

To: Citizens United and Interested Parties
From: McLaughlin & Associates
Re: National Survey – Key Findings
Date: March 1, 2010

Protecting 1st Amendment Free Speech Rights during Elections Is Paramount

- ✓ 98% of all likely voters believe it is important to protect their 1st Amendment right to free speech during elections (85% very important).
- ✓ By greater than a 9 to 1 ratio (90% to 7%) an overwhelming majority disapprove of Congress limiting their right to free speech during elections for President or Congress (82% **strongly** disapprove).
- ✓ A clear plurality (47% to 35%) approves of the Supreme Court’s decision that Congress **cannot** suppress or ban political speech by corporations and unions. Republicans (58% to 24%) and Independents (47% to 37%) approve of the Supreme Court’s decision while Democrats oppose it (45% to 37%).
- ✓ More than two-thirds (68% to 21%) believe banning books, movies or TV programs about candidates during campaigns is a violation of 1st Amendment free speech rights. This majority consensus cuts across party lines.
- ✓ Specifically, a large majority disapproves of Congress banning books (76% to 13%) or documentary films (72% to 18%) about candidates during election campaigns. This strong voter sentiment is evident across all political and population demographics.
- ✓ Two-thirds (65% to 25%) believe it is more important to protect the personal right to free speech during an election where you can support or oppose any candidate or issue as you so choose, instead of Congress placing limits on corporate and union spending on election campaigns. Regardless of party affiliation, the majority of Republicans, Democrats and Independents believes protecting free speech is the priority.

Opposition of Supreme Court Ruling Allowing Unlimited Campaign Spending Erodes After Voters Realize It Limits Their Free Speech Rights

At first, the majority (61% to 28%) opposes the Supreme Court ruling that says corporations and unions can spend as much money as they want to help political candidates win elections, which is a much lower level of opposition in comparison to the Washington Post-ABC poll of all adults. Our survey of likely voters is a more accurate representation of the voting electorate. Regardless, after being informed, more than one-third of the opposition would change their mind, which illustrates the potential to turn public opinion in the other direction.

	McLaughlin & Associates 1,000 Likely Voters <u>2/25/10</u>	Washington Post-ABC Poll 1,004 Adults <u>2/8/10</u>
Support	28	18
Oppose	61	80
Don’t Know	11	2

- ✓ 35% of the opposition would no longer oppose the Supreme Court ruling knowing that their right to free speech or the free speech of independent non-partisan organizations to support or oppose a candidate during an election would become illegal, 30% are now undecided. Only 3 in 10, 31%, would still oppose this decision, even if their right to free speech would be limited.

Support for Limits on Campaign Spending Dissolves

Initially, a slight majority (53% to 32%) supports an effort by Congress to reinstate limits on corporate and union spending on election campaigns. However, after hearing the consequences, the support dissolves and voters can be swayed to oppose the proposal.

- ✓ Only 45% still support this and 37% of supporters would change their mind if they knew these limits would apply to independent organizations, corporations and unions BUT not to the Republican and Democratic parties, incumbent members of Congress or media corporations.
- ✓ Only 44% still support this and 38% of supporters switch their opinion if they knew Barack Obama and Democratic Congressman Chris Van Hollen, who are leading the charge for this legislation. both accepted direct campaign contributions from corporations as state legislators.

Barack Obama & Democrats Are Vulnerable to Public Backlash

The survey results indicate that Barack Obama and Democrats will expose themselves to voter backlash if they try to ram through their election campaign spending legislation.

- ✓ There is already a baseline of cynicism leading voters to believe that every time Congress passes federal election laws and tries to limit campaign spending, they are really trying to limit free speech in order to get themselves re-elected (43% agree to 43% disagree).
- ✓ After hearing that Barack Obama and Democratic Congressman Chris Van Hollen have accepted corporate and union donations, half (49%) believes Barack Obama and Democrats like Chris Van Hollen are being hypocrites and they are only doing this because they believe it will help Democrats win their elections and keep control of Congress. Only one-third (34%) thinks Barack Obama and Democrats like Chris Van Hollen are doing the right thing now, regardless of the corporate and union campaign donations they have taken in the past. The opinion splits along party lines but the Republican opinion (74% hypocrites) is more intense than Democrats (55% right thing). The plurality of Independents believes they are hypocrites (48% to 35%).

Methodology: This national survey was conducted among 1,000 likely voters on February 24-25, 2010. All interviews were conducted via telephone by professional interviewers. Interview selection was random within predetermined election units. These units were structured to correlate with actual general election voter turnout. This survey of 1,000 likely voters has an accuracy of +/- 3.1% at a 95% confidence interval.

Below are the questions with the results, and the wording for each question is verbatim from the questionnaire.

How personally important an issue IS protecting YOUR First Amendment right to Free Speech during elections? Would you say....

	Total
Important	98
Very	85
Somewhat	13
Not Important At All	2

Would you approve or disapprove of Congress limiting YOUR right to free speech during elections for President or Congress?

	Total
Approve	7
Disapprove	90
DK/Refused	4

Do you approve or disapprove of the United States Supreme Court's decision, that Congress cannot suppress or ban political speech by corporations and unions?

	Total
Approve	47
Disapprove	35
DK/Refused	18

Do you consider the banning of books, movies or TV programs about candidates during campaigns a violation of First Amendment free speech rights?

	Total
Yes	68
No	21
DK/Refused	11

Do you approve or disapprove of Congress banning the following media about candidates during campaigns?

	Books	Documentary Films
Approve	13	18
Disapprove	76	72
DK/Refused	11	10

Which of the following do you think is **MORE** important? (**READ & ROTATE CHOICES**) Protecting **YOUR** personal right to free speech during an election where **YOU** can support or oppose any candidate or issue as **YOU** so choose. **OR**, Congress placing limits on corporate and union spending on election campaigns.

	Total
Free Speech	65
Limit Spending	25
DK/Refused	10

Do you support or oppose the recent ruling by the Supreme Court that says corporations and unions can spend as much money as they want to help political candidates win elections?

	Total
Support	28
Oppose	61
DK/Refused	11

If Oppose: Would you still oppose this decision, if you knew that **YOUR** right to free speech or the free speech of independent non-partisan organizations, to support or oppose a candidate, during an election would become illegal?

	Total
Yes	35
No	35
DK/Refused	30

Would you support or oppose an effort by Congress to reinstate limits on corporate and union spending on election campaigns?

	Total
Support	53
Oppose	32
DK/Refused	15

Would you still support this, if you knew these limits would apply to independent organizations, corporations and unions, but not to the Republican and Democratic political parties, incumbent members of Congress or media corporations?

	Total
Yes	45
No	37
DK/Refused	18

Would you still support this if you knew Barack Obama and Democrat Chris Van Hollen, who are leading the charge for this legislation, both accepted direct campaign contributions from corporations as state legislators?

	Total
Yes	44
No	38
DK/Refused	19

Do you agree or disagree of the following statement? "Every time Congress passes federal election laws and tries to limit campaign spending, they are really trying to limit free speech, in order to get themselves re-elected."

	Total
Agree	43
Disagree	43
DK/Refused	14

*Barack Obama and Democratic Congressman Chris Van Hollen are leading the charge to reinstate limits on corporate and union spending on election campaigns, but as state legislators both Barack Obama and Chris Van Hollen accepted the same type of corporate and union donations that they are criticizing now. Knowing this which of the following statements comes closest to your own personal opinion? (READ AND ROTATE CHOICES) Barack Obama and Democrats like Chris Van Hollen are doing the right thing now, regardless of the corporate and union campaign donations they have taken in the past. **OR,** Barack Obama and Democrats like Chris Van Hollen are being hypocrites and they are only doing this because they believe it will help Democrats win their elections and keep control of Congress.*

	Total
Doing the Right Thing	34
Hypocrites	49
DK/Refused	17