

Peter D. Hart Research Associates, a national public opinion polling firm, is conducting a national survey concerning issues facing the country and would like your opinions on a few questions. This survey is being conducted for research purposes only, and you will not be sold anything.

Q1 Are you currently registered to vote?

Registered .....	1	CONTINUE
Not registered .....	2	TERMINATE
Not sure .....	3	TERMINATE

Q2 In general, do you approve or disapprove of the job that George W. Bush is doing as president?

Approve .....	1
Disapprove .....	2
Not sure .....	3

**FORM A**

Q3a How much confidence do you have in **ITEM** when it comes to protecting the country against terrorism?

1. The Democrats in Congress
2. The Republicans in Congress
3. George W. Bush

A great deal of confidence.....	1
A fair amount of confidence.....	2
Just some confidence.....	3
Very little confidence .....	4
No confidence at all .....	5
Not sure.....	6

**FORM B**

Q3b How much confidence do you have in **ITEM** when it comes to striking the right balance between respecting people's legal rights and protecting the country against terrorism?

1. The Democrats in Congress
2. The Republicans in Congress
3. George W. Bush

A great deal of confidence.....	1
A fair amount of confidence.....	2
Just some confidence.....	3
Very little confidence .....	4
No confidence at all .....	5
Not sure.....	6

Q4 As you may know, the U.S. government is detaining several hundred people who it says are suspected terrorists at prison facilities run by the U.S. military in Guantánamo Bay Cuba. How closely have you followed news about this issue?

Followed very closely .....	1
Followed somewhat closely .....	2
Have not followed too closely .....	3
Have not followed closely at all .....	4
Not sure.....	5

**FORM A**

Q5a In general, do you approve or disapprove of the way **the Bush administration** has handled the imprisonment and treatment of suspected terrorists? Is that somewhat or strongly approve/disapprove?

- Strongly approve ..... 1
- Somewhat approve.....2
- Somewhat disapprove.....3
- Strongly disapprove.....4
- Not sure.....5

**FORM B**

Q5b In general, do you approve or disapprove of the way **the U.S. government** has handled the imprisonment and treatment of suspected terrorists? Is that somewhat or strongly approve/disapprove?

- Strongly approve ..... 1
- Somewhat approve.....2
- Somewhat disapprove.....3
- Strongly disapprove.....4
- Not sure.....5

Q6 Please read the following pair of statements about the people being detained by the United States government as suspected terrorists, and indicate which one you agree with more.

Statement A: The government has a good reason to detain each of these suspects, and nearly all of them pose a real threat to our country, OR

Statement B: The government sometimes makes mistakes when it detains suspects, and some of them could very well be innocent.

- Statement A--agree much more ..... 1
- Statement A--agree somewhat more.....2
- Statement B--agree somewhat more.....3
- Statement B--agree much more .....4
- Not sure.....5

Q7 Do you think holding prisoners at the Guantánamo Bay military prison has or has not damaged the United States' image in the rest of the world?

- Has damaged the United States' image..... 1
- Has not damaged the United States' image ..... 2
- Not sure..... 3

Q8 Some people have proposed closing down the facility at Guantanamo Bay and moving the terrorist suspects to military bases in the United States. Do you strongly favor, somewhat favor, somewhat oppose, or strongly oppose this proposal?

- Strongly favor ..... 1
- Somewhat favor .....2
- Somewhat oppose.....3
- Strongly oppose .....4
- Not sure.....5

Q9a In your opinion, should suspected terrorists imprisoned by the U.S. government, and who are not U.S. citizens, have the same legal rights as U.S. citizens who are suspected of a crime?

- Yes ..... 1
- No ..... 2
- Not sure ..... 3

**ASK IF NO ON Q9a:**

Q9b And would you say that these suspected terrorists should have some legal rights, or no legal rights?

- Some rights ..... 1
- No rights ..... 2
- Not sure ..... 3

**FORM A:**

Q10a For each of the following legal rights, please indicate if you think people who are detained as suspected terrorists should or should not have this right.

1. The right to an independent review by a federal judge to determine if their detention is lawful
2. The right to require the government to demonstrate that it has a valid reason to imprison them
3. The right to hear the evidence against them
4. The right to due process
5. The right to be released unless they are eventually charged with a crime and brought to trial
6. The right to see an attorney

- Definitely should have ..... 1
- Probably should have ..... 2
- Probably should not have ..... 3
- Definitely should not have ..... 4
- Not sure ..... 5

**FORM B:**

Q10b For each of the following legal rules, please indicate if you think it should apply to people who are detained as suspected terrorists.

1. An independent review by a federal judge to determine if the detention is lawful
2. A rule that the government must demonstrate that it has a valid reason to imprison them
3. The detainee may hear the evidence against them
4. Due process for detainees
5. The government must eventually charge detainees with a crime and bring them to trial, or release them
6. The government must allow detainees to see an attorney

- Definitely should apply ..... 1
- Probably should apply ..... 2
- Probably should not apply ..... 3
- Definitely should not apply ..... 4
- Not sure ..... 5

Q11 There is now proposed legislation in Congress that would give detainees suspected of terrorism the legal right to have their detention reviewed in federal court, and require the government to demonstrate that it has a lawful reason to imprison them. Do you strongly favor, somewhat favor, somewhat oppose, or strongly oppose this legislation?

- Strongly favor ..... 1
- Somewhat favor.....2
- Somewhat oppose.....3
- Strongly oppose .....4
- Not sure.....5

Q12 Next, you will read three current federal government policies for dealing with people being detained as suspected terrorists. These policies apply only to people who are not U.S. citizens. For each one, please indicate whether you strongly approve, somewhat approve, somewhat disapprove, or strongly disapprove of this policy.

1. The detainees, called "enemy combatants," are tried by secret military tribunals, not in the courts
2. Military hearings are held to determine if there is evidence to hold a detainee, but in these hearings the detainee has no lawyer and cannot learn the evidence against them.
3. Detainees may be held indefinitely, without ever being charged or brought to trial

- Strongly approve ..... 1
- Somewhat approve.....2
- Somewhat disapprove.....3
- Strongly disapprove.....4
- Not sure.....5

**FORM A**

Q13a In situations where a detainee claims he is being held by mistake and has no ties to terrorism, do you have more confidence in the military or in **the federal courts** to make the correct determination of whether the detainee should continue to be held?

- The military ..... 1
- Federal courts .....2
- Not sure.....3

**FORM A**

Q13b In situations where a detainee claims he is being held by mistake and has no ties to terrorism, do you have more confidence in the military or in **a federal judge** to make the correct determination of whether the detainee should continue to be held?

- The military ..... 1
- Federal judge .....2
- Not sure.....3

Q14 Below are different types of people who been detained by the United States as suspected terrorists. For each one, please indicate if you think this type of suspect should have the legal right to have their detention reviewed in federal court.

1. **FORM A:** A foreign citizen who is a legal U.S. resident and who was arrested within the United States
2. **FORM B:** A foreign citizen who is a legal U.S. resident and who was arrested in a foreign country
3. A foreign citizen
4. A foreign fighter captured on a battlefield by U.S. soldiers in Iraq or Afghanistan

Definitely should have ..... 1  
Probably should have..... 2  
Probably should not have ..... 3  
Definitely should not have ..... 4  
Not sure..... 5

**FORM A**

Q15a Please read the following pair of statements about legal rights for detainees, and indicate which one you agree with more.

Statement A: Detainees should have the right to challenge their detention in federal court because some of them may be innocent people caught up in police sweeps or falsely accused by informants to collect rewards. Current policy allows the government to hold a suspect indefinitely, without showing any evidence of guilt or ever bringing the suspect to trial. The government just makes too many mistakes to have this kind of power without independent judicial review. OR

Statement B: We are not obligated to give foreign fighters and terrorists the legal rights enjoyed by American citizens. Some of the world's most dangerous men are at Guantanamo, including Khalid Sheik Mohammed, the mastermind of the September 11 attacks. We should not create legal roadblocks that prevent our military from gathering intelligence and keeping us safe.

Statement A--agree much more ..... 1  
Statement A--agree somewhat more..... 2  
Statement B--agree somewhat more..... 3  
Statement B--agree much more ..... 4  
Not sure..... 5

**FORM B**

Q15b Please read the following pair of statements about legal rights for detainees, and indicate which one you agree with more.

Statement A: The current policy is un-American and contradicts basic American values. We are people who believe in freedom and human rights, not people who think the government should be able to imprison people indefinitely without any proof of wrongdoing. We need to defend ourselves against terrorism, but to do that we don't have to stop being America. OR

Statement B: We are not obligated to give foreign fighters and terrorists the legal rights enjoyed by American citizens. Some of the world's most dangerous men are at Guantanamo, including Khalid Sheik Mohammed, the mastermind of the September 11 attacks. We should not create legal roadblocks that prevent our military from gathering intelligence and keeping us safe.

Statement A--agree much more ..... 1  
Statement A--agree somewhat more..... 2  
Statement B--agree somewhat more..... 3  
Statement B--agree much more ..... 4  
Not sure..... 5

Q16 I'm going to read you some statements made about the detainees being held as suspected terrorists, and for each one please tell me if you feel that the statement – if true – is a reason to favor legal rights for detainees, a reason to oppose legal rights for detainees, or not a reason either way.

1. Most of the current detainees were arrested by police in Pakistan or other countries, not captured on a battlefield.
2. Many detainees are being held based on testimony given by people who received a financial reward for turning in the suspect
3. The government already has released about 250 suspects that it was holding in Guantánamo, after determining they did not pose a threat.
4. The Bush administration has determined that about 200 of the current detainees are not a threat and will not be prosecuted, but they are still being held in prison

Reason to favor ..... 1  
Reason to oppose ..... 2  
Not reason either way ..... 3  
Not sure ..... 4

Q17a Which do you think should be the more important priority for the government: protecting the nation from terrorism or protecting constitutional rights and civil liberties?

Protect from terrorism..... 1  
Protect rights and liberties..... 2  
Not sure..... 3

Q17b And in your opinion, do we have to choose between protecting the nation from terrorism and protecting rights and liberties, or do you think we can do both?

Have to choose ..... 1  
Can do both ..... 2  
Not sure..... 3

Q18 Here is a pair of statements about the proposed legislation that would give detainees the right to have their detention reviewed in federal court. Please indicate which statement you agree with more.

Statement A: Supporters of the legislation say the right to judicial review of one's detention, called 'habeas corpus,' is a fundamental constitutional right that has not been suspended since the Civil War. Eliminating habeas rights is unconstitutional and a violation of everything America stands for, OR

Statement B: American citizens, even those accused of terrorism, retain all their constitutional rights. The military commissions are used only to handle terrorism suspects from other nations. We have no obligation to extend constitutional rights to foreigners who are trying to destroy our freedom.

Statement A--agree much more ..... 1  
Statement A--agree somewhat more..... 2  
Statement B--agree somewhat more..... 3  
Statement B--agree much more ..... 4  
Not sure..... 5

**FORM A**

Q19a Here is another pair of statements about the proposed legislation that would give detainees the right to have their detention reviewed in federal court. Please indicate which statement you agree with more.

Statement A: Giving accused foreign terrorists the same legal rights as a U.S. citizen will undermine our security by releasing terrorists. Already some of the Guantánamo detainees who were released have returned to waging war against the United States, OR

Statement B: Federal judges are not going to release any detainee for whom the government has any evidence at all that he is a terrorist. These legal rights will give the innocent a chance to challenge their detention, without undermining our security.

- Statement A--agree much more ..... 1
- Statement A--agree somewhat more.....2
- Statement B--agree somewhat more.....3
- Statement B--agree much more .....4
- Not sure..... 5

**FORM B**

Q19b Here is another pair of statements about the proposed legislation that would give detainees the right to have their detention reviewed in federal court. Please indicate which statement you agree with more.

Statement A: Giving accused foreign terrorists the same legal rights as a U.S. citizen will undermine our security by releasing terrorists. Already some of the Guantánamo detainees who were released have returned to waging war against the United States, OR

Statement B: Standing for the rule of law and personal freedoms is part of what makes America strong. We can't stand for freedom in the world while undermining it at home. We will be stronger and safer if we uphold American principles and values .

- Statement A--agree much more ..... 1
- Statement A--agree somewhat more.....2
- Statement B--agree somewhat more.....3
- Statement B--agree much more .....4
- Not sure..... 5

Q20 Here is another pair of statements about the proposed legislation. Please indicate which statement you agree with more.

Statement A: These enemy combatants are Prisoners of War, and are not entitled to the legal rights of a U.S. citizen. Never in history have POWs been given access to civilian court systems to question military authority. We should not turn an enemy combatant into a criminal defendant in U.S. court and give that person the same rights as a U.S. citizen. We are at war, and these are terrorists, not criminal defendants. OR

Statement B: No one is proposing to give detainees all the legal rights of U.S. citizens. The issue is whether they can have a federal court review their case, just to ensure the government has some lawful reason to hold them. And most detainees are not enemy soldiers captured on a battlefield – they are civilians arrested by police in foreign countries. In fact, the government now admits that many people detained at Guantanamo were not a threat. Innocent people detained by mistake have a right to an independent review of their detention.

- Statement A--agree much more ..... 1
- Statement A--agree somewhat more.....2
- Statement B--agree somewhat more.....3
- Statement B--agree much more .....4
- Not sure..... 5



Q23 Next you will read a series of concerns that people have about current detainee policies and denying detainees the legal right to challenge their detention in federal court. For each one, please rate how serious a concern this is for you on a scale from zero to ten, on which a "10" means extremely serious concern, a "0" means it is not a serious concern, and a "5" is in the middle. You may use any number from zero to ten.

1. Some of those being imprisoned may be innocent people arrested by mistake. They have a right to have an independent review of their detention.
2. The current policy is un-American and contradicts basic American values. We are people who believe in freedom and human rights, not people who think the government should be able to imprison people indefinitely without any proof of wrongdoing. We need to defend ourselves against terrorism, but to do that we don't have to stop being America.
3. The current policy puts Americans traveling or working abroad at risk. If the U.S. government says that it can detain people from other countries without proof, it has no leverage to demand that other countries grant basic rights to our citizens. Americans arrested overseas -- including students or tourists -- will be in much greater danger.
4. Current policy allows the government is allowed to hold a suspect indefinitely, without showing any evidence of guilt or ever bringing the suspect to trial. The government just makes too many mistakes to have this kind of power without any independent review.
5. The president gets to unilaterally determine who is an enemy, and put them in prison indefinitely. Without judicial review, there is no check on the president's power – he is prosecutor, judge, and jury.
6. The denial of legal rights applies to 12 million lawful permanent residents in the United States. Under current law, any of these people can be detained, forever, without any ability to challenge their detention in court.
7. As we limit the rights of human beings, even those of the enemy, we become more like the enemy. That makes us weaker and imperils our valiant troops serving in Iraq, Afghanistan, and around the globe
8. Colin Powell has said that current policies "have shaken the belief the world had in America's justice system by keeping a place like Guantanamo open and creating things like the military commission. We don't need it and it is causing us far more damage than any good we get for it."
9. Countries like Cuba, China, and North Korea deny the right of judicial review to those imprisoned by the government. That is not the kind of company the United States of America wants to keep.
10. The current policy is isolating us in the world community. Even our most valued allies in fighting terrorism, like Great Britain, have said it is a "shocking affront to democracy."
11. Denying the right of judicial review is a clear violation of international law, and violates several international treaties signed by the United States, including the Geneva Conventions.
12. **FORM A:** The current policy undermines America's standing and respect in the world, and isolates us from other nations. Our allies all give the right of habeas corpus to suspects from other nations, and believe that our policy violates international law.
13. **FORM B:** The current policy undermines America's standing and respect in the world, and isolates us from other nations. Our allies all give the right of habeas corpus to suspects from other nations, and believe that our policy violates international law. This policy hurts our ability to get other nations to help us in the fight against terrorism, forcing American soldiers and taxpayers to carry the burden alone.

How convincing is this statement as a reason to support the proposed legislation allowing detainees to challenge their detention?

0 1 2 3 4 5 6 7 8 9 10  
Not At All Extremely  
Convincing Convincing

Q24 And overall, which of the following most concern you about current policies regarding detainees suspected of terrorism? Please rank them in order of concern to you, using "1" to indicate your greatest concern, "2" for your next greatest concern, and so on. If none of these concern you, indicate that.

- Innocent people could be imprisoned for years with no right to be heard ..... 1
- Support for America around the world is undermined ..... 2
- Americans who work or travel abroad are put at greater risk ..... 3
- The policies violate basic American values and what we stand for..... 4
- Presidents shouldn't have the unilateral power to imprison people they decide are an enemy . 5
- None of these concern me ..... 6
- Not sure..... 7

Q25 Finally, thinking about all the issues involved, there is now proposed legislation in Congress that would give detainees suspected of terrorism the legal right to have their detention reviewed in federal court, and require the government to demonstrate that it has a lawful reason to imprison them. Do you strongly favor, somewhat favor, somewhat oppose, or strongly oppose this legislation?

- Strongly favor ..... 1
- Somewhat favor..... 2
- Somewhat oppose..... 3
- Strongly oppose ..... 4
- Not sure..... 5

**FACTUALS: The last few questions are for statistical purposes only.**

Q1 What is your gender?

- Male..... 1
- Female ..... 2

QF1 How old are you?

- 18-24 ..... 1
- 25-29 ..... 2
- 30-34 ..... 3
- 35-39 ..... 4
- 40-44 ..... 5
- 45-49 ..... 6
- 50-54 ..... 7
- 55-59 ..... 8
- 60-64 ..... 9
- 65-69 ..... 10
- 70-74 ..... 11
- 75 and over ..... 12
- Refused ..... 13

QF2 What is the last grade that you completed in school?

- Grade school ..... 1
- Some high school..... 2
- High school graduate ..... 3
- Some college, no degree ..... 4
- Vocational training/2-year college ..... 5
- 4-year college/bachelor's degree ..... 6
- Some postgraduate work, no degree ..... 7
- 2 or 3 years' postgraduate work/master's degree..... 8
- Doctoral/law degree ..... 9
- Not sure/refused..... 10

QF3 Regardless of how you may be registered, what is your overall point of view in terms of the political parties—are you mostly Democratic, leaning Democratic, completely independent, leaning Republican, or mostly Republican?

- Mostly Democratic..... 1
- Leaning Democratic ..... 2
- Completely independent..... 3
- Leaning Republican..... 4
- Mostly Republican ..... 5
- Not sure..... 6

QF4 Thinking about your general approach to issues, do you consider yourself to be liberal, moderate, or conservative?

- Liberal..... 1
- Moderate ..... 2
- Conservative ..... 3
- Not sure..... 4

QF5 Are you currently single and never married, unmarried and living with a partner, married, separated, widowed, or divorced?

- Single and never married ..... 1
- Unmarried and living with partner..... 2
- Married ..... 3
- Separated..... 4
- Widowed ..... 5
- Divorced ..... 6
- Other ..... 7
- Not sure/refused..... 8

QF6a What is your religion?

- |  |           |
|--|-----------|
| Protestant (includes Baptist, Lutheran, Methodist, Episcopal, Presbyterian, and other Christians)..... 1 | CONTINUE  |
| Catholic ..... 2   | CONTINUE  |
| Jewish ..... 3   | GO TO QF7 |
| Other ..... 4  | CONTINUE  |
| None..... 5  | GO TO QF7 |
| Not sure/refused..... 6  | CONTINUE  |

QF6b Do you think of yourself as a born-again Christian, or don't you think of yourself that way?

- Born-again..... 1
- Not born-again..... 2
- Not sure..... 3

QF7 How would you describe the area in which you live--urban, suburban, small town, or rural?

- Urban..... 1
- Suburban..... 2
- Small town..... 3
- Rural..... 4
- Not sure..... 5

QF8 Are you from a Hispanic or Spanish-speaking background?

- Yes, Hispanic/Spanish-speaking..... 1
- No, not Hispanic/Spanish-speaking ..... 2
- Refused..... 3

QF9 What is your race--white, black, Asian, or something else?

White .....	1
Black.....	2
Asian .....	3
Other .....	4
Hispanic (VOL) .....	5
Not sure/refused.....	6