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Declining Share of Republicans Say It Is Important To Prosecute Jan. 6 Rioters

Wide partisan split on the fairness of House committee's probe

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How we did this

Pew Research Center conducted this study to understand the public's views on the Jan. 6 Capitol riot, its aftermath and the House select committee's investigation on the event. For this analysis, we surveyed 10,371 U.S. adults in September 2021. Everyone who took part in this survey is a member of the Center's American Trends Panel (ATP), an online survey panel that is recruited through national, random sampling of residential addresses. This way nearly all U.S. adults have a chance of selection. The survey is weighted to be representative of the U.S. adult population by gender, race, ethnicity, partisan affiliation, education and other categories. Read more about the [ATP's methodology](#).

Here are [the questions used for the report](#), along with responses, and [its methodology](#).

Declining Share of Republicans Say It Is Important To Prosecute Jan. 6 Rioters

Wide partisan split on the fairness of House committee's probe

[As the House select committee investigating the Jan. 6 riot](#) at the U.S. Capitol ramps up its investigation into the events of that day, most Americans continue to say it is important to find and prosecute those who broke into and rioted at the Capitol.

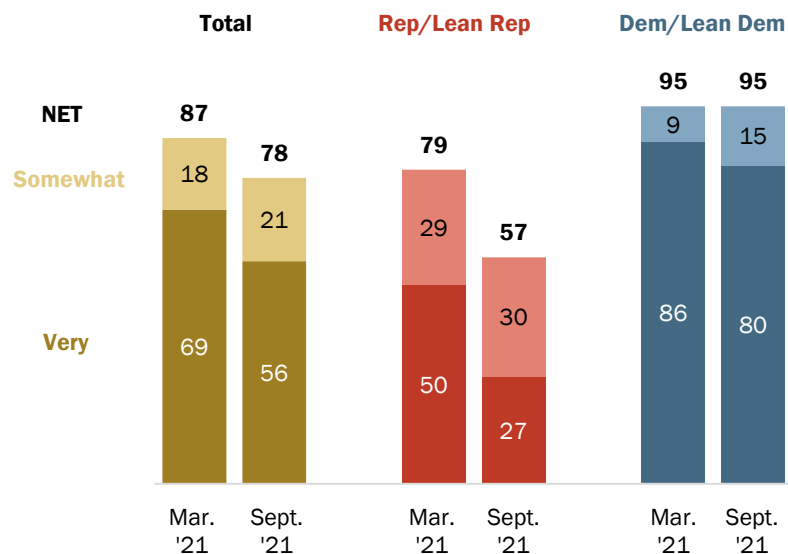
However, since March, there has been a decline in the share of the public saying it is important that those who broke into the Capitol be prosecuted (from 87% to 78%), with the change coming almost entirely among Republicans and Republican-leaning independents.

[Since March](#), there has been a 22 percentage point drop in the share of Republicans who think it is very or somewhat important that federal law enforcement agencies find and prosecute those who broke into and rioted at the U.S. Capitol on Jan. 6 (from 79% to 57%).

Moreover, only about quarter of Republicans (27%) view the prosecution of the rioters as *very* important; six months ago, half said this was very important. Among Democrats and Democratic leaners, there have been only modest changes in opinions about finding and prosecuting the Jan. 6 rioters. Today, 95% say it is important, including 80% who see this as *very* important.

Fewer Republicans say it is important for federal law enforcement to find and prosecute U.S. Capitol rioters than said this in March

*% who say it is **very/somewhat important** that federal law enforcement agencies find and prosecute those who broke into and rioted at the U.S. Capitol on Jan. 6*



Source: Survey of U.S. adults conducted Sept. 13-19, 2021.

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The new survey by Pew Research Center, conducted Sept. 13-19 among 10,371 adults on the Center's nationally representative American Trends Panel, finds partisan divides on a range of issues related to the events of Jan. 6, including views of the severity of the penalties for the those who broke into the Capitol, the amount of attention the riot has received and confidence in the fairness of the investigation by the House select committee.

Partisan differences over the Jan. 6 assault on the Capitol have been evident since shortly after it occurred, [including in initial open-ended reactions of Republicans and Democrats to the riot](#).

Among the public overall, 48% say that the criminal penalties those who broke into the U.S. Capitol have been receiving are not severe enough, while two-in-ten say they are too severe and 29% say the penalties are about right. Democrats are far more likely than Republicans to say that the penalties are not severe enough.

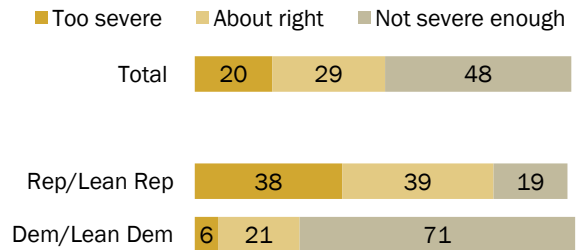
An overwhelming majority of Democrats (71%) say the criminal penalties are not severe enough, while 21% say they are about right. Just 6% say the penalties are too severe.

Republicans are more divided in their assessment of the criminal penalties. About four-in-ten Republicans and Republican leaners (38%) say that the penalties for those who broke into the Capitol are too severe. A nearly equal share (39%) say the penalties are about right. Only 19% of Republicans say that the criminal penalties are not severe enough.

There are also ideological divides among Republicans: 44% of conservative Republicans say that the penalties for those who broke into the Capitol are too severe, while 28% of moderate and liberal Republicans say the same. Moderate and liberal Republicans are twice as likely as conservative Republicans to say that the penalties are not severe enough (28% vs. 14%). There are no significant ideological divides among Democrats.

Democrats far more likely than Republicans to say penalties for Capitol rioters are not severe enough

% who say the criminal penalties for those who broke into the Capitol and rioted on Jan. 6 have been ...



Note: No answer responses not shown.

Source: Survey of U.S. adults conducted Sept. 13-19, 2021.

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Since March, the share of the public that says there has been too little attention paid to the January riot at the Capitol has risen by 8 percentage points (35% now, 27% then), while there has been a comparable decline in the share saying it is receiving the right amount of attention. Nearly three-in-ten (29%) say there has been too much attention to the riot and its impacts, little changed from six months ago.

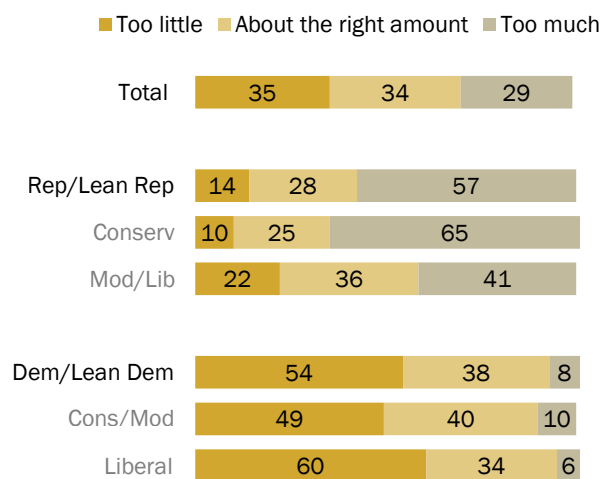
Democrats account for much of this change. The share of Democrats saying there has been too little attention paid to the Jan. 6 riot and its impacts has increased 14 points since March (from 40% to 54%).

A 57% majority of Republicans say that there has been too much attention paid to the Jan. 6 riot, roughly on par with March. In the current survey, 65% of conservative Republicans say the riot and its impacts have gotten too much attention, compared with 41% of moderate and liberal Republicans.

Liberal Democrats are somewhat more likely than conservative and moderate Democrats to say that there has been too little attention to the Jan. 6 riot and its impacts (60% vs. 49%).

Majority of Republicans say there has been too much attention on Jan. 6 riot; Democrats more likely to say too little

% who say ___ attention has been paid to the Jan. 6 riot at the U.S. Capitol and its impacts



Note: No answer responses not shown.

Source: Survey of U.S. adults conducted Sept. 13-19, 2021.

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Sizable partisan split in confidence that House committee will be fair and reasonable in investigating Jan. 6 riot

As a House select committee seeks information from Trump officials about the events of Jan. 6, about two-thirds of adults say they have heard either a lot (11%) or a little (57%) about this committee and the investigation; 31% of Americans say they have heard nothing at all.

Republicans are slightly more likely than Democrats to say they haven't heard anything about the committee (35% vs. 27%).

When asked how confident they are that the committee's investigation will be fair and reasonable, just 11% of Americans say they are very confident and another 34% say they are somewhat confident. A 54% majority say they are either not too (32%) or not at all confident (22%) that the investigation will be fair and reasonable.

There are wide partisan divides over confidence in the committee, with Republicans much less likely than Democrats to say they think the investigation will be fair and reasonable.

About four-in-ten Republicans (37%) say they are not too confident that the committee's investigation will be fair, while an additional 40% are not confident in the committee *at all*.

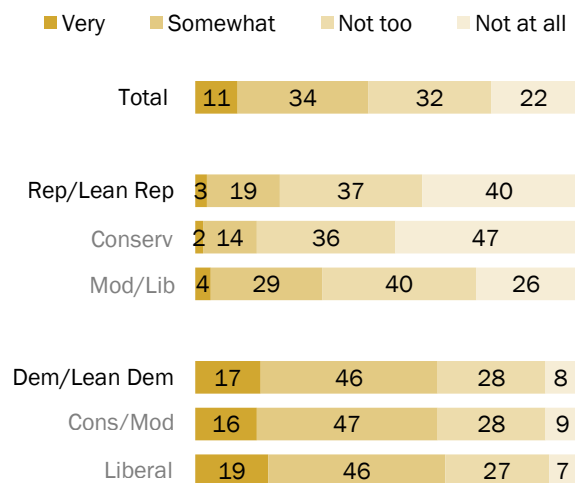
Just 3% are very confident in the committee to be fair and reasonable.

Fully 63% Democrats say they are at least somewhat confident that the investigation will be fair and reasonable, while 36% express little or no confidence.

Among Republicans, a wide majority of conservatives (83%) say that they aren't confident that the investigation will be fair, including nearly half (47%) who say they are not at all confident. Moderate and liberal Republicans are somewhat less negative, although two-thirds lack confidence in the fairness of the investigation, with 26% saying they are not at all confident. There are no significant ideological differences on this question among Democrats.

Majority of Americans have little or no confidence the Jan. 6 committee investigation will be fair and reasonable

% who are ___ confident that the House committee's investigation into Jan. 6 riot will be fair and reasonable



Note: No answer responses not shown.

Source: Survey of U.S. adults conducted Sept. 13-19, 2021.

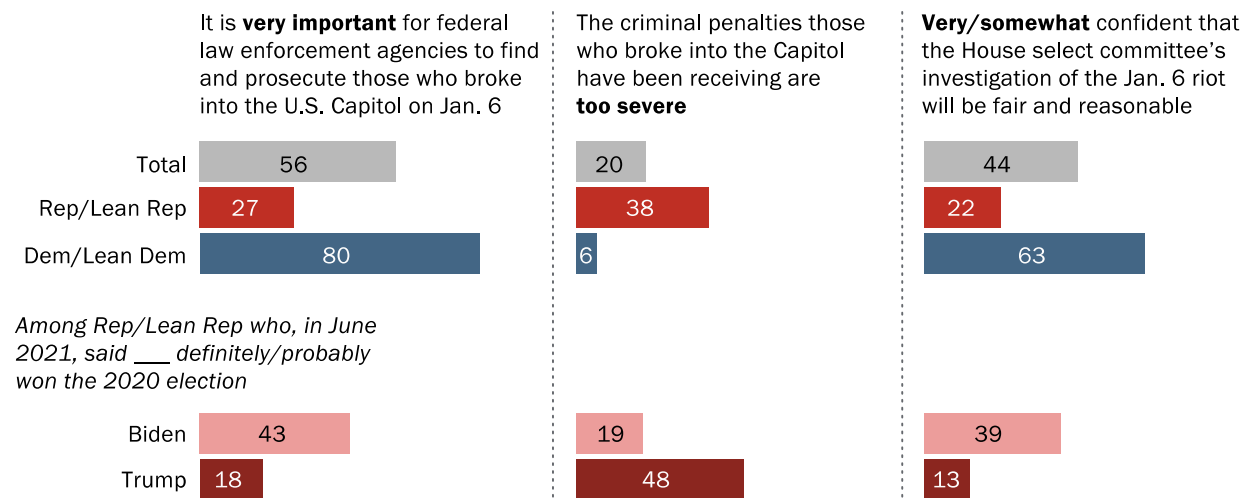
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Among Republicans, there also are stark differences in opinions about the Jan. 6 riot and its aftermath between those who think Trump was the rightful winner of the presidential election and those who think Joe Biden won legitimately.

In June, about two-thirds (65%) of Republicans and Republican leaners said that Trump definitely (33%) or probably (33%) won the 2020 presidential election, meaning they believe he received the most votes cast by eligible voters in enough states to win. [Official counts show](#) that Biden received the most votes cast by eligible voters in enough states to win.

Republicans who contend Trump won the 2020 election more likely to say penalties for those who broke into the Capitol on Jan. 6 are too severe

% who say/are ...



Source: Survey of U.S. adults conducted Sept. 13-19, 2021.

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Republicans who said Biden definitely or probably won the 2020 presidential election (43%) are more than twice as likely as Republicans who said Trump won (18%) to say that it is *very* important that federal law enforcement agencies find and prosecute the individuals who broke into and rioted at the U.S. capitol on Jan. 6.

Similarly, about four-in-ten Republicans who said Biden won (39%) say they are at least somewhat confident that the House select committee's investigation into Jan. 6 will be fair and reasonable. Only 13% of Republicans who said Trump won say the same.

Republicans who said Trump won are more likely to say the criminal penalties for those who broke into the Capitol and rioted have been receiving are too severe. About half of Republicans who said Trump won (48%) express this view, compared with 19% of Republicans who said Biden won.

Acknowledgments

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Methodology

The American Trends Panel survey methodology

Overview

The American Trends Panel (ATP), created by Pew Research Center, is a nationally representative panel of randomly selected U.S. adults. Panelists participate via self-administered web surveys. Panelists who do not have internet access at home are provided with a tablet and wireless internet connection. Interviews are conducted in both English and Spanish. The panel is being managed by Ipsos.

Data in this report is drawn from the panel wave conducted from Sept. 13 to Sept. 19, 2021. A total of 10,371 panelists responded out of 11,505 who were sampled, for a response rate of 90%. The cumulative response rate accounting for nonresponse to the recruitment surveys and attrition is 3%. The break-off rate among panelists who logged on to the survey and completed at least one item is 1%. The margin of sampling error for the full sample of 10,371 respondents is plus or minus 1.6 percentage points.

Panel recruitment

The ATP was created in 2014, with the first cohort of panelists invited to join the panel at the end of a large, national, landline and cellphone random-digit-dial survey that was conducted in both English and Spanish. Two additional recruitments were conducted using the same method in 2015 and 2017, respectively. Across these three surveys, a total of 19,718 adults were invited to join the ATP, of whom 9,942 (50%) agreed to participate.

In August 2018, the ATP switched from telephone to

American Trends Panel recruitment surveys

Recruitment dates	Mode	Invited	Joined	Active panelists remaining
Jan. 23 to March 16, 2014	Landline/ cell RDD	9,809	5,338	1,605
Aug. 27 to Oct. 4, 2015	Landline/ cell RDD	6,004	2,976	939
April 25 to June 4, 2017	Landline/ cell RDD	3,905	1,628	470
Aug. 8 to Oct. 31, 2018	ABS	9,396	8,778	4,434
Aug. 19 to Nov. 30, 2019	ABS	5,900	4,720	1,627
June 1 to July 19, 2020; Feb. 10 to March 31, 2021	ABS	3,197	2,812	1,702
May 29 to July 7, 2021	ABS	1,085	947	728
	Total	39,296	27,199	11,505

Note: Approximately once per year, panelists who have not participated in multiple consecutive waves or who did not complete an annual profiling survey are removed from the panel. Panelists also become inactive if they ask to be removed from the panel. The 2021 recruitment survey was ongoing at the time W95 was conducted. The counts reflect completed recruitment interviews up through July 7, 2021.

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address-based recruitment. Invitations were sent to a stratified, random sample of households selected from the U.S. Postal Service's Delivery Sequence File. Sampled households receive mailings asking a randomly selected adult to complete a survey online. A question at the end of the survey asks if the respondent is willing to join the ATP. Starting in 2020 another stage was added to the recruitment. Households that do not respond to the online survey are sent a paper version of the questionnaire, \$5 and a postage-paid return envelope. A subset of the adults returning the paper version of the survey are invited to join the ATP. This subset of adults receive a follow-up mailing with a \$10 pre-incentive and invitation to join the ATP.

Across the four address-based recruitments, a total of 19,578 adults were invited to join the ATP, of whom 17,257 agreed to join the panel and completed an initial profile survey. In each household, the adult with the next birthday was asked to go online to complete a survey, at the end of which they were invited to join the panel. Of the 27,199 individuals who have ever joined the ATP, 11,505 remained active panelists and continued to receive survey invitations at the time this survey was conducted.

The U.S. Postal Service's Delivery Sequence File has been estimated to cover as much as 98% of the population, although some studies suggest that the coverage could be in the low 90% range.¹ The American Trends Panel never uses breakout routers or chains that direct respondents to additional surveys.

Sample design

The overall target population for this survey was non-institutionalized persons ages 18 and older, living in the U.S., including Alaska and Hawaii.

Questionnaire development and testing

The questionnaire was developed by Pew Research Center in consultation with Ipsos. The web program was rigorously tested on both PC and mobile devices by the Ipsos project management team and Pew Research Center researchers. The Ipsos project management team also populated test data that was analyzed in SPSS to ensure the logic and randomizations were working as intended before launching the survey.

Incentives

All respondents were offered a post-paid incentive for their participation. Respondents could choose to receive the post-paid incentive in the form of a check or a gift code to Amazon.com or

¹ AAPOR Task Force on Address-based Sampling. 2016. "[AAPOR Report: Address-based Sampling](#)."

could choose to decline the incentive. Incentive amounts ranged from \$5 to \$20 depending on whether the respondent belongs to a part of the population that is harder or easier to reach. Differential incentive amounts were designed to increase panel survey participation among groups that traditionally have low survey response propensities.

Data collection protocol

The data collection field period for this survey was Sept. 13 to Sept. 19, 2021. Postcard notifications were mailed to all ATP panelists with a known residential address on Sept. 13, 2021.

Invitations were sent out in two separate launches: Soft Launch and Full Launch. Sixty panelists were included in the soft launch, which began with an initial invitation sent on Sept. 13, 2021. The ATP panelists chosen for the initial soft launch were known responders who had completed previous ATP surveys within one day of receiving their invitation. All remaining English- and Spanish-speaking panelists were included in the full launch and were sent an invitation on Sept. 14, 2021.

All panelists with an email address received an email invitation and up to two email reminders if they did not respond to the survey. All ATP panelists that consented to SMS messages received an SMS invitation and up to two SMS reminders.

Invitation and reminder dates

	Soft Launch	Full Launch
Initial invitation	Sept. 13, 2021	Sept. 14, 2021
First reminder	Sept. 16, 2021	Sept. 16, 2021
Final reminder	Sept. 18, 2021	Sept. 18, 2021

Data quality checks

To ensure high-quality data, the Center's researchers performed data quality checks to identify any respondents showing clear patterns of satisficing. This includes checking for very high rates of leaving questions blank, as well as always selecting the first or last answer presented. As a result of this checking, 2 ATP respondents were removed from the survey dataset prior to weighting and analysis.

Weighting

The ATP data was weighted in a multistep process that accounts for multiple stages of sampling and nonresponse that occur at different points in the survey process. First, each panelist begins with a base weight that reflects their probability of selection for their initial recruitment survey. Among respondents to this survey, the base weights for panelists recruited in different years were scaled to be proportionate to the effective sample size for all respondents in their cohort. These base weights were then calibrated to align with the

population benchmarks identified in the accompanying table and trimmed at the 1st and 99th percentiles to reduce the loss in precision stemming from variance in the weights. Sampling errors and test of statistical significance take into account the effect of weighting.

Some of the population benchmarks used for weighting come from surveys conducted prior to the coronavirus outbreak that began in February 2020. However, the weighting variables for panelists recruited in 2021 were measured at the time they were recruited to the panel. Likewise, the profile variables for existing panelists were updated from panel surveys conducted in July or August 2021.

This does not pose a problem for most of the variables used in the weighting, which are quite stable at both the population and individual levels. However, volunteerism may have changed over the intervening period in ways that made their 2021 measurements incompatible with the available (pre-pandemic) benchmarks. To address this, volunteerism is weighted using the profile variables that were measured in 2020. For all other weighting dimensions, the more recent panelist measurements from 2021 are used.

Weighting dimensions

Variable	Benchmark source
Age x Gender	2019 American Community Survey (ACS)
Education x Gender	
Education x Age	
Race/Ethnicity x Education	
Born inside vs. outside the U.S. among Hispanics and Asian Americans	
Years lived in the U.S.	
Census region x Metro/Non-metro	2020 CPS March Supplement
Volunteerism	2019 CPS Volunteering & Civic Life Supplement
Voter registration	2018 CPS Voting and Registration Supplement
Party affiliation	2021 National Public Opinion Reference Survey (NPORS)
Frequency of internet use	
Religious affiliation	

Note: Estimates from the ACS are based on non-institutionalized adults. Voter registration is calculated using procedures from Hur, Achen (2013) and rescaled to include the total U.S. adult population.

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For panelists recruited in 2021, plausible values were imputed using the 2020 volunteerism values from existing panelists with similar characteristics. This ensures that any patterns of change that were observed in the existing panelists were also reflected in the new recruits when the weighting was performed.

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	Weighted %	Plus or minus ...
Total sample	10,371		1.6 percentage points
Rep/Lean Rep	4,915	42	2.2 percentage points
Dem/Lean Dem	5,199	51	2.2 percentage points
<i>Among Rep/Lean Rep who, in June 2021, said Biden/Trump won the election...</i>			
Biden won	1,520		4.4 percentage points
Trump won	2,971		2.8 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.

Dispositions and response rates

Final dispositions	AAPOR code	Total
Completed interview	1.1	10,371
Logged onto survey; broke-off	2.12	127
Logged onto survey; did not complete any items	2.1121	75
Never logged on (implicit refusal)	2.11	921
Survey completed after close of the field period	2.27	9
Completed interview but was removed for data quality		2
Screened out		0
Total panelists in the survey		11,505
Completed interviews	I	10,371
Partial interviews	P	0
Refusals	R	1,125
Non-contact	NC	9
Other	O	0
Unknown household	UH	0
Unknown other	UO	0
Not eligible	NE	0
Total		11,505
AAPOR RR1 = $I / (I+P+R+NC+O+UH+UO)$		90%

Cumulative response rate	Total
Weighted response rate to recruitment surveys	12%
% of recruitment survey respondents who agreed to join the panel, among those invited	69%
% of those agreeing to join who were active panelists at start of Wave 95	42%
Response rate to Wave 95 survey	90%
Cumulative response rate	3%

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**2021 PEW RESEARCH CENTER'S AMERICAN TRENDS PANEL
WAVE 95 SEPTEMBER 2021
FINAL TOPLINE
SEPTEMBER 13-19, 2021
N=10,371**

ADDITIONAL QUESTIONS PREVIOUSLY RELEASED**ADDITIONAL QUESTIONS HELD FOR FUTURE RELEASE****ASK ALL:**

JAN6LE_IMP Thinking about the riot that took place at the U.S. Capitol on January 6 while Congress was in the process of certifying Electoral College votes...

How important, if at all, do you think it is for federal law enforcement agencies to find and prosecute the individuals who broke into and rioted at the U.S. Capitol on January 6?

Sep 13-19 <u>2021</u>		Mar 1-7 <u>2021</u> ²
56	Very important	69
21	Somewhat important	18
12	Not too important	8
9	Not at all important	4
1	No answer	1

ASK ALL:

JAN6PEN_A3 Now thinking about the criminal penalties the individuals who broke into the Capitol and rioted have been receiving.

All in all, are these penalties... **[RANDOMIZE OPTIONS 1 AND 2 WITH OPTION 3 ALWAYS LAST]**

Sep 13-19 <u>2021</u>	
20	Too severe
48	Not severe enough
29	About right [ANCHOR]
3	No answer

TREND FOR COMPARISON:

Thinking about law enforcement efforts to prosecute those who broke into the U.S. Capitol on January 6, do you think the criminal penalties the rioters will receive are likely to be...

	Mar 1-7 <u>2021</u>
More severe than they should be	22
Less severe than they should be	47
About as severe as they should be	29
No answer	2

² In the March 2021 survey, the question read, "How important, if at all, do you think it is for federal law enforcement agencies to find and prosecute those who broke into the U.S. Capitol on January 6?"

ASK ALL:

JAN6ATTN Overall, how much attention would you say has been paid to the riot at the U.S. Capitol and its impacts?

Sep 13-19 <u>2021</u>		Mar 1-7 <u>2021</u>
29	Too much attention	28
35	Too little attention	27
34	About the right amount of attention	44
1	No answer	1

ASK ALL:

JAN6CMTHEAR As you may know, a committee in the House of Representatives is investigating the January 6 Capitol riot.

How much, if anything, have you heard or read about this committee and the investigation?

Sep 13-19 <u>2021</u>	
11	A lot
57	A little
31	Nothing at all
1	No answer

ASK ALL:

JAN6CONF CM How confident are you that the committee's investigation will be fair and reasonable?

Sep 13-19 <u>2021</u>	
11	Very confident
34	Somewhat confident
32	Not too confident
22	Not at all confident
1	No answer

ADDITIONAL QUESTIONS PREVIOUSLY RELEASED

ADDITIONAL QUESTIONS HELD FOR FUTURE RELEASE

ASK ALL:

PARTY In politics today, do you consider yourself a:

ASK IF INDEP/SOMETHING ELSE (PARTY=3 or 4) OR MISSING [N=3,764]:

PARTYLN	As of today do you lean more to... ³						
	<u>Republican</u>	<u>Democrat</u>	<u>Independent</u>	<u>Something else</u>	<u>No answer</u>	<u>Lean Rep</u>	<u>Lean Dem</u>
	26	32	26	13	2	16	19

³ PARTY and PARTYLN asked in a prior survey.

**2021 PEW RESEARCH CENTER'S AMERICAN TRENDS PANEL
WAVE 91 JUNE 2021
FINAL TOPLINE
JUNE 14-27, 2021
TOTAL N=10,606**

ADDITIONAL QUESTIONS HELD FOR FUTURE RELEASE**ADDITIONAL QUESTIONS PREVIOUSLY RELEASED****ASK ALL:**

WON20

As you may know, Donald Trump contested the results of the 2020 election through legal challenges in various states and the Supreme Court. Those challenges were not successful.

Who do you think won the 2020 election – that is, who received the most votes cast by eligible voters in enough states to win the election?

[REVERSE ORDER FOR RANDOM HALF OF RESPONDENTS]

	<u>Joe Biden definitely won</u>	<u>Joe Biden probably won</u>	<u>Donald Trump probably won</u>	<u>Donald Trump definitely won</u>	<u>No answer</u>
Jun 14-27, 2021	52	14	17	15	2
Jan 8-12, 2021	53	13	17	16	1

ADDITIONAL QUESTIONS HELD FOR FUTURE RELEASE**ADDITIONAL QUESTIONS PREVIOUSLY RELEASED****ASK ALL:**

PARTY

In politics today, do you consider yourself a:

ASK IF INDEP/SOMETHING ELSE (PARTY=3 or 4) OR MISSING:

PARTYLN

As of today do you lean more to...⁴

<u>Republican</u>	<u>Democrat</u>	<u>Independent</u>	<u>Something else</u>	<u>No answer</u>	<u>Lean Rep</u>	<u>Lean Dem</u>
25	31	28	15	2	19	20

⁴ PARTY and PARTYLN asked in a prior survey.