

FOR RELEASE MARCH 28, 2016

Garland Nomination to Supreme Court Gets Positive Reception From Public

Wider partisan gap than in views of Obama's previous court picks

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Wider partisan gap than in views of Obama's previous court picks

Although Merrick Garland's nomination to the Supreme Court faces an uncertain fate in the Senate, more Americans say they favor (46%) than oppose (30%) Garland's confirmation to the high court. About a quarter (24%) offer no opinion.

Before President Obama nominated Garland on March 16, Senate Republican leaders had vowed to not consider anyone Obama chose, saying the confirmation of a new justice should wait until after a new president takes office. Senate Republican leader Mitch McConnell reaffirmed that position after Obama's selection of Garland.

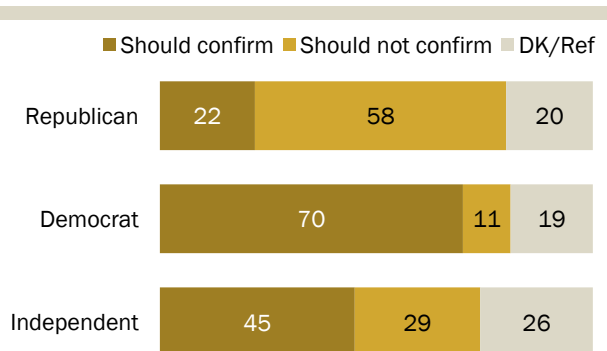
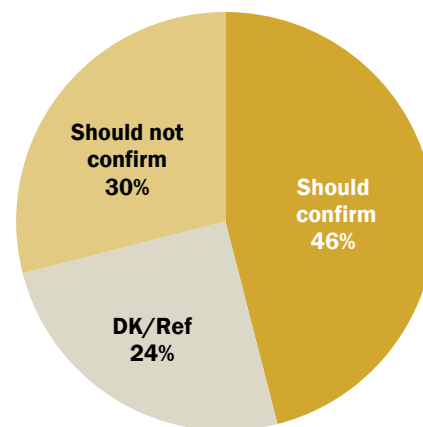
Last month, 56% of the public said the Senate should hold hearings and vote on Obama's choice to replace Justice Antonin Scalia, who died Feb. 13; 38% said the Senate should not hold hearings until the next president selects a nominee.

Partisan differences over Garland's confirmation are wider than for Obama's previous court nominees, Elena Kagan and Sonia Sotomayor. Currently, 70% of Democrats say the Senate should confirm Garland to the Supreme Court, compared with just 22% of Republicans.

The latest national survey by Pew Research Center, conducted March 17-27 among 2,254 adults, finds that a majority (56%) says the choice of the next Supreme Court justice is very important to

More favor than oppose Garland's Senate confirmation to the court

Do you think the Senate ___ Merrick Garland to the Supreme Court?



Source: Survey conducted March 17-27, 2016.
Figures may not add to 100% because of rounding.

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them personally. That is little changed from last month (57%), but much higher than in April 2010 (40%), before Obama named Kagan as the replacement for Justice John Paul Stevens, who retired.

Among those who have heard a lot about Garland's nomination – 32% of the public – 61% favor his confirmation, while 33% are opposed (6% offer no opinion). Among the majority of the public who have heard little or nothing about his selection, opinion is more mixed: 39% say the Senate should confirm Garland, 28% say it should not, while 33% do not express an opinion.

Blacks are far more likely than whites to say the Senate should confirm Garland to the high court (62% vs. 43%). In addition, there are educational differences in opinions about his nomination. Majorities of those with postgraduate degrees (62%) and college degrees (54%) favor Garland's confirmation, compared with just 42% of those with less education. Opposition to Garland is similar across educational groups, but those with less education are less likely to express an opinion.

Most who have heard 'a lot' about Garland pick favor his confirmation

Should Senate confirm Merrick Garland to the Supreme Court?

	Yes %	No %	DK %
Total	46	30	24=100
Men	45	34	21=100
Women	47	26	27=100
White	43	37	20=100
Black	62	15	23=100
Hispanic	43	20	37=100
Postgrad	62	26	12=100
College grad	54	29	17=100
Some college	43	32	25=100
HS or less	41	30	29=100
Republican	22	58	20=100
Conservative	19	64	17=100
Moderate/Liberal	28	42	30=100
Independent	45	29	26=100
Democrat	70	11	19=100
Conservative/Moderate	65	14	21=100
Liberal	78	7	15=100
<i>Heard about nomination...</i>			
A lot (32%)	61	33	6=100
Less (67%)	39	28	33=100

Source: Survey conducted March 17-27, 2016. Whites and blacks include only those who are not Hispanic; Hispanics are of any race. Figures may not add to 100% because of rounding.

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Views of Supreme Court nominees, present and past

Opinion about Garland's nomination is similar to views of Sotomayor shortly after Obama nominated her to the court in [June 2009](#). At that time, 50% said the Senate should confirm Sotomayor, while 25% said it should not (25% said they did not know).

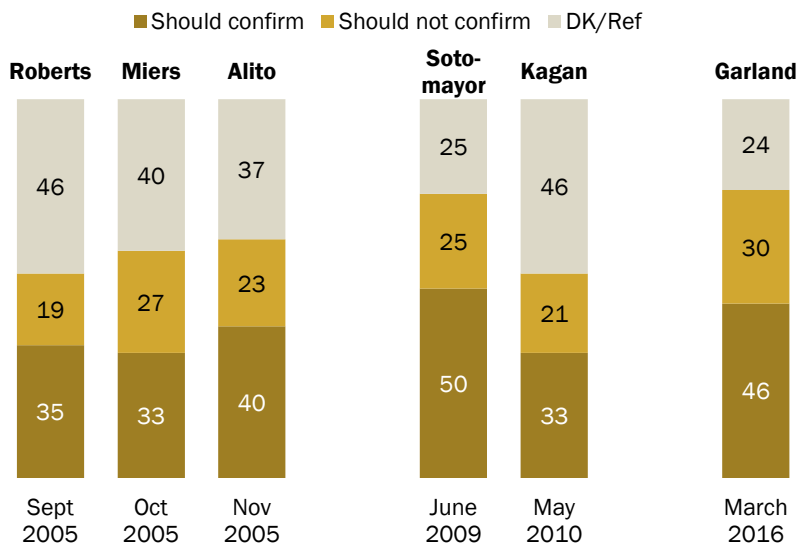
Kagan, nominated by Obama in [May 2010](#), was initially not as well-known as either Garland or Sotomayor. Nearly half (46%) expressed no opinion of Kagan's confirmation, nearly double the shares not offering an opinion of Garland (24%) or Sotomayor. Overall, 33% said the Senate should confirm Kagan, while 21% were opposed.

In November 2005, the public generally favored the Senate confirmation of Samuel Alito, George W. Bush's choice for the Supreme Court (40% favored vs. 23% opposed), though a relatively large share (37%) had no opinion. Bush nominated Alito after [withdrawing the nomination of Harriet Miers](#), who drew opposition from Democrats and engendered little enthusiasm among Republicans. In October 2005, 33% favored Miers' confirmation, while 27% were opposed; 40% expressed no opinion.

In September of that year, when John Roberts was being considered for Chief Justice, 35% said the Senate should confirm him, while 19% were opposed; nearly half (46%) had no opinion.

Support for Supreme Court nominees early in the confirmation process

Do you think the Senate ___ each nominee to the Supreme Court? (%)



Source: Survey conducted March 17-27, 2016.
Figures may not add to 100% because of rounding.

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While there have been substantial partisan differences in opinions about Supreme Court nominees going back more than a decade, the 48-percentage point gap in opinions about Garland is the widest since Roberts' selection more than a decade ago.

The differences between views of Sotomayor and Garland, who were similarly well-known at the time they were nominated, are notable. Democrats' views of Garland are almost identical to their opinions about Sotomayor in 2009 (70% favor his confirmation vs. 69% for Sotomayor). Among Republicans, support for Garland is eight percentage points lower than for Sotomayor (22% now vs. 30% then), while opposition is 14 points higher (58% now vs. 44% then).

Partisan gap over Garland wider than for recent Supreme Court nominees

% saying Senate should confirm each nominee to the Supreme Court

	Total %	Rep %	Dem %	Ind %	Rep-Dem diff
Garland (March 2016)	46	22	70	45	-48
Kagan (May 2010)	33	19	54	28	-35
Sotomayor (June 2009)	50	30	69	47	-39
Alito (Nov 2005)	40	66	27	34	+39
Miers (Oct 2005)	33	50	21	32	+29
Roberts (Sept 2005)	35	56	26	32	+30

Source: Survey conducted March 17-27, 2016.

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Choice of next Supreme Court justice considered ‘very important’

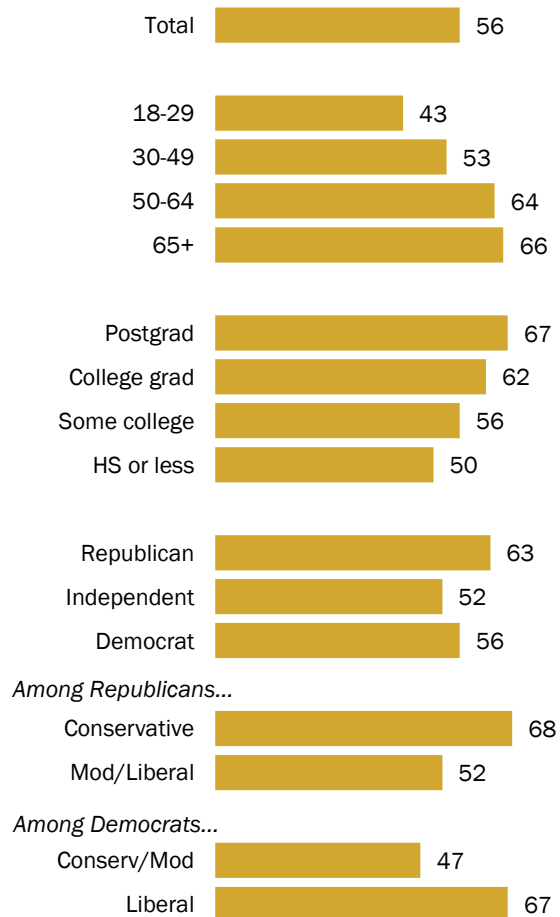
A majority of Americans (56%) say the choice of the next Supreme Court justice is very important to them personally, little changed from when it was asked last month in the wake of Antonin Scalia’s passing (57%).

Republicans (63%) are more likely than Democrats (56%) to say they consider the choice of the next Supreme Court to be very important to them personally. But nearly identical shares of liberal Democrats (67%) and conservative Republicans (68%) say the choice of the next Supreme Court justice is very important to them.

As noted in the February report on opinions about the Senate’s handling of Obama’s court pick, young people are less likely than older adults to attach great importance to the choice of a Supreme Court nominee; similarly, there are educational differences in opinions about the importance of a court nominee.

Majority says choice of next Supreme Court justice is very important

% saying the choice of the next Supreme Court justice is ‘very important’



Source: Survey conducted March 17-27, 2016.

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Methodology

The analysis in this report is based on telephone interviews conducted March 17-27, 2016 among a national sample of 2,254 adults, 18 years of age or older, living in all 50 U.S. states and the District of Columbia (566 respondents were interviewed on a landline telephone, and 1,688 were interviewed on a cell phone, including 983 who had no landline telephone). The survey was conducted under the direction of Abt SRBI. 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 nativity 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	2,254	2.4 percentage points
Republican	609	4.5 percentage points
Democrat	692	4.2 percentage points
Independent	842	3.8 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.

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**PEW RESEARCH CENTER
MARCH 2016 POLITICAL SURVEY
FINAL TOPLINE
MARCH 17-27, 2016
N=2,254**

QUESTIONS 1-2, 6-13, THOUGHT, REG, OFTVOTE, 23-25 HELD FOR FUTURE RELEASE

NO QUESTIONS 3-5, 14-22, 26-34

ASK ALL:

Q.35 How much, if anything, have you heard about Barack Obama's choice of Merrick Garland to be the next Supreme Court justice? Have you heard **[READ IN ORDER]**?

TRENDS FOR COMPARISON:

Mar 17-27 <u>2016</u>		Feb 18-21 <u>2016</u> ¹	Jul 22-26 <u>2009</u>	Jun 10-14 <u>2009</u>
32	A lot	45	46	39
44	A little	26	33	38
24	Nothing at all	26	19	21
*	Don't know/Refused (VOL.)	3	2	2

ASK ALL:

Q.36 How important is the choice of the next Supreme Court justice to you personally **[READ IN ORDER]**?

Mar 17-27 <u>2016</u>		Feb 18-21 <u>2016</u>	Apr 21-26 <u>2010</u> ²	Nov <u>2005</u>	Mid- Sept <u>2005</u> ³	July <u>2005</u>	June <u>2005</u>	Late March <u>2005</u>
56	Very important	57	40	47	48	47	47	38
27	Somewhat important	24	32	28	34	30	29	36
11	Not too important	8	14	13	9	14	14	15
5	Not at all important	9	11	11	7	8	8	8
1	Don't know/Refused (VOL.)	2	3	1	2	1	2	3

ASK ALL:

Q.37 From what you've seen and heard so far, do you think the Senate should or should not confirm Merrick Garland to the Supreme Court?

		<u>Should</u>	<u>Should not</u>	(VOL.) <u>DK/Ref</u>
Garland	Mar 17-27, 2016	46	30	24
Kagan	June 17-20, 2010	33	25	42
Kagan	May 13-16, 2010	33	21	46
Sotomayor	July 22-26, 2009	50	23	27
Sotomayor	June 10-14, 2009	50	25	25
Alito	January, 2006	33	19	48
Alito	Early December, 2006	32	19	49
Alito	November, 2005	40	23	37
Miers	Early October, 2005	33	27	40
Roberts	Mid-September, 2005	46	21	33
Roberts	Early September, 2005	35	19	46

¹ In February 2016, the question read: "How much, if anything, have you heard about the death of Supreme Court Antonin Scalia and the vacancy on the court?"

² In April 2010 and earlier, the question read: "How important is the president's choice of the next Supreme Court justice to you personally?"

³ 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?"

QUESTIONS 38, 50, 54-55, 58, 60, 62, 68-70, 74-78, 80, 85-88, 90, 99-100 HELD FOR FUTURE RELEASE**NO QUESTIONS 39-49, 51-53, 56-57, 59, 61, 63-67, 71-73, 79, 81-84, 89****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?

				(VOL.)	(VOL.)	(VOL.)	Lean	Lean
	Republican	Democrat	Independent	No preference	Other party	DK/Ref	Rep	Dem
Mar 17-27, 2016	25	31	38	3	*	2	15	20
Jan 7-14, 2016	24	30	38	5	1	2	14	17
Dec 8-13, 2015	26	31	37	4	*	2	16	15
Aug 27-Oct 4, 2015	24	29	41	4	*	2	17	17
Sep 22-27, 2015	26	30	40	2	*	2	15	16
Jul 14-20, 2015	22	32	41	4	*	1	15	19
May 12-18, 2015	24	32	38	3	1	2	15	18
Mar 25-29, 2015	25	30	39	4	*	2	15	17
Yearly Totals								
2015	23.7	30.4	40.1	3.6	.4	1.8	16.4	17.3
2014	23.2	31.5	39.5	3.1	.7	2.0	16.2	16.5
2013	23.9	32.1	38.3	2.9	.5	2.2	16.0	16.0
2012	24.7	32.6	36.4	3.1	.5	2.7	14.4	16.1
2011	24.3	32.3	37.4	3.1	.4	2.5	15.7	15.6
2010	25.2	32.7	35.2	3.6	.4	2.8	14.5	14.1
2009	23.9	34.4	35.1	3.4	.4	2.8	13.1	15.7
2008	25.7	36.0	31.5	3.6	.3	3.0	10.6	15.2
2007	25.3	32.9	34.1	4.3	.4	2.9	10.9	17.0
2006	27.8	33.1	30.9	4.4	.3	3.4	10.5	15.1
2005	29.3	32.8	30.2	4.5	.3	2.8	10.3	14.9
2004	30.0	33.5	29.5	3.8	.4	3.0	11.7	13.4
2003	30.3	31.5	30.5	4.8	.5	2.5	12.0	12.6
2002	30.4	31.4	29.8	5.0	.7	2.7	12.4	11.6
2001	29.0	33.2	29.5	5.2	.6	2.6	11.9	11.6
2001 Post-Sept 11	30.9	31.8	27.9	5.2	.6	3.6	11.7	9.4
2001 Pre-Sept 11	27.3	34.4	30.9	5.1	.6	1.7	12.1	13.5
2000	28.0	33.4	29.1	5.5	.5	3.6	11.6	11.7
1999	26.6	33.5	33.7	3.9	.5	1.9	13.0	14.5
1998	27.9	33.7	31.1	4.6	.4	2.3	11.6	13.1
1997	28.0	33.4	32.0	4.0	.4	2.3	12.2	14.1
1996	28.9	33.9	31.8	3.0	.4	2.0	12.1	14.9
1995	31.6	30.0	33.7	2.4	.6	1.3	15.1	13.5
1994	30.1	31.5	33.5	1.3	--	3.6	13.7	12.2
1993	27.4	33.6	34.2	4.4	1.5	2.9	11.5	14.9
1992	27.6	33.7	34.7	1.5	0	2.5	12.6	16.5
1991	30.9	31.4	33.2	0	1.4	3.0	14.7	10.8
1990	30.9	33.2	29.3	1.2	1.9	3.4	12.4	11.3
1989	33	33	34	--	--	--	--	--
1987	26	35	39	--	--	--	--	--