

FOR RELEASE FEBRUARY 22, 2016

Majority of Public Wants Senate to Act on Obama's Court Nominee

Most opponents reject hearings no matter whom Obama nominates

FOR MEDIA OR OTHER INQUIRIES:

Carroll Doherty, Director of Political Research

Bridget Jameson, Communications Associate

202.419.4372

www.pewresearch.org

Majority of Public Wants Senate to Act on Obama's Court Nominee

Most opponents reject hearings no matter whom Obama nominates

In the high-stakes battle over replacing Justice Antonin Scalia on the Supreme Court, a majority of Americans (56%) say the Senate should hold hearings and vote on President Obama's choice to fill the vacancy. About four-in-ten (38%) say the Senate should not hold hearings until the next president selects a court nominee.

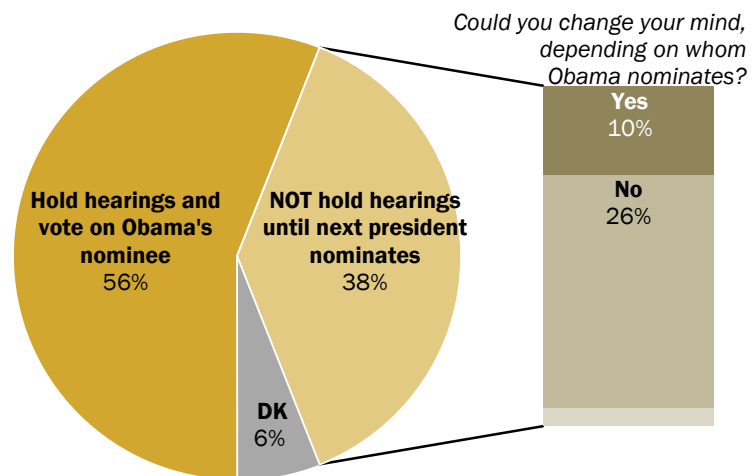
Most of those who want the Senate to hold off consideration of a Supreme Court nominee say they would not change their minds about this, regardless of whom Obama selects to

replace Scalia. About a quarter of the public (26%) favors the Senate delaying action on the court vacancy, and say they would not be swayed from this view no matter whom Obama nominates. Just 10% of the public favors holding off action on the court vacancy, but say they may change their minds, depending on whom Obama nominates.

The national survey by Pew Research Center, conducted Feb. 18-21 among 1,002 adults, finds wide partisan and ideological differences in opinions about how the Senate should address the Supreme Court vacancy.

Most say Senate should hold hearings and vote on Obama's nominee to replace Justice Scalia

The Senate should ...



Source: Survey conducted Feb. 18-21, 2016.
 Figures may not add to 100% because of rounding.

PEW RESEARCH CENTER

Two-thirds of Republicans (66%) –including 71% of conservative Republicans – say the Senate should not hold hearings on Scalia’s replacement until the next president selects a nominee. An even larger share of Democrats (79%) say the Senate should hold hearings and vote on whomever Obama nominates; among liberal Democrats, fully 85% express this view.

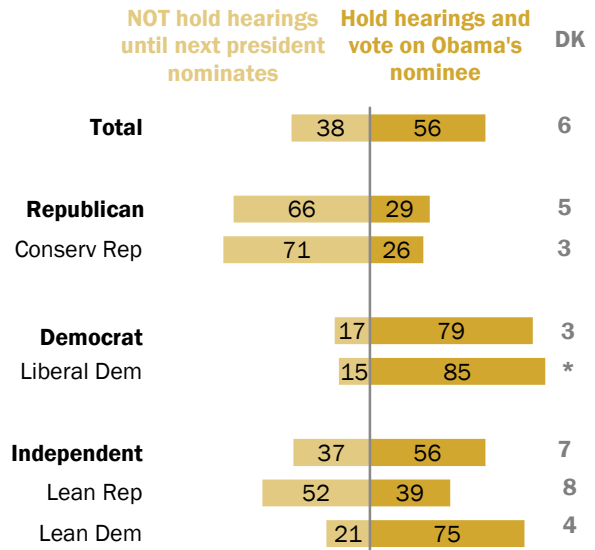
Scalia’s death and the subsequent debate over whether the Senate should consider Obama’s court nominee have drawn broad interest. About seven-in-ten Americans (71%) have heard a lot (45%) or a little (26%) about Scalia’s death and the vacancy on the court.

And nearly six-in-ten (57%) say the choice of the next Supreme Court justice is very important to them personally. In April 2010, after Justice John Paul Stevens announced his retirement from the court, and before Obama named Justice Elena Kagan as his replacement, just 40% viewed the choice of a new Supreme Court justice as very important.

However, there continue to be substantial demographic differences in views of the importance of the selection of a new Supreme Court justice.

Wide ideological gap on whether Senate should act on Obama’s court nominee

% who think the Senate should ...

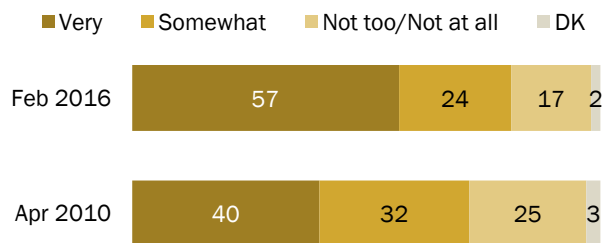


Source: Survey conducted Feb. 18-21, 2016. Figures may not add to 100% because of rounding.

PEW RESEARCH CENTER

More see court choice as very important than after Justice Stevens’ retirement

How important is the choice of next Supreme Court justice to you personally? (%)



Source: Survey conducted Feb. 18-21, 2016. Figures may not add to 100% because of rounding.

PEW RESEARCH CENTER

Just 37% of those younger than 30 say the choice of the next justice is very important, little changed from April 2010 (34%). Among older age groups, majorities say the selection of a new Supreme Court justice is very important, and since 2010 there have been sizable increases in the shares of each age group expressing this view.

Two-thirds of Republicans (67%) view the selection of a new justice on the high court as very important, as do 62% of Democrats. But only about half of independents (52%) say the choice of a new court justice is very important.

There also continue to be educational differences in views of importance of the selection of a new Supreme Court justice. Fully 73% of those with postgraduate degrees view this choice as very important; just half (50%) of those with no more than a high school education agree.

Young people far less likely to view Supreme Court choice as very important

% who say choice of next Supreme Court justice is very important ...

	April 2010	February 2016	'10-'16 change
	%	%	
Total	40	57	+17
Men	40	61	+21
Women	41	54	+13
White	37	62	+25
Black	56	50	-6
18-29	34	37	+3
30-49	36	61	+25
50-64	43	64	+21
65+	53	65	+12
Postgrad*	49	73	+25
College grad	46	62	+16
Some college	42	58	+16
High school or less	35	50	+15
Republican	46	67	+21
Democrat	43	62	+19
Independent	36	52	+16

Source: Survey conducted Feb. 18-21, 2016.

Whites and blacks include only those who are not Hispanic.

*In 2010, any postgrad experience; currently, only postgrad degree.

PEW RESEARCH CENTER

Views on how the Senate should handle Supreme Court vacancy

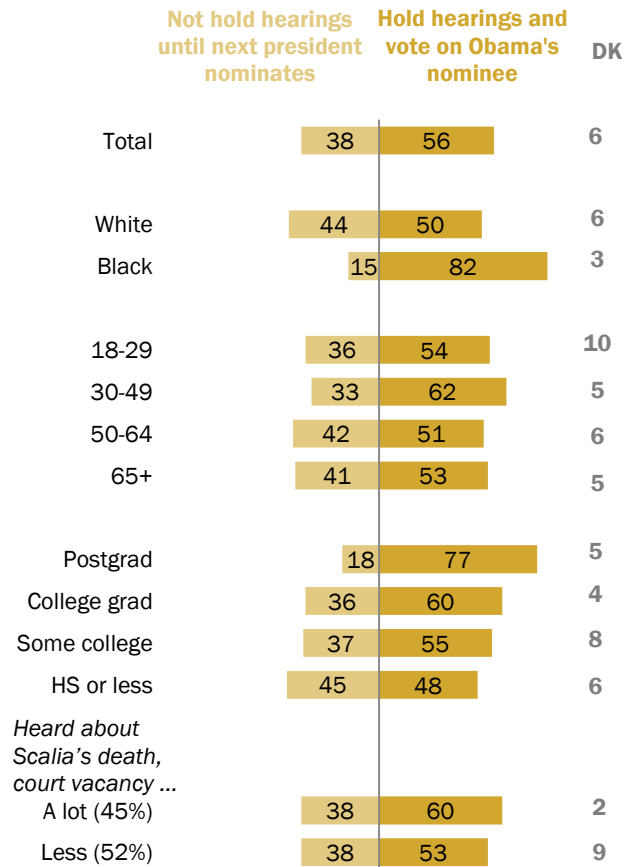
There are wide racial and educational differences in opinions about how the Senate should deal with the vacancy created by Scalia's death. Fully 82% of African Americans say the Senate should hold hearings and vote on Obama's nominee for the high court. Just half (50%) of whites agree, while 44% say the Senate should not hold hearings until the next president selects a court nominee.

By more than four to one (77% to 18%), those with postgraduate degrees say the Senate should hold hearings and vote on Obama's nominee, rather than delaying action until the next president fills the court vacancy. Majorities of those with college degrees (60%) and some college experience (55%) also favor the Senate acting on Obama's choice for the high court.

But those with no more than a high school degree are divided: 48% say the Senate should act on Obama's nominee, while 45% say the Senate should not hold hearings until the next president selects a nominee.

Large racial, educational differences in opinions about whether Senate should act on Obama court nominee

% who think the Senate should ...



Source: Survey conducted Feb. 18-21, 2016. Whites and blacks include only those who are not Hispanic. Figures may not add to 100% because of rounding.

PEW RESEARCH CENTER

Across most demographic and partisan groups, most of those who favor delaying action on the Supreme Court vacancy say they would not change their minds regardless of whom Obama nominates.

Among conservative Republicans, for example, 71% say the Senate should not hold hearings until the next president nominates a Supreme Court justice – and 51% say they would not change their minds depending on whom Obama nominates. Just 18% of conservative

Republicans say they may change their minds, depending on whom Obama chooses for the court.

About half of conservative Reps say they won't change mind about delaying hearings, regardless of nominee

% who think the Senate should ...

	Hold hearings, vote on Obama's nominee %	Not hold hearings until next president nominates %	Could you change your mind depending on whom Obama nominates?		
			Yes %	No %	DK %
Total	56	38	10	26	6=100
Republican	29	66	20	44	5=100
Conservative Rep	26	71	18	51	3=100
Democrat	79	17	3	13	3=100
Liberal Dem	85	15	3	10	*=100
Independent	56	37	10	26	7=100

Source: Survey conducted Feb. 18-21, 2016. Figures may not add to 100% because of rounding. "Don't know" responses to follow-up question about changing mind not shown.

PEW RESEARCH CENTER

Perceptions of Justice Scalia's ideology

The public has long shown a dim awareness of the members of the Supreme Court. In a 2015 survey, for instance, just 34% correctly identified John Roberts as chief justice. (For more see ["5 facts about the Supreme Court."](#))

In the new survey, 55% of the public say that Justice Scalia was generally considered a conservative, 11% say he was considered a moderate and 9% say he was viewed as a liberal. A quarter does not offer a response about Scalia's ideology.

Awareness of Scalia's ideological leanings is much higher among older than younger adults. And while majorities of those with at least some college experience know Scalia's ideology, just 37% of those with only a high school degree say he is generally regarded as a conservative. Those who say they heard a lot about Scalia's death and the vacancy it left in the court are more than twice as likely as those who say they heard less about this to say that Scalia was generally considered a conservative (80% vs. 34%).

Older adults, those with some college aware of Justice Scalia's ideology

% who say Justice Scalia was generally considered a ...

	Liberal	Moderate	Conservative	DK
	%	%	%	%
Total	9	11	55	25=100
Men	10	10	61	19=100
Women	8	13	48	31=100
White	6	11	62	22=100
Black	14	20	41	25=100
18-29	9	20	44	27=100
30-49	12	10	54	24=100
50-64	9	7	57	28=100
65+	5	10	64	21=100
Postgrad	2	8	86	6=100
College grad	3	9	71	18=100
Some college	8	10	58	24=100
High school or less	14	15	37	34=100
Republican	9	10	64	18=100
Conservative Rep	5	10	72	13=100
Democrat	11	12	54	23=100
Liberal Dem	12	9	69	10=100
Independent	8	14	52	26=100
<i>Heard about Scalia's death, court vacancy ...</i>				
A lot (45%)	6	6	80	8=100
Less (52%)	12	16	34	38=100

Source: Survey conducted Feb. 18-21, 2016. Whites and blacks include only those who are not Hispanic. Figures may not add to 100% because of rounding.

PEW RESEARCH CENTER

Methodology

The analysis in this report is based on telephone interviews conducted February 18-21, 2016 among a national sample of 1,002 adults, 18 years of age or older, living in the continental United States (501 respondents were interviewed on a landline telephone, and 501 were interviewed on a cell phone, including 312 who had no landline telephone). The survey was conducted by interviewers at Princeton Data Source under the direction of Princeton Survey Research Associates International. A combination of landline and cell phone random digit dial samples were used; both samples were provided by Survey Sampling International. Interviews were conducted in English and Spanish. Respondents in the landline sample were selected by randomly asking for the youngest adult male or female who is now at home. Interviews in the cell sample were conducted with the person who answered the phone, if that person was an adult 18 years of age or older. For detailed information about our survey methodology, see

<http://www.pewresearch.org/methodology/u-s-survey-research/>

The combined landline and cell phone sample are weighted using an iterative technique that matches gender, age, education, race, Hispanic origin and region to parameters from the 2014 Census Bureau's American Community Survey and population density to parameters from the Decennial Census. The sample also is weighted to match current patterns of telephone status (landline only, cell phone only, or both landline and cell phone), based on extrapolations from the 2015 National Health Interview Survey. The weighting procedure also accounts for the fact that respondents with both landline and cell phones have a greater probability of being included in the combined sample and adjusts for household size among respondents with a landline phone. The margins of error reported and statistical tests of significance are adjusted to account for the survey's design effect, a measure of how much efficiency is lost from the weighting procedures.

The following table shows the unweighted sample sizes and the error attributable to sampling that would be expected at the 95% level of confidence for different groups in the survey:

Group	Unweighted sample size	Plus or minus ...
Total sample	1,002	3.7 percentage points
Republican	286	6.9 percentage points
Conservative Republican	212	8.0 percentage points
Independent	345	6.3 percentage points
Democrat	299	6.7 percentage points
Liberal Democrat	136	10.0 percentage points

Sample sizes and sampling errors for other subgroups are available upon request.

In addition to sampling error, one should bear in mind that question wording and practical difficulties in conducting surveys can introduce error or bias into the findings of opinion polls.

Pew Research Center is a nonprofit, tax-exempt 501(c)(3) organization and a subsidiary of The Pew Charitable Trusts, its primary funder.

PEW RESEARCH CENTER
February 18-21, 2016 OMNIBUS
FINAL TOPLINE
N=1,002

ASK ALL:

PEW.1 How much if anything, have you heard about the death of Supreme Court Justice Antonin Scalia and the vacancy on the court? Have you heard **[READ IN ORDER]**?

Feb 18-21

2016

45	A lot
26	A little
26	Nothing at all
3	Don't know/Refused (VOL.)

TRENDS FOR COMPARISON:

How much, if anything, have you heard about...

	<u>A lot</u>	<u>A little</u>	<u>Nothing at all</u>	<u>Don't know</u> (VOL.)
April 23-26, 2010: <i>Discussion of potential Supreme Court nominees to replace retiring Justice John Paul Stevens</i>	19	43	38	0
April 9-12, 2010: <i>Supreme Court Justice John Paul Stevens announcing he will retire this summer</i>	28	40	32	*

ASK ALL:

PEW.2 How important is the choice of the next Supreme Court justice to you personally **[READ IN ORDER]**?

		-----Bush-----					
Feb 18-21		Apr 21-26	Nov	Mid-Sept	July	June	Late March
<u>2016</u>		<u>2010</u> ¹	<u>2005</u>	<u>2005</u> ²	<u>2005</u>	<u>2005</u>	<u>2005</u>
57	Very important	40	47	48	47	47	38
24	Somewhat important	32	28	34	30	29	36
8	Not too important	14	13	9	14	14	15
9	Not at all important	11	11	7	8	8	8
2	Don't know/Refused (VOL.)	3	1	2	1	2	3

¹ In April 2010 and earlier, the question read: "How important is the president's choice of the next Supreme Court justice to you personally?"

² In mid-September 2005 the question was asked about the two Supreme Court openings: "How important are the president's choices of the next Supreme Court Justice to you personally?"

ASK ALL:

PEW.3 In thinking about how the Senate should deal with the Supreme Court vacancy, which of the following statements comes closer to your view: Do you think the Senate should **[READ; RANDOMIZE]**?

ASK IF SHOULD NOT HOLD HEARINGS (PEW.3=2) [N=372]:

PEW.4 Do you think you could change your mind, depending on who President Obama nominates, or would this not change your view?

Feb 18-21
2016

56	Hold hearings and vote on whomever President Obama nominates
38	NOT hold hearings until the next president selects a nominee
10	Yes, could change mind depending on Obama's nominee
26	No, Obama's nominee would not change view
2	Don't know/Refused (VOL.)
6	Don't know/Refused (VOL.)

ASK ALL:

PEW.5 Thinking about Justice Scalia, can you tell me if he was generally considered a **[READ IN REVERSE ORDER FOR RANDOM HALF OF SAMPLE]**?

TRENDS FOR COMPARISON:

		-----Roberts-----			Rehnquist
Feb 18-21		Sept 30-Oct 11	Dec	Feb	May
<u>2016</u>		<u>2011</u> ³	<u>2008</u>	<u>2007</u>	<u>1989</u>
9	Liberal	14	11	6	11
11	Moderate	19	11	9	9
55	Conservative (<i>Correct</i>)	47	53	37	30
25	Don't know/Refused (VOL.)	19	25	48	50

NO QUESTIONS 6-9

PEW.10-PEW.11, SMART1-SMART2 PREVIOUSLY RELEASED

ASK ALL:

PARTY In politics TODAY, do you consider yourself a Republican, Democrat, or independent?

ASK IF INDEP/NO PREF/OTHER/DK/REF (PARTY=3,4,5,9):

PARTYLN As of today do you lean more to the Republican Party or more to the Democratic Party?

	<u>Republican</u>	<u>Democrat</u>	<u>Independent</u>	<u>No preference</u>	<u>Other party</u>	<u>(VOL.) DK/Ref</u>	Lean <u>Rep</u>	Lean <u>Dem</u>
Feb 18-21, 2016	26	29	36	5	1	3	14	17

³ Past questions about Justices Roberts and Rehnquist asked in the present tense.