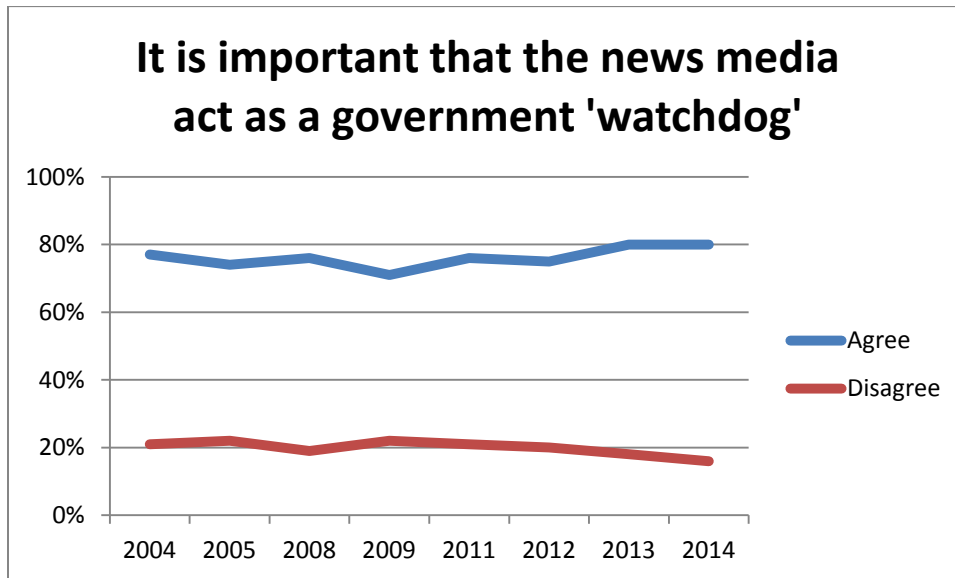
In 2013, 34% stated that the First Amendment does go too far and 64% said it does not go too far in protecting rights. In the current survey, 38% say the First Amendment goes too far while 57% say it does not. After a 10 year decline (from 2002 to 2012) in the number of Americans saying that the First Amendment does not go too far in protecting rights, a reversal of this trend in the aftermath of the 2013 Boston Marathon bombings continues this year.



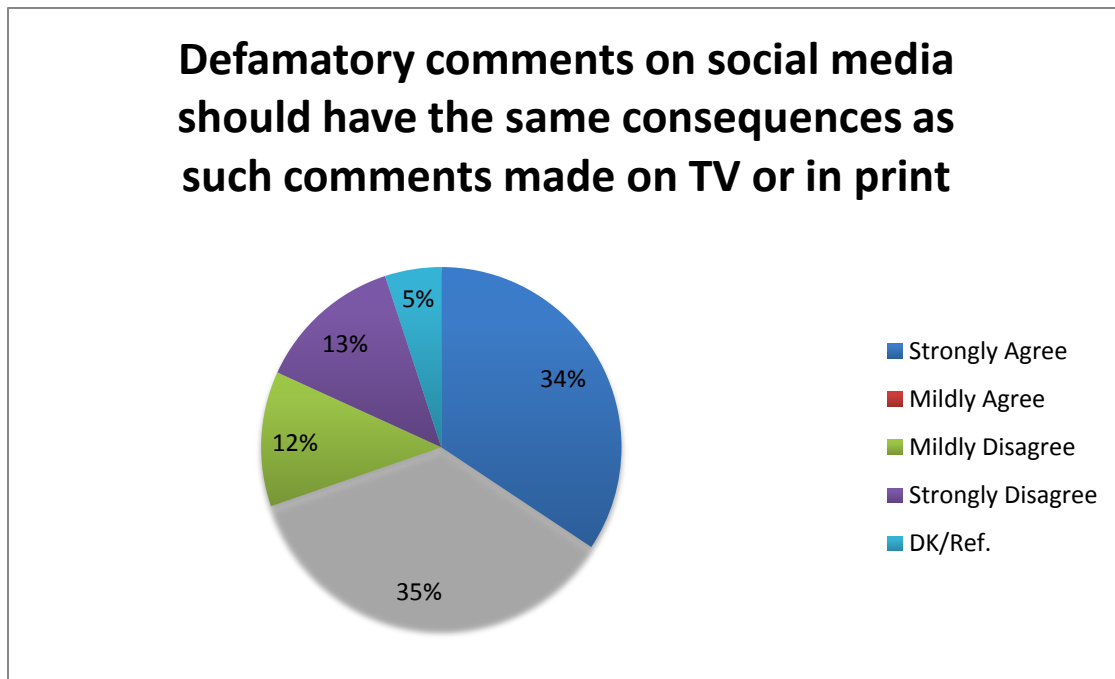
- Forty-one percent of Americans believe that the news media attempts to report on news without bias. The number of individuals who agree with this statement has hovered around 40% since the question was first asked in 2004.



- Over the years respondents have overwhelmingly agreed that the news media should act as a government watchdog. The percentage of people who agreed with this in the current survey remains at 80% with only 18% disagreeing.

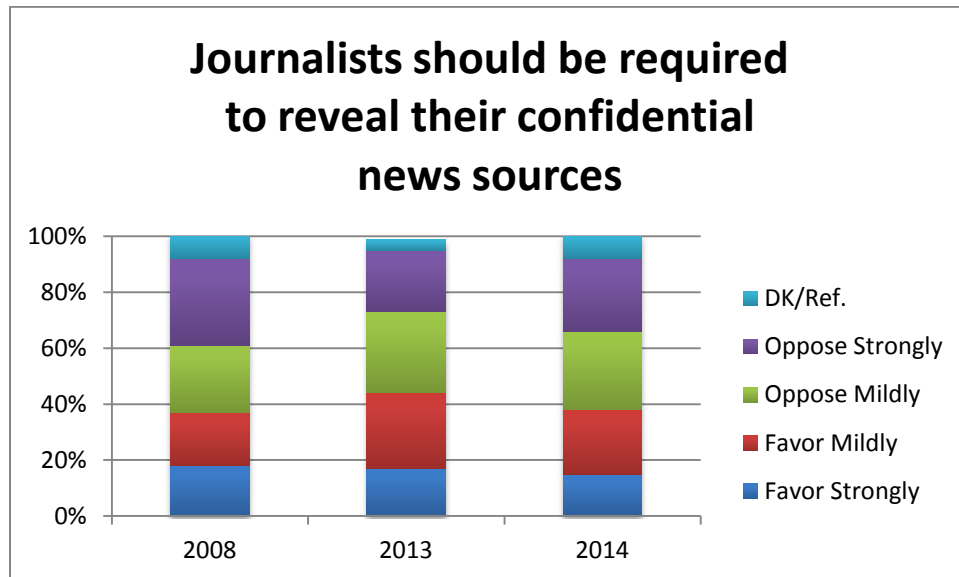


- In 2014, a new question was asked regarding the use of social media. Sixty-nine percent of Americans agree that someone who makes a defamatory comment on social media sites should be subject to the same legal consequences as someone who makes a similar comment on television or in print.



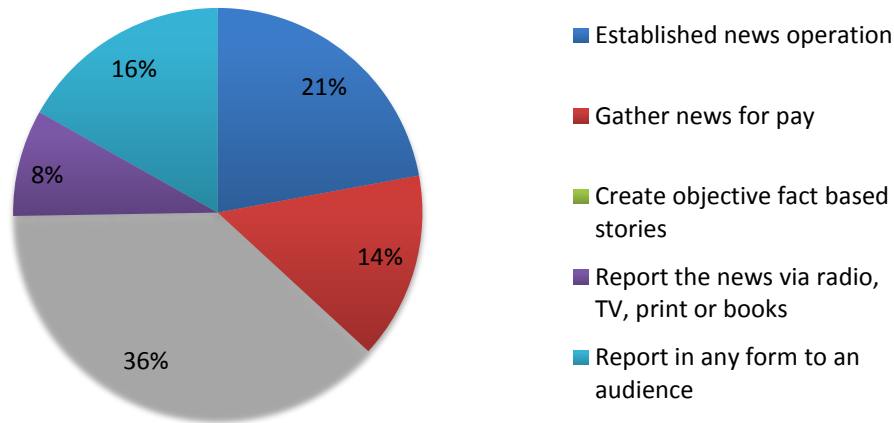
- The 2014 survey finds that 54% of Americans oppose the idea of requiring journalists to reveal their confidential news sources in order to make the United States safer. Thirty-eight percent favor this.

When the question was first asked in 2008, 55% opposed requiring journalists to reveal sources, while 37% were in favor of such a requirement.



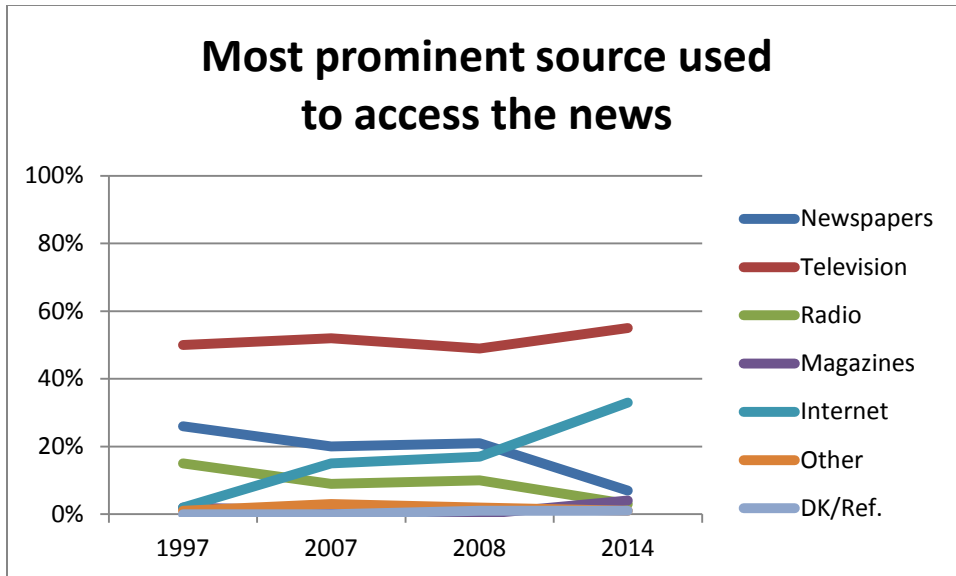
- A new question was asked in the 2014 survey regarding what qualifies someone to be a “journalist.” Thirty-six percent of Americans say a journalist is someone who creates stories based on objective fact; 21% state a journalist is someone who works for an established news operation; 16% claim it is when an individual reports (by any means) to an audience; and fourteen percent of Americans think a person should be considered a journalist when he/she is paid to gather news.

## Which best qualifies someone to be a journalist?

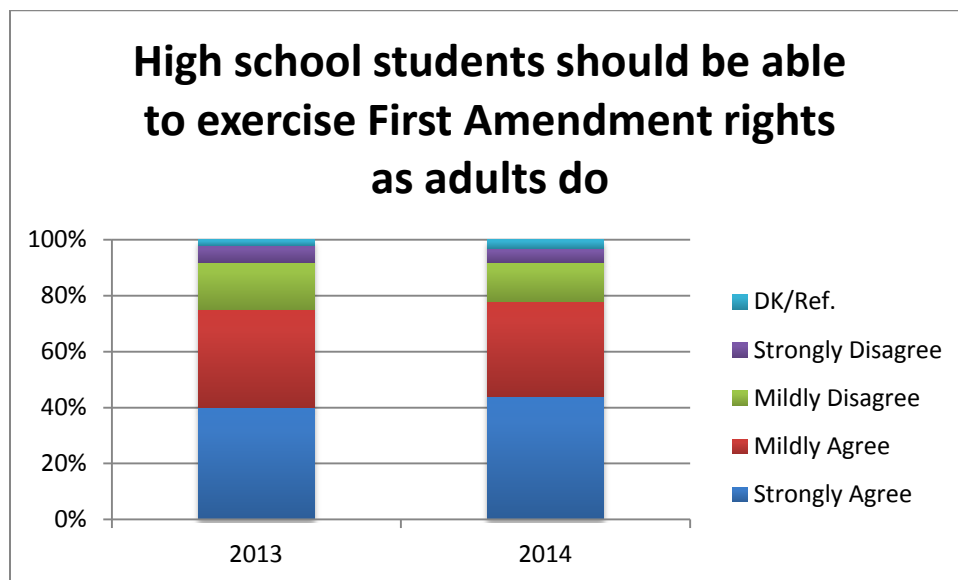


- Not surprisingly, there has been a considerable shift in news media consumption behavior. Today, most Americans (55%) receive their news from television, followed by the internet (33%), newspapers (7%), magazines (4%) and radio (3%).

Since this question was first asked in 1997, we have seen a large increase, from 2% to 33% of Americans, who use the internet to gather information. While television has remained the most popular medium for getting news, those using newspapers and radio have decreased from 26% to 7% and 15% to 3% respectively. The long-term drop in newspaper and radio usage has accelerated over the past five years.

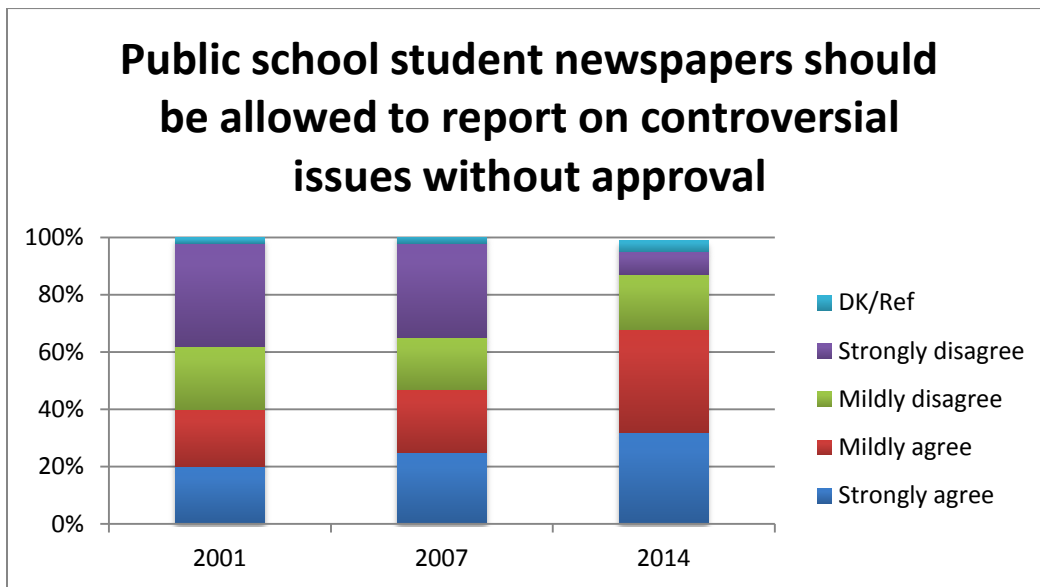


- A strong majority of Americans believe that high school students should be able to exercise their First Amendment rights just as adults do. The percentage of those who support this statement increased over the past year from 75% to 78%, while the percentage of those who disagree with this statement decreased from 23% to 19%.



- A growing majority of Americans (68%) agree that public school students should be allowed to report on controversial issues in their student newspapers without the approval of school authorities, while only 27% disagreed.

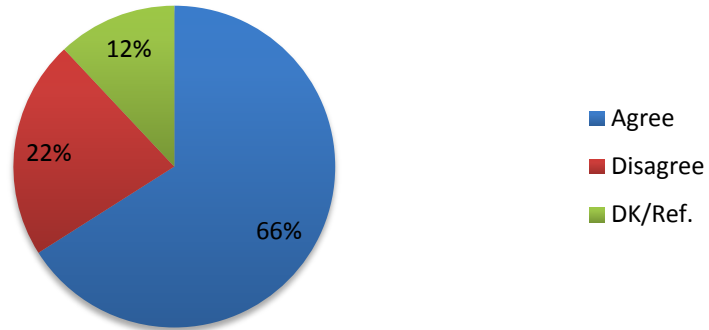
When the question was first asked in 2001, Americans were almost evenly split on the issue and those who strongly disagreed with the statement dominated the response. We see a large change from 2001 through 2007 and into 2014, and now find that over two-thirds of Americans agree that student school newspapers should be allowed to publish on controversial issues without the approval of school administrators.



- By a 3-to-1 margin, Americans believe that religious freedoms should apply to corporations as well as individuals, as the U.S. Supreme Court has held that certain free speech rights apply to corporations. .

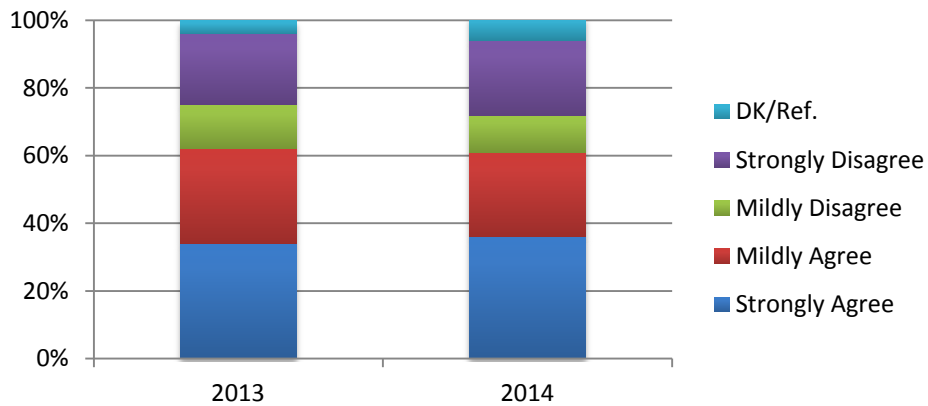


## Corporations should have certain religious freedoms



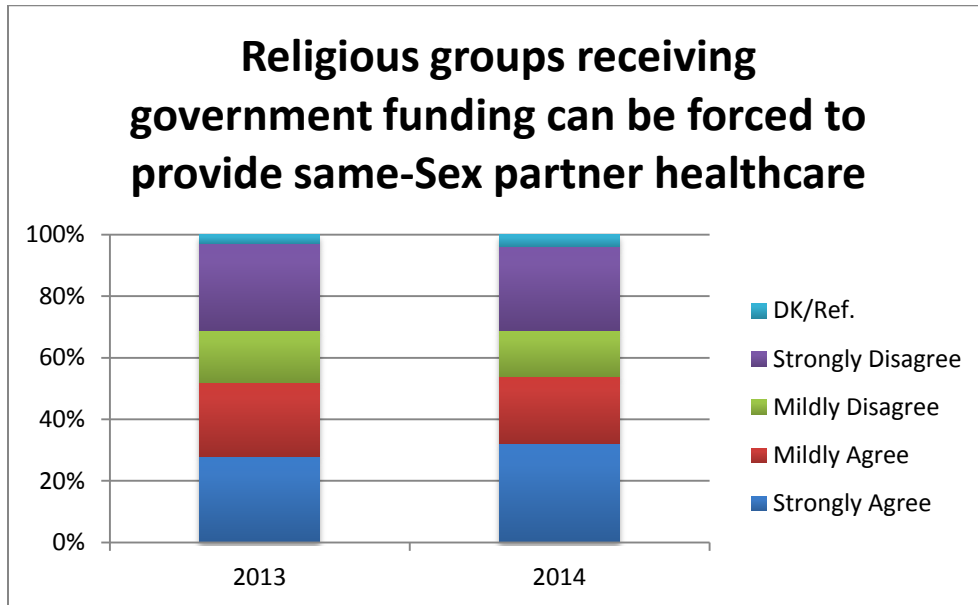
- However, a majority of Americans (61%) continue to believe that a business providing wedding services to the public should be required to serve same-sex couples, even if the business owner objects to same-sex marriage on religious grounds. This is virtually unchanged from last year's survey.

## Wedding businesses should be required to serve same-sex couples



- Also, a majority of Americans (54%) agree that if a religiously affiliated group receives government funding, then the government should be able to require the group to provide healthcare benefits to same sex partners of employees, even if the religious group opposes same sex marriages or partners.

Those who disagree tend to feel more strongly on this issue than those who agree with this statement. Twenty-seven percent strongly disagreed, while fifteen percent mildly disagreed.



## **State of the First Amendment: Results in years questions were asked**

**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%

**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%

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%

**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%

**Q. 5 Someone who makes defamatory comments on social media sites such as Facebook should be subject to the same legal consequences as someone who makes a defamatory comment on television or in print**

	Strongly Agree	Mildly Agree	Mildly Disagree	Strongly Disagree	DK/Ref.
2014	34%	35%	12%	13%	5%

**Q. 6 If a religiously-affiliated group receives government funding, the government should be able to require that group to provide health care benefits to same-sex partners of employees, even if the religious group opposes same-sex marriages or partnerships.**

	Strongly Agree	Mildly Agree	Mildly Disagree	Strongly Disagree	DK/Ref.
2013	34%	28%	13%	21%	4%
2014	36%	25%	11%	22%	7%

**Q. 7 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%
2014	32%	22%	15%	27%	4%

**Q. 8 Some people argue that requiring journalists to reveal their confidential news sources will help make America safer, while others say it will not. Do you favor or oppose court orders that require journalists to reveal their sources? (PROBE: Do you strongly or mildly favor/oppose this?)**

	Favor Strongly	Favor Mildly	Oppose Mildly	Oppose Strongly	DK/Ref.
2008	18%	19%	24%	31%	9%
2013	17%	27%	29%	22%	4%
2014	15%	23%	28%	26%	9%

**Q. 9 Which of the following best qualifies someone as a journalist: Being employed by an established news organization; earning money for newsgathering work; creating news stories that are based on objective facts; reporting the news on TV, radio or in print; or reporting news by any means to an audience?**

	They work for an established news operation	They gather news for pay	They create news stories based on objective fact.	They report the news via radio, TV or print (including books)	They report, by any means, to an audience
2014	21%	14%	36%	8%	16%

**Q. 10 Overall, where would you say you get MOST of your news – newspapers, television, radio, magazines, the internet, or some other source?**

	1997	2007	2008	2014
Newspapers	26%	20%	21%	7%
Television	50%	52%	49%	55%
Radio	15%	9%	10%	3%
Magazines	2%	1%	0%	4%
Internet	2%	15%	17%	33%
Other	1%	3%	2%	1%
DK/Ref.	-	-	1%	1%

**Q. 11 High school students should have the same freedom to exercise their First Amendment rights as do adults.**

	Strongly Agree	Mildly Agree	Mildly Disagree	Strongly Disagree	DK/Ref.
2013	40%	35%	17%	6%	2%
2014	44%	34%	14%	5%	3%

**Q. 12 Do you agree or disagree with the following statement: Public school students should be allowed to report on controversial issues in their student newspapers without the approval of school authorities.**

	<u>2001</u>	<u>2007</u>	<u>2014</u>
Strongly agree	20%	25%	32%
Mildly agree	20%	22%	36%
Mildly disagree	22%	18%	19%
Strongly disagree	36%	33%	8%
DK/Ref	2%	3%	4%

**Q. 13: The Supreme Court has ruled that corporations, like people, have certain free speech rights. Do you think that corporations similarly should or should not have certain religious freedoms?**

	Should	Should Not	DK/Ref.
2014	66%	22%	12%