

FOX NEWS POLL

OPINION DYNAMICS

28 April 2010

Polling was conducted by telephone April 20-21, 2010, in the evenings. The total sample is 900 registered voters nationwide with a margin of sampling error of ± 3 percentage points.

Democrats n=373, ± 5 ; Republicans n=328, ± 5 ; Independents n=160, ± 8

Questions 1-29 released separately

30. Do you think the United States Supreme Court is generally too liberal, too conservative, or about right in its decisions?

	Too Liberal	Too Conservative	About right	(Don't know)
20-21 Apr 10	27%	16	46	10
Democrats	8%	28	52	11
Republicans	51%	5	38	6
Independents	25%	11	52	12
24-25 Jan 06	28%	17	42	13
30 Jun-1 Jul 03	30%	20	37	13

31. - 36. Supreme Court Justice John Paul Stevens recently announced he will resign at the end of his term, which will give Barack Obama his second chance to nominate a Supreme Court Justice. I'm going to read a list of qualities that might be considered when selecting a new justice. For each one, please tell me whether you think it:

SCALE: 1. Should be the single most important factor 2. Should be a factor, but not the most important 3. Shouldn't matter 4. Should be a disqualifying factor 5. (Don't know) (ROTATE LIST)

**2009 Wording: "...David Souter recently announced..." and "...Obama his first chance to..."*

	Single most impt factor	A factor	Shouldn't matter	DQ factor (DK)	
The nominee being a woman?					
20-21 Apr 10	2%	12	83	2	1
Democrats	4%	17	77	3	1
Republicans	2%	10	87	1	-
Independents	1%	9	87	2	1
12-13 May 09*	5%	18	75	1	-
The nominee being a minority?					
20-21 Apr 10	2%	12	82	3	1
Democrats	3%	16	76	3	2
Republicans	1%	7	87	4	1
Independents	-%	10	86	2	1
12-13 May 09*	4%	17	75	2	2

The nominee being a homosexual?					
20-21 Apr 10	1%	8	73	15	3
Democrats	1%	9	71	15	4
Republicans	2%	8	69	18	2
Independents	-%	4	83	10	2
12-13 May 09*	4%	11	66	17	2

		Single most impt factor	A factor	Shouldn't matter	DQ factor (DK)	
The nominee being an attorney?						
20-21 Apr 10	11%	49	36	2	2	
Democrats	11%	49	35	3	3	
Republicans	10%	52	35	2	1	
Independents	10%	46	39	2	3	

The nominee having served as a judge?						
20-21 Apr 10	20%	56	20	2	2	
Democrats	21%	54	21	2	3	
Republicans	20%	59	17	2	2	
Independents	20%	56	21	1	2	
12-13 May 09*†	45%	44	8	1	1	

†Wording: "...having judicial experience"

The nominee being a constitutional scholar?						
20-21 Apr 10	20%	52	23	1	3	
Democrats	15%	51	28	1	5	
Republicans	27%	54	16	1	1	
Independents	20%	54	23	1	2	

37. Would it matter to you if there weren't any justices with a Protestant religious background on the Supreme Court?

	Yes, would matter	No, wouldn't matter	(Don't know)
20-21 Apr 10	27%	70	3
Democrats	19%	80	2
Republicans	41%	57	2
Independents	22%	73	5

38. - 43. I'm going to read you a list of characteristics and affiliations and I'd like you to tell me whether or not you would be comfortable with a Supreme Court Justice who has that characteristic or affiliation. Would you be comfortable with a justice who is [INSERT ITEM] or not?

SCALE: 1. Yes, comfortable 2. No, not comfortable 3. (Don't know)

(RANDOMIZE LIST)

	Yes	No	(Don't know)
A Mormon			
20-21 Apr 10	65%	30	5
Democrats	62%	32	6
Republicans	68%	27	4
Independents	63%	33	4

A Christian who takes the Bible literally

20-21 Apr 10	62%	35	3
Democrats	54%	42	4
Republicans	74%	24	2
Independents	57%	43	1

	Yes	No	(Don't know)
A Muslim			
20-21 Apr 10	43%	53	4
Democrats	50%	45	5
Republicans	31%	66	3
Independents	53%	44	3
An atheist			
20-21 Apr 10	39%	58	3
Democrats	46%	52	3
Republicans	29%	69	2
Independents	47%	49	4
A libertarian			
20-21 Apr 10	57%	32	11
Democrats	53%	36	11
Republicans	58%	33	9
Independents	65%	23	12
A socialist			
20-21 Apr 10	31%	64	5
Democrats	47%	47	6
Republicans	16%	81	3
Independents	27%	67	6

44. When Justice Stevens retires, every justice on the Supreme Court will have gone to either Harvard, Yale or Columbia Law School. For the next nominee, do you think the president should pick someone who also went to an Ivy League law school, or should he pick someone who attended a less elite, everyday American law school?

	Ivy League school	Everyday American school	(No difference)	(Don't know)
20-21 Apr 10	9%	42	47	2
Democrats	11%	39	48	2
Republicans	8%	49	41	3
Independents	6%	38	55	1

45. - 48. During the Senate confirmation hearings, would you like to hear the Supreme Court nominee give a candid answer about whether:

	Yes	No	(Don't know)
Abortion is a right guaranteed by the Constitution?			
20-21 Apr 10	68%	27	4
Democrats	67%	29	3
Republicans	71%	27	3
Independents	69%	24	7
The new health care law is constitutional?			
20-21 Apr 10	77%	19	4
Democrats	76%	20	4
Republicans	82%	14	4
Independents	74%	22	4
It is constitutional to ban guns?			
20-21 Apr 10	71%	27	2
Democrats	66%	31	3
Republicans	76%	24	-
Independents	74%	23	3

	Yes	No	(Don't know)
Gay marriage is a right guaranteed by the Constitution?			
20-21 Apr 10	60%	36	5
Democrats	54%	39	6
Republicans	67%	30	2
Independents	62%	35	2

ROTATE NEXT TWO QUESTIONS

49. Do you think Hillary Clinton would make a good Supreme Court Justice, or not?

	Yes	No	(Don't know)
20-21 Apr 10	40%	53	7
Democrats	62%	32	6
Republicans	22%	72	6
Independents	30%	59	12
12-13 May 09	42%	53	5

50. Do you think Judge Judy would make a good Supreme Court Justice, or not?

	Yes	No	(Don't know)
20-21 Apr 10	27%	62	10
Democrats	27%	63	10
Republicans	27%	63	10
Independents	30%	61	10

POLITICAL IDENTIFICATION: When you think about politics, do you think of yourself as a Democrat or a Republican?

	Democrat	Republican (Independent)	(Other)	(Refused/Don't know)
20-21 Apr 10	41%	36	18	2
6-7 Apr 10	40%	36	18	4
16-17 Mar 10	40%	37	18	4
23-24 Feb 10	38%	37	17	5
2-3 Feb 10	36%	36	22	3
12-13 Jan 10	39%	34	20	3
8-9 Dec 09	38%	38	18	3
17-18 Nov 09	38%	36	20	3
27-28 Oct 09	40%	37	17	4
13-14 Oct 09	41%	37	16	4
29-30 Sep 09	41%	37	17	3
15-16 Sep 09	42%	31	21	4
11-12 Aug 09	39%	35	22	2
21-22 Jul 09	40%	34	20	4
9-10 Jun 09	40%	33	23	1
12-13 May 09	42%	30	24	2
22-23 Apr 09	42%	30	22	3
31 Mar-1 Apr 09	42%	33	20	3
3-4 Mar 09	40%	32	22	3
17-18 Feb 09	42%	35	18	3
27-28 Jan 09	44%	30	22	2