

Voters' Attitudes Toward USA PATRIOT Act and Government Actions to Fight Terrorism in Four States

December 2003

Introduction

Since the 9/11 tragedy the government has taken several steps to increase the powers of law enforcement to fight terrorism. To understand public attitudes on these issues during the upcoming election year, the ACLU asked Belden Russonello & Stewart to conduct surveys among voters in four states – Pennsylvania, New Mexico, Ohio, and Florida. The surveys show:

- Voters are at odds with some of the actions taken by the government and believe that parts of the Patriot Act go too far in eroding basic freedoms.
- Civil liberties are a concern for voters. More voters consider protecting civil liberties a high priority in their vote for President than place a high priority on taxes, the deficit, environment, and promoting moral values.
- In the upcoming Presidential election, voters in these states are more likely to support a candidate who says that parts of the Patriot Act go too far and need to be changed than one who praises the Patriot Act.

In November 2003, Belden Russonello & Stewart conducted four random sample surveys for the ACLU among likely voters. The interviewing was conducted November 20 through 25, 2003. The surveys used random digit dial (RDD) samples of households in the states and screened for likelihood to vote. A total of 400 interviews were conducted in each state. The margin of sampling error for each survey is plus or minus 4.9 percentage points at the 95% level of tolerance.

Overview

The surveys reveal six main points on voters' attitudes toward government actions to fight terrorism:

- Protecting civil liberties is a middle tier priority for voters. It is more of a priority than promoting moral values, protecting the environment, reducing the deficit, and reducing taxes. Top priorities for voters include the economy, the war in Iraq, terrorism in the US, health care, Social Security, and education.
- When presented with a choice, voters reject the idea of being more concerned about fighting terrorism than protecting civil liberties.
- The Patriot Act is unfamiliar to the majority of voters. Majorities in three of the four states report hearing little or nothing about the Act. Those who have heard of it are mixed on whether it generally goes in the right or wrong direction.
- Voters oppose many of the specific provisions of the Patriot Act and other government actions since 9/11 to fight terrorism. Specifically, they oppose secret search warrants, secretly detaining non-citizens, requiring librarians or Internet providers to provide the names of individuals and the books or websites they have used, and the government having access to their personal information.
- They also strongly reject President Bush's call to go beyond the Patriot Act and give the Attorney General more powers to collect private information.
- Voters across all four states are more likely to support a candidate who says that parts of the Patriot Act go too far in restricting civil liberties and needs to be changed than a candidate who strongly supports the Patriot Act and says it has helped keep us safe from terrorism.

Findings

1. General attitudes on fighting terrorism and protecting civil liberties

When presented with a choice, voters reject the idea of being more concerned about fighting terrorism than protecting civil liberties

When asked to choose between concern over the threat of terrorism and protecting civil liberties, a majority in three out of the four states is concerned equally with both terrorism and protecting civil liberties:

Pennsylvania: 55% concerned equally with terrorism and civil liberties

Ohio: 56%

Florida: 51%

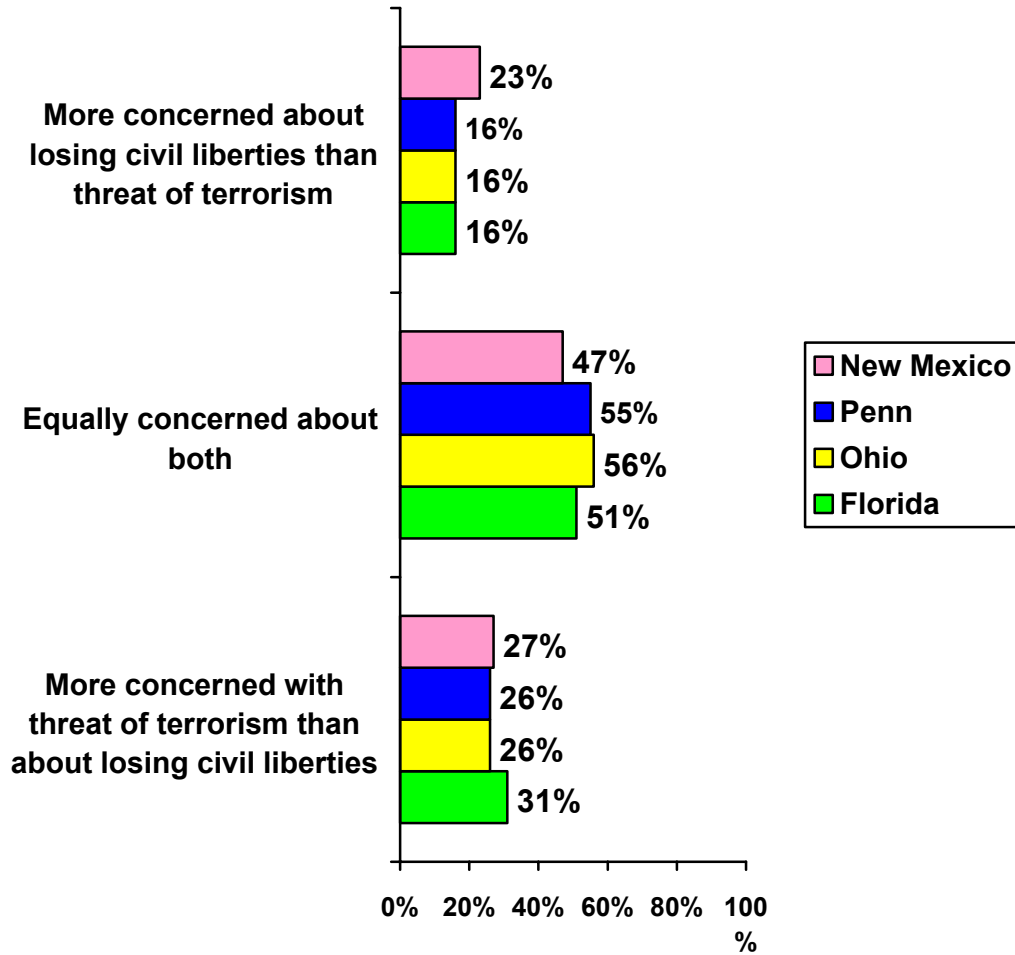
New Mexico: 47%

Each state reports a higher percentage of people who is worried primarily about fighting terrorism (26% PA, 26%, 27% NM, and 31% FL) than preserving civil liberties (16% PA, 16%, 23% NM, and 16% FL).

However, looking at attitudes across these three choices reveals that over two-thirds in each state reject the idea of being more concerned with fighting terror than protecting civil liberties equally (71% PA, 72% OH, 70% NM, and 67% FL).

Voters in New Mexico express the most concern about the loss of civil liberties.

Terrorism vs. Losing Civil Liberties



Q. Thinking about the government's reaction to terrorism, which of the following best describes your views: I am more concerned with losing civil liberties than the threat of terrorism, I am equally concerned about both the threat of terrorism and losing civil liberties, or I am more concerned with the threat of terrorism than losing civil liberties? (Belden Russonello & Stewart for the ACLU, n=400 likely voters per state, November 2003)

Voters' priorities for the next Presidential election

When thinking about priorities for the next Presidential election civil liberties is a middle-tier issue.

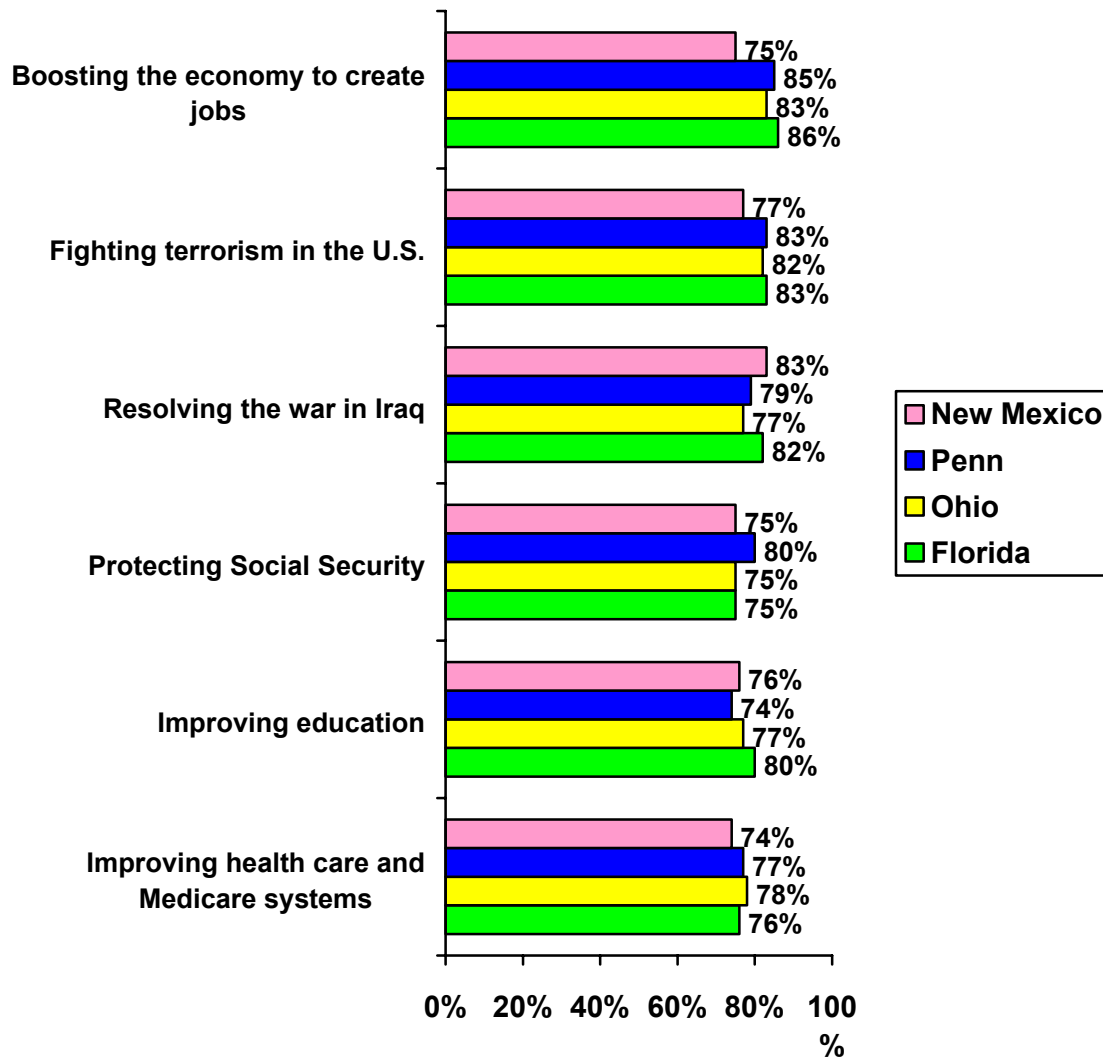
The top tier issues are those that three-quarters or more consider very important to their vote for President: improving the economy, fighting terrorism, protecting Social Security, resolving the war in Iraq, improving health care and Medicare, and improving education.

Civil liberties and moral values fall in the middle tier. They are very important to how six to seven in ten will vote.

The third tier of priorities includes protecting the environment, reducing the deficit, and reducing taxes with generally six in ten voters saying these are priorities for the next election.

Top Tier Issues for Voters

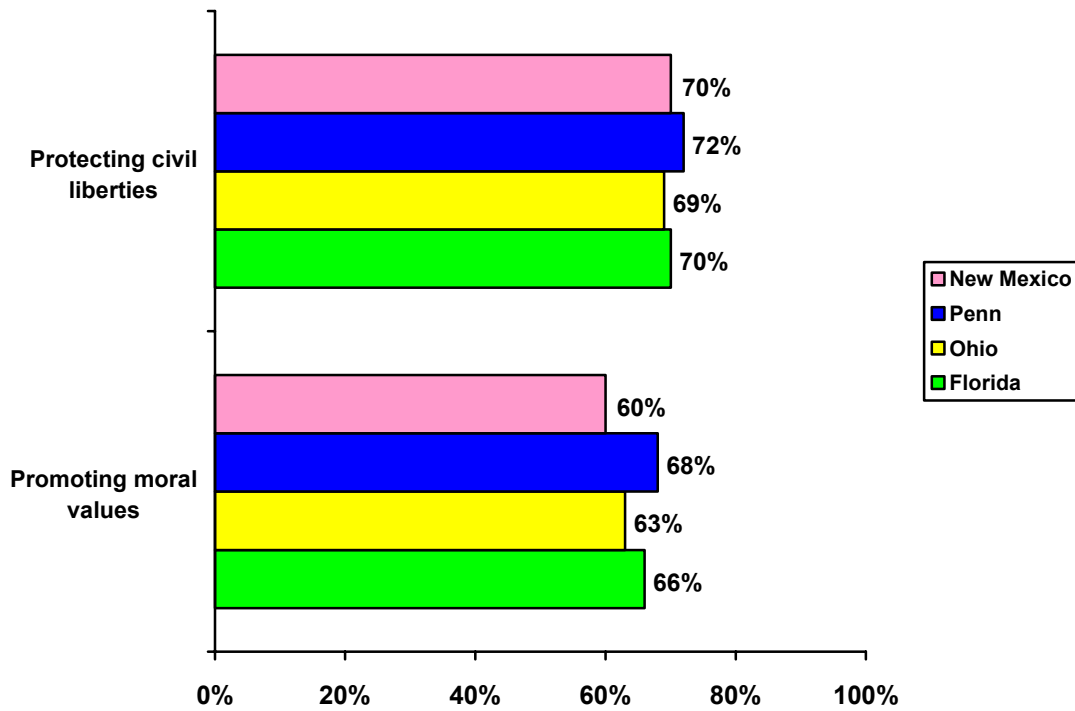
(%s are combined "single most important" and "very important")



Q. For each item I name, please tell me how important it will be in your vote for President next year. Will it be one of the single most important issues, very important, somewhat important or less important than that? (Belden Russonello & Stewart for the ACLU, n=400 likely voters per state, November 2003)

Middle Tier Issues for Voters

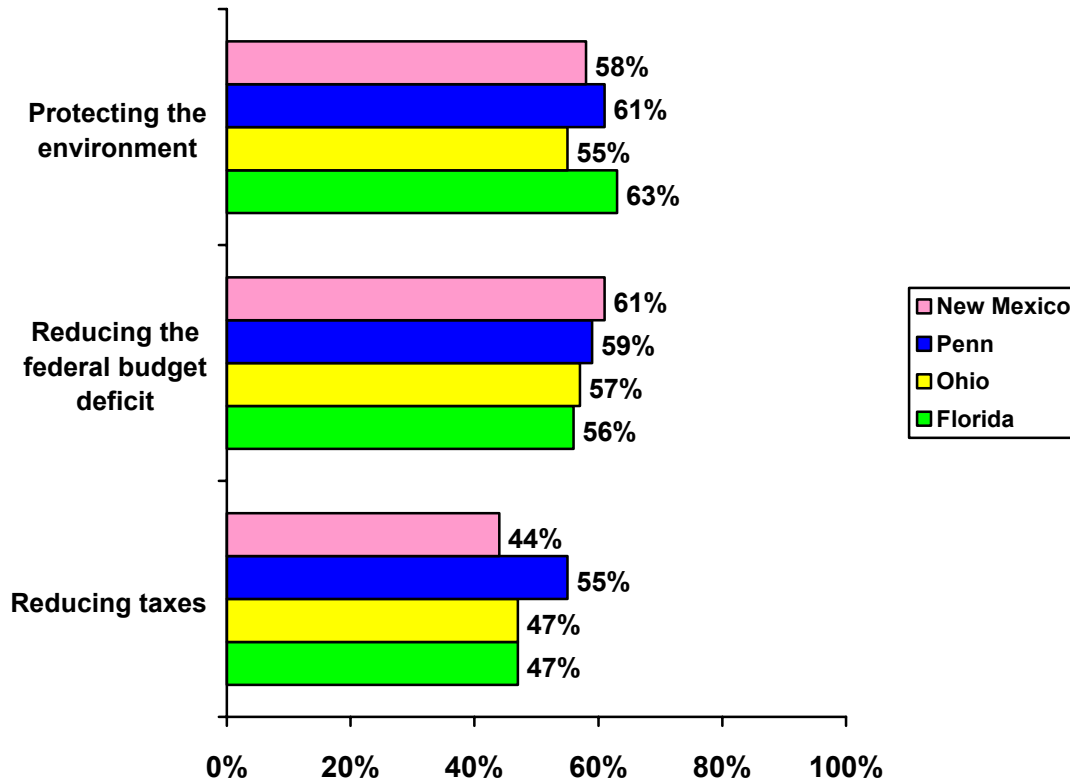
(%s are combined "single most important" and "very important")



Q. For each item I name, please tell me how important it will be in your vote for President next year. Will it be one of the single most important issues, very important, somewhat important or less important than that? (Belden Russonello & Stewart for the ACLU, n=400 likely voters per state, November 2003)

Third Tier Issues for Voters

(%s are combined "single most important" and "very important")



Q. For each item I name, please tell me how important it will be in your vote for President next year. Will it be one of the single most important issues, very important, somewhat important or less important than that? (Belden Russonello & Stewart for the ACLU, n=400 likely voters per state, November 2003)

2. Voters oppose key provisions of USA PATRIOT Act and other actions by government

When voters consider specific actions the government has taken since 9/11, their strong beliefs in Constitutional freedoms dominate. A series of questions asked voters about seven specific actions by the government since 9/11 to fight terrorism and whether voters believe they are “appropriate” or go “too far” in expanding the powers of government.

Voters say no to secret searches and detaining non-citizens secretly:

- Three-quarters or more believe making it “easier for law enforcement to get a court order and secretly search someone’s home and not notify them that their home had been searched” goes “too far” in expanding the powers of government.

New Mexico: 82% “too far”

Ohio: 78%

Pennsylvania: 76%

Florida: 74%

- Six in ten or more believe the government has gone “too far” when it detains non-citizens secretly without charging them with a crime, giving them a hearing or informing a judge.

New Mexico: 65% “too far”

Ohio: 64%

Pennsylvania: 60%

Florida: 60%

Voters say no to library and Internet information provisions:

- Majorities to six in ten voters in each state oppose requiring “Internet providers to give law enforcement officials the names of individual subscribers and the websites they have visited, without telling those individuals.”

New Mexico: 61% “too far”

Ohio: 60%

Pennsylvania: 58%

Florida: 53%

- Similarly, majorities oppose requiring librarians to provide lists of books that individuals have taken out without telling the individuals that their names have been turned over to law enforcement.

New Mexico: 58% “too far”

Ohio: 59%

Pennsylvania: 56%

Florida: 51%

Allowing government to collect and analyze information on Americans not suspected of a crime rejected:

- Smaller majorities believe allowing the government to collect and analyze average Americans’ travel, credit, and medical records to look for terrorists goes too far.

New Mexico: 53% “too far;” 44% “appropriate”

Ohio: 51% ; 42%

Pennsylvania: 55%; 41%

Florida: 51%; 45%

FBI keeping track of religious attendance opposed by voters:

- Smaller majorities believe the FBI keeping lists of where and how many times individuals attend religious services, even if the agents think such information is relevant to a crime goes too far.

New Mexico: 59% “too far;” 38% “appropriate”

Ohio: 54%; 40%

Pennsylvania: 56%; 40%

Florida: 50%; 45%

Expanding wiretapping powers viewed as appropriate:

- Majorities of voters believe making it easier for law enforcement to get court permission to wiretap people is appropriate.

New Mexico: 45% “too far;” 50% “appropriate;”

Ohio: 41%; 54%

Pennsylvania: 42%; 52%

Florida: 43% 51%

Voters oppose going beyond Patriot Act

Along with concerns about existing parts of the Patriot Act and actions the government has taken since 9/11 to fight terrorism, voters strongly reject President Bush’s call for giving the Attorney General more powers to collect private information.

As we have heard in focus groups and seen in national surveys, Americans strongly oppose proposals that erode checks on law enforcement and encroach on individuals’ privacy.

Specifically, two-thirds disagree with President Bush’s position that the Patriot Act does not go far enough and oppose his plan to have “Congress give the Attorney General more power to obtain individuals’ private records in criminal investigations without a judge’s approval.”

New Mexico: 69% oppose; 50% strongly

Ohio: 66% oppose; 41% strongly

Pennsylvania: 68% oppose; 43% strongly

Florida: 63% oppose; 44% strongly

Overall views of the Patriot Act as a whole are mixed

The Patriot Act is unfamiliar to the majority of voters. Majorities in three of the four states report hearing little or nothing about the Act. One in five has heard “a lot” and a quarter has heard “some.”

Before given any information about the specifics of the Act, among those who have heard about the Act, about three in ten voters believe it goes in the right direction for the country and two in ten say it is off on the wrong track.

New Mexico: 31% right direction; 29% wrong track; 22% haven't heard
Ohio: 22% right direction; 23% wrong track; 35% haven't heard
Pennsylvania: 27% right direction; 21% wrong track; 33% haven't heard
Florida: 27% right direction; 21% wrong track; 29% haven't heard

Once provided with specifics about the Patriot Act, voters remain mixed. Those in Florida and Pennsylvania lean toward believing the overall Act goes in the right direction, while voters in Ohio and New Mexico lean toward believing it goes in the wrong direction.

New Mexico: 38% right direction; 50% wrong track
Ohio: 41% right direction; 45% wrong track
Pennsylvania: 47% right direction; 41% wrong track
Florida: 45% right direction; 43% wrong track

These findings are consistent with what we have heard in focus groups and found in national surveys. Voters are generally only vaguely familiar with the Patriot Act, and are mixed on support and opposition generally. However, they are more united in their opposition to specific parts. As we have seen, voters strongly believe that some parts of the Patriot Act go too far in eroding civil liberties and majorities believe it is time to re-think parts of it. Voters are not calling for a recall of the Patriot Act but a re-evaluation of specific provisions.

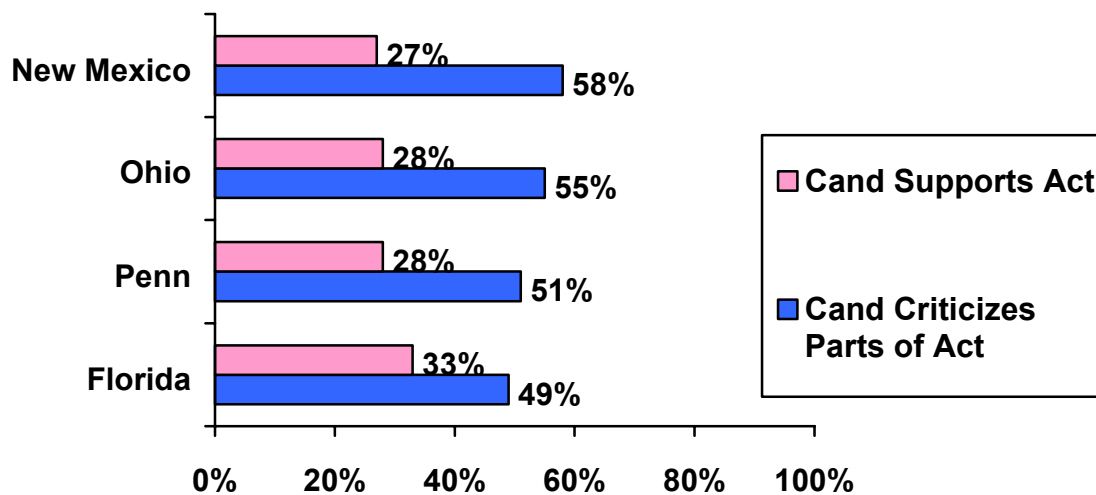
3. Patriot Act and the upcoming Presidential Election

In the context of the next Presidential election, voters in these four states place high importance on a candidate's position on the Patriot Act and are much more likely to support a candidate who calls for a re-thinking of specific parts of the Act than one who strongly supports it.

When given a choice between two candidates, a majority of voters in almost all the states selects the candidate who says "we need to take strong steps to stop terrorism, but that certain parts of the Patriot Act go too far in restricting civil liberties, have harmed innocent people and need to be changed." A third says they are "much more" likely to support this candidate.

On the other hand, less than three in ten select the candidate who says that he/she "strongly support the Patriot Act and other actions taken by the government because these actions have helped to capture terrorists and keep us safe since 9/11." Less than two in ten are "much more" likely to support this candidate.

Preference for Candidate's Position on Patriot Act



Suppose there were two candidates for President with different views. One strongly supports the USA Patriot Act and other actions taken by the government because the candidate says these actions have helped to capture terrorists and keep us safe since 9/11. Another says we need to take strong steps to stop terrorism, but that certain parts of the USA Patriot Act go too far in restricting civil liberties, have harmed innocent people, and need to be changed. Based on this issue, which of these candidates would you be more likely to support, or would this make no difference to you? Is that much more or somewhat more? (Belden Russonello & Stewart for the ACLU, n=400 likely voters per state, November 2003)

After hearing about the Patriot Act and government actions since 9/11 to fight terrorism, over four in ten say a candidate's position on the act is "very" important to them in thinking about the next election and about another four in ten say it is "somewhat" important.

New Mexico: 49% very; 39% somewhat
Ohio: 41% very; 48% somewhat
Pennsylvania: 46% very; 46% somewhat
Florida: 45% very; 44% somewhat

When we look at these two questions, we find that a quarter to a third of voters say a candidate's position on the Patriot Act is "very" important to their vote for President and prefer a candidate who is critical of the Act. On the other hand, slightly over one in ten voters say the act is "very" important to them and prefer a candidate who is strongly supportive of the Patriot Act.

New Mexico: 32% "very" important and prefer critical candidate; 12%
"very" important and prefer supportive candidate
Ohio: 24%; 13%
Pennsylvania: 26%; 13%
Florida: 25%; 15%

4. Related issues and the upcoming Presidential Election

The surveys also examined voters' attitudes toward a number of other issues within the context of the next Presidential election. As we have found in national surveys, even with the threat of domestic terrorism and the war in Iraq, Americans hold fast to their strong belief in preserving due process rights.

Voters' opposition to racial/ethnic profiling, and more recently to the practice of profiling by country of origin or religion and detaining individuals without a hearing before a judge exemplify the public's commitment to due process.

Over eight in ten are less likely to support a candidate who believes the "police should be allowed to stop and question a Black or Hispanic person because they believe Blacks or Hispanics are more likely to commit crimes." Two thirds are much less likely to support this candidate.

New Mexico: 83% less likely
Ohio: 84%
Pennsylvania: 85%
Florida: 83%

About seven in ten are less likely to support a candidate who believes the "police should be allowed to stop and question a person because of the person's religion or country they are from." Nearly half are much less likely to support this candidate.

New Mexico: 68% less likely
Ohio: 70%
Pennsylvania: 70%
Florida: 65%

About half of voters are more likely to vote for a candidate who "believes no individual, including immigrants, should be detained in jail without a hearing before a judge."

New Mexico: 53% more likely; 32% less likely
Ohio: 49%; 34
Pennsylvania: 48%; 36
Florida: 50%; 34