

BELDEN RUSSONELLO & STEWART

RESEARCH AND COMMUNICATIONS

Protecting civil liberties is on the minds of Democratic primary voters in New Hampshire. Two main points highlight New Hampshire Democrats' attitudes on civil liberties.

1. Democratic voters want the next president to support all five of the ACLU's core initiatives to restore the Constitution – restoring habeas corpus, closing GITMO, not allowing the president alone to determine who is an enemy combatant, ending torture as U.S. policy, and outlawing eavesdropping on Americans without a court warrant.
2. New Hampshire Democrats are unhappy with the unwillingness of Congress to check President Bush's attacks on the Constitution and are largely united in these sentiments.

New Hampshire Republicans are less unified in their attitudes regarding civil liberties. They support President Bush's approach to fighting terrorism and they balk at some of the civil liberties initiatives. Yet, a sizeable minority believes that there is a role for Congress in checking the president's power and we find significant support for initiatives to outlaw torture and create a legal definition for enemy combatant.

Belden Russonello & Stewart conducted interviews with 401 likely New Hampshire Democratic primary voters and 402 likely New Hampshire Republican primary voters for the ACLU from August 21, through September 9, 2007. The margin of sampling error is ± 4.9 percentage points at the 95% level of tolerance for the surveys of both Democrats and Republicans.

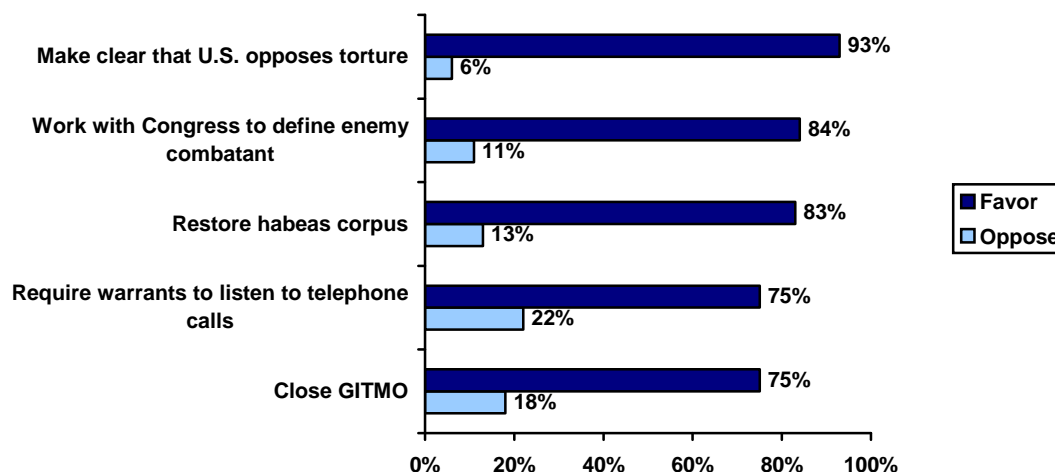
FINDINGS

1. **Democrats strongly want the next president to push specific civil liberties initiatives – Republican support varies**

New Hampshire Democrats are united in their desire to elect a president who does more to protect civil liberties rather than one who follows President Bush's example. Democratic voters in New Hampshire are also strongly supportive of the ACLU's five proposals to change Bush administration policies to protect civil liberties and the Constitution.

- Over nine in ten New Hampshire Democrats (93%) want the next president to “make it clear that the policy of the United States is to oppose torture and follow the Geneva Conventions.”
- Over eight in ten New Hampshire Democrats (84%) want the next president to “work with Congress to establish a legal definition of ‘enemy combatant’ rather than leaving it up to each president to decide.”
- Over eight in ten Democrats (83%) support “restoring habeas corpus rights for people held at Guantanamo.”
- Three-quarters of New Hampshire Democrats (75%) want the next president to “require the government to get a court warrant to listen to the telephone calls of people in the U.S.”
- Three-quarters of New Hampshire Democrats (75%) support a proposal to “close the prison at Guantanamo and schedule trials in the U.S. courts for the terrorist suspects currently held there.”

Support for ACLU Initiatives Among NH Democrats



Here are some actions that the next President could support. Would you favor or oppose each of these actions? Is that strongly or somewhat? Q14. Make it clear that the policy of the United States is to oppose torture and follow the Geneva Conventions. Q13. Work with Congress to establish a legal definition of "enemy combatant" rather than leaving it up to each president to decide who is an enemy combatant and who is not. Q11. Restore habeas corpus rights for people held at Guantanamo – that is, instead of holding people indefinitely without charges, make the government show evidence in order to continue to hold them. Q15. Require the government to get a court warrant to listen to the telephone calls of people in the U.S. Q12. Close the prison at Guantanamo and schedule trials in U.S. courts for the terrorist suspects currently held there.

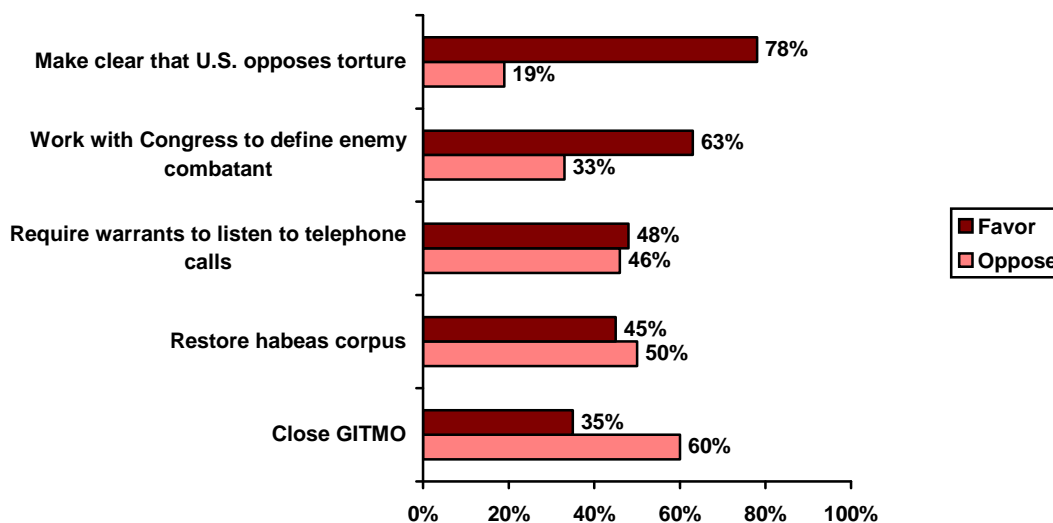
ACLU survey conducted by Belden Russonello & Stewart. August 21- September 9, 2007. N=401 likely New Hampshire Democratic primary voters. MoE \pm 4.9.

Among New Hampshire Republicans, we found:

- Over three-quarters of New Hampshire Republicans (78%) want the next president to "make it clear that the policy of the United States is to oppose torture and follow the Geneva Conventions."
- Over six in ten New Hampshire Republicans (63%) want the next president to "work with Congress to establish a legal definition of 'enemy combatant' rather than leaving it up to each president to decide."
- Nearly half of Republicans (48%) want the next president to "require the government to get a court warrant to listen to the telephone calls of people in the U.S." Forty-six percent are opposed.
- Over four in ten Republicans (45%) support "restoring habeas corpus rights for people held at Guantanamo." Fifty percent are opposed.

- Over one-third of New Hampshire Republicans (35%) supports a proposal to “close the prison at Guantanamo and schedule trials in the U.S. courts for the terrorist suspects currently held there.” Sixty percent are opposed.

Support for ACLU Initiatives Among NH Republicans

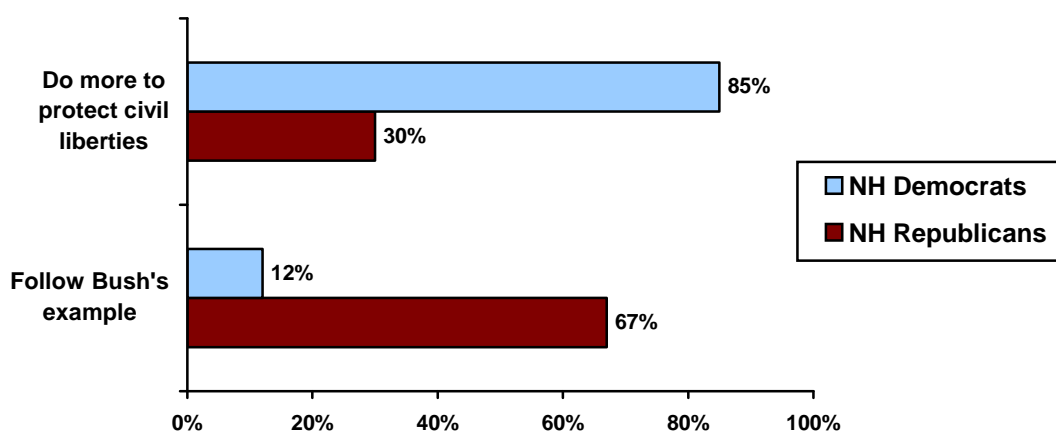


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A large majority (85%) of likely Democratic presidential primary voters in New Hampshire says they would “like the next president to do more to protect civil liberties while fighting terrorism,” while 67% of likely Republican primary voters in New Hampshire say they would “like the next president to follow the example of President Bush in fighting terrorism while protecting civil liberties.” There are twice as many Republicans who would like the next president to do more to protect civil liberties (30%) as there are Democrats who would like the next president to follow Bush’s example (12%).

The Next President’s Approach to Civil Liberties



Q10. Which of the following best describes your views: I would like the next president to follow the example of President Bush in fighting terrorism while protecting civil liberties? Or I would like the next president to do more to protect civil liberties while fighting terrorism? Do you feel that way strongly or somewhat?

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2. Democrats united in displeasure over wiretapping and weak congressional oversight of the president on civil liberties – Republicans hold mixed views on Congress checking the president

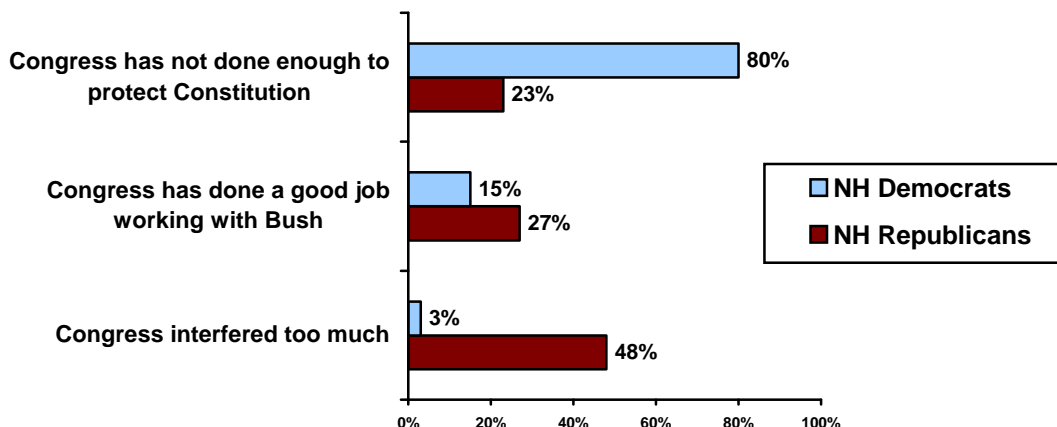
Democratic primary voters in New Hampshire overwhelmingly believe the president should not act on his own without the checks and balances of the courts and Congress (92%). However they do not believe that Congress has been effective in protecting civil liberties from Bush administration policies. Eight in ten (80%) Democrats say that Congress has not done enough to check the power of the president and protect our constitutional rights.

The recent decision by Congress to approve wiretapping of U.S. residents without a court warrant illustrates this belief. Three-quarters of New Hampshire Democrats (74%) believe that Congress made the “wrong decision” by giving President Bush the authority to continue to listen to telephone calls of U.S. residents who the government believes may have ties to terrorists without getting court warrants. Seventy-eight percent of New Hampshire Democrats believe the government can “effectively combat terrorism by getting court warrants before eavesdropping on phone calls of U.S. residents.”

Conversely, eight in ten (80%) New Hampshire Republicans believe that Congress was right to give the president authority to listen to telephone calls without a court warrant. Two-thirds (67%) of Republicans say that in order to fight terrorism, granting this authority was necessary.

Just over half of New Hampshire Republicans (51%) believe that the president should have the power to act on his own, while 46% say that the president should not be acting without the checks and balances of the courts and Congress. There is also some disagreement among Republicans over the role Congress has played in checking President Bush. Just under half (48%) believe that Congress has interfered with Bush too much while nearly three in ten (27%) believe that Congress has done a good job working with President Bush and just under one-quarter (23%) think that Congress has not taken a strong enough stand to protect our constitutional rights.

Views on the Role of Congress

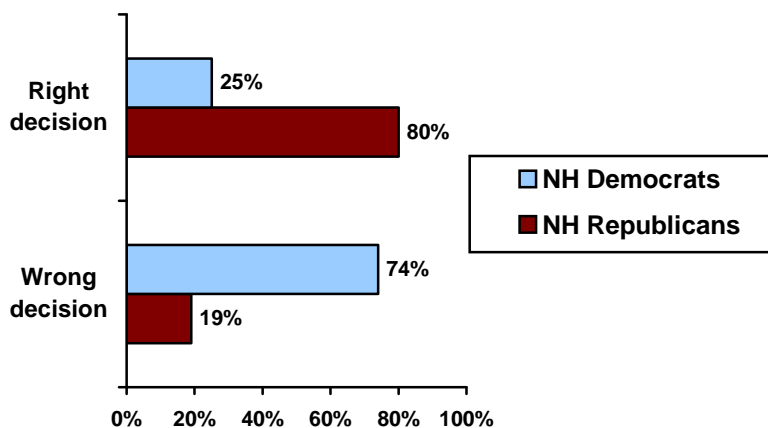


Q10. Here are three points of view. Please tell me which one matches yours most closely.

* Congress has NOT DONE ENOUGH to check the power of President Bush and protect our Constitutional rights * Congress has DONE A GOOD JOB working with President Bush to balance civil liberties and the fight against terrorism * Congress has INTERFERED TOO MUCH with President Bush's efforts to fight terrorism? Do you feel that way strongly or only somewhat?

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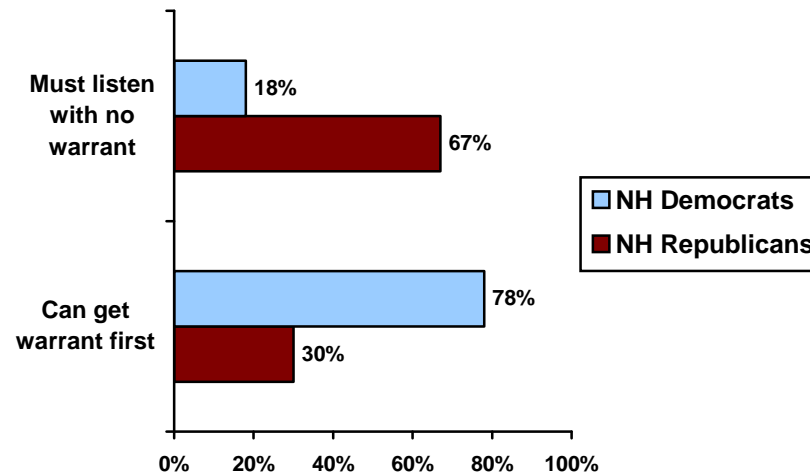
Congressional Approval for Wiretapping without a Warrant



Q17. Congress recently gave the president the authority to listen to telephone calls of U.S. residents the government believes may have ties to terrorists without getting a court warrant. Do you believe that it was the right decision or the wrong decision for Congress to give President Bush that authority? Do you feel that way strongly or somewhat?

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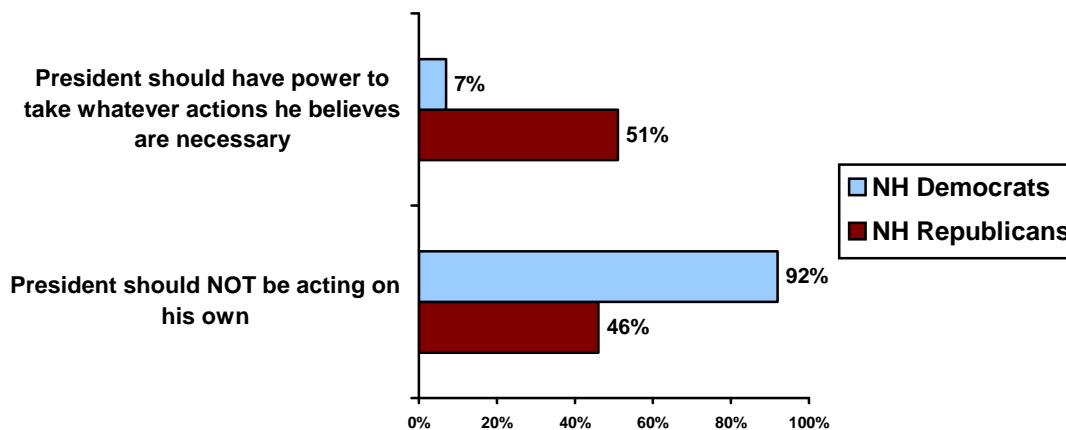
Necessity of Wiretapping without a Warrant



Q16. With whom do you agree more? Those who say that in order to fight terrorism the government needs to be allowed to listen to telephone calls of U.S. residents the government believes may have ties to terrorists, without getting a court warrant. Or those who say the government can just as effectively combat terrorism by getting court warrants before eavesdropping on phone calls of U.S. residents? Do you feel that way strongly or somewhat?

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Limits of Presidential Power



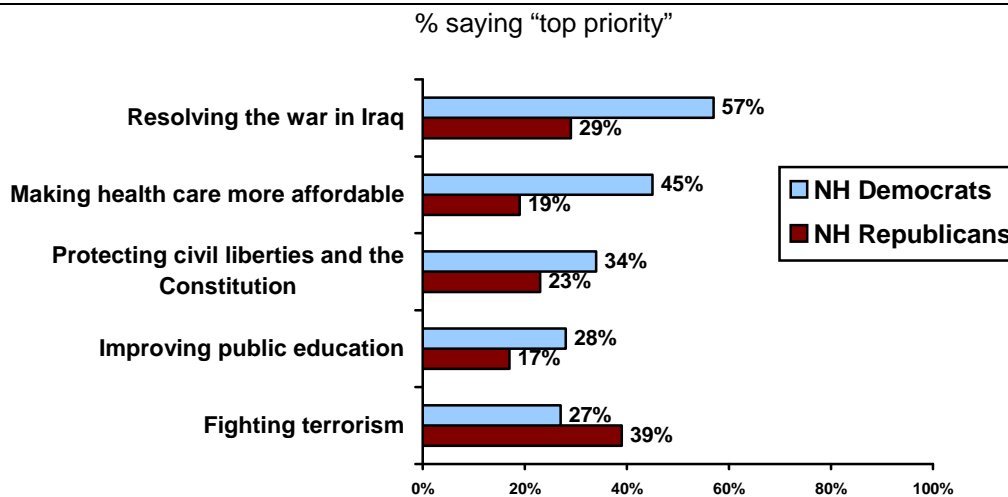
Q8. With whom do you agree more? Those who say: The president should have the power to take whatever actions he believes are necessary to protect the country from terrorists OR Those who say: The President should NOT be acting on his own in deciding how to fight terrorism without the checks and balances of the courts or Congress? Is that strongly or somewhat?

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3. Democrats and Republicans give protecting the Constitution high priority in their vote for president

When asked to rate the priority of five issues in their vote for president, protecting civil liberties and the Constitution was in the top three for both Democrats and Republicans. Democrats place highest priority on resolving the war in Iraq, followed by making health care more affordable and then protecting civil liberties and the Constitution. Republicans prioritize issues differently, with fighting terrorism getting top attention, followed by resolving the war in Iraq and protecting the Constitution and civil liberties.

Issue Priorities for Presidential Vote Choice



For each item I name, please tell me if it will be a top priority, high priority, middle priority, or low priority in your vote for president next year. Q2. Resolving the war in Iraq. Q3. Making health care affordable. Q6. Protecting civil liberties and the Constitution. Q5. Improving public education. Q4. Fighting terrorism.

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