



Marquette Law School Supreme Court Poll – September 3-13, 2019

Thank you for taking the time to complete this survey. This survey is being conducted on behalf of Marquette University.

We're conducting a survey about your views on issues facing the country today. Your participation is completely voluntary and your responses will be kept confidential. No one will ever try to sell you anything as a result of your responses.

Q1. Some people are registered to vote and others are not. Are you registered to vote in the precinct or ward where you now live, or aren't you?

- 1 Yes, Registered to Vote
- 2 No, Not Registered to Vote

Q2. Some people seem to follow what's going on in politics most of the time, whether there's an election going on or not. Others aren't that interested. How often do you follow what's going on in politics...?

- 1 Most of the time
- 2 Some of the time
- 3 Only now and then
- 4 Hardly at all

****PROGRAMMER NOTE: Present Q3-Q7 as a grid. Scramble order of Q3-Q7****

Here is a list of institutions in American society. How much confidence do you have in each one?

A great deal 1	Quite a lot 2	Some 3	Very little 4	None at all 5
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Q3. The US Supreme Court

Q4. Congress

Q5. The Presidency

Q6. Your state Supreme Court or highest court in your state

Q7. The criminal justice system

****PROGRAMMER NOTE: Scramble response codes in Q8****

Q8. Of the three branches of US government, which one do you trust the most?

- 1 The US Congress (the legislative branch)
- 2 The Presidency (the executive branch)
- 3 The US Supreme Court (the judicial branch)

****PROGRAMMER NOTE: Scramble Q9 so half get (very conservative, conservative, moderate, liberal or very liberal), and half get (very liberal, liberal, moderate, conservative or very conservative) and reverse the order of responses accordingly. Save which order is used as a variable.****

Q9. In general, would you describe the US Supreme Court as...?

- 1 Very conservative
- 2 Conservative
- 3 Moderate
- 4 Liberal
- 5 Very liberal

Q10. Have you personally ever read the entire Constitution, either in school or on your own?

- 1 Yes, have read the entire Constitution
- 2 No, have not read the entire Constitution

Q11. If the Supreme Court rules against the president in a case, does the president have the power to ignore that ruling, or is the president required to do as the ruling says?

- 1 The president has the power to ignore the ruling
- 2 The president is required to do as the ruling says

Q12. Does the Supreme Court have the power to review laws passed by Congress and to declare them invalid if they conflict with the Constitution?

- 1 Yes, the Supreme Court has this power
- 2 No, the Supreme Court does not have this power

*****PROGRAMMER NOTE: Rotate order of Democratic and Republican*****

Q13. What is your guess as to whether a majority of the current US Supreme Court Justices were appointed by Democratic or Republican presidents?

- 1 Definitely a majority appointed by Democratic presidents
- 2 Probably a majority appointed by Democratic presidents
- 3 Probably a majority appointed by Republican presidents
- 4 Definitely a majority appointed by Republican presidents

Q14. Which part of the Constitution is called the “Bill of Rights?”

- 1 Article I
- 2 Article II
- 3 Article III
- 4 Amendments 1-10
- 5 Amendments 13-15
- 8 I don’t know

****PROGRAMMER NOTE: Present Q15-Q23 as a grid. Scramble order of names.****

Some justices of the Supreme Court are better known than others. For each of these names have you never heard of them, heard of them but don't know enough to have an opinion of them, have a favorable opinion or have an unfavorable opinion?

Never heard of 1	Heard but not enough 2	Favorable opinion 3	Unfavorable opinion 4
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- Q15. Samuel Alito
- Q16. Stephen Breyer
- Q17. Ruth Bader Ginsburg
- Q18. Neil Gorsuch
- Q19. Elena Kagan
- Q20. Brett Kavanaugh
- Q21. John Roberts
- Q22. Clarence Thomas
- Q23. Sonia Sotomayor

****End Section timer****

****Start Section Timer****

Q24. How important is the choice of the next Supreme Court justice to you personally?

- 1 Very important
- 2 Somewhat important
- 3 Not too important
- 4 Not at all important

Q25. Why do you think the choice of the next Supreme Court justice is [PIPE RESPONSE FROM Q24] to you personally? (PLEASE BE AS DETAILED AS POSSIBLE)

(Open ended)

****PROGRAMMER NOTE: Scramble order of Q26-Q27****

Q26. If a nominee for the US Supreme Court is qualified and has no ethical problems, would US Senators be justified or not justified in voting against that nominee simply because of how they believe the Justice would decide cases on issues such as abortion, gun control, or affirmative action?

1. Justified in voting against the nominee
2. Not justified in voting against the nominee

Q27. If a nominee for the US Supreme Court is qualified and has no ethical problems, would US Senators be justified or not justified in voting against that nominee simply because the Senator is from a different political party from the president who made the nomination?

- 1 Justified in voting against the nominee
- 2 Not justified in voting against the nominee

****PROGRAMMER NOTE: Present Q28-Q31 as a grid. Scramble order of Q28-Q31****

How important is it for a good Supreme Court justice to have each of these characteristics?

Very important 1	Somewhat important 2	Not very important 3	Not at all important 4
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Q28. Respect for existing Supreme Court decisions.

Q29. Exercise of good judgment and wisdom in the application of the law rather than only strict technical compliance with the law as it is written.

Q30. Be able to empathize with ordinary people; that is, to be able to understand how the law hurts or helps the people.

Q31. Interpret the law according to the judge's judicial philosophy, whether liberal or conservative.

Q32. Which is more important, a decision...?

- 1 That leads to a fair outcome
- 2 That follows the law, even if seemingly unfair

Q33. If there is another opening on the Supreme Court, how much confidence do you have that President Donald Trump will select the right kind of person to sit on the Supreme Court?

- 1 A great deal of confidence
- 2 Quite a lot of confidence
- 3 Some confidence
- 4 Very little confidence
- 5 None at all

****PROGRAMMER NOTE: Scramble order of Q34 and Q35 and save order as a variable.****

Q34. In February 2016, following the death of Justice Antonin Scalia, Republican Senate Majority Leader Mitch McConnell announced that the Senate would not consider or hold hearings on any nominee President Obama might name during an election year. In March, Obama nominated Judge Merrick Garland to the Supreme Court. The Senate did not hold a hearing and the nomination expired in January 2017. Was not holding a hearing on the nomination the right thing or the wrong thing to do?

- 1 Right thing to do
- 2 Wrong thing to do

Q35. If there is a vacancy on the Supreme Court during the 2020 presidential election year and President Trump nominates someone what should the Senate do?

- 1 Hold hearings
- 2 Not hold hearings

****PROGRAMMER NOTE: Present Q36-Q38 as a grid. Scramble order of Q36-Q38****

How much do you favor or oppose the following proposals affecting the Supreme Court?

Strongly favor 1	Favor 2	Oppose 3	Strongly oppose 4
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Q36. Increase the number of justices on the US Supreme Court

Q37. Have judges serve a fixed term on the court rather than serving life terms

Q38. Limit the ability of the Supreme Court to review and set aside acts of Congress as unconstitutional

Q39. In general, what most often motivates Supreme Court justices' decisions?

1. Mainly politics
2. Mainly the law

Q40. How should Supreme Court justices base their decisions? On their interpretations of...?

- 1 What the US Constitution was understood to mean when it was originally written
- 2 The Constitution as a document whose meaning may have evolved over time

****PROGRAMMER NOTE: Present Q41-Q46b as a grid. Scramble order of Q41-Q46b****

How much do you favor or oppose the following possible Supreme Court decisions?

Strongly favor 1	Somewhat Favor 2	Somewhat Oppose 3	Strongly oppose 4	Don't know 8
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- Q41. Overturn Roe versus Wade, thus strike down the 1973 decision that made abortion legal in all 50 states.
- Q42. Strike down the 2010 health care reform law, also called Obamacare, by declaring it unconstitutional
- Q43. Decide that a business owner's religious beliefs or free speech rights can justify refusing some services to gay people.
- Q44. Decide the administration can end the DACA program that allows young people who were brought to the United States illegally as children to register and avoid immediate deportation.
- Q45. Decide that laws prohibiting employment discrimination on the basis of sex also apply to discrimination based on sexual orientation of gay, lesbian or transgender individuals.
- Q46. Decide that a program that financially supports students attending private schools may also include religious schools without violating the constitution.
- Q46b. Decide that a ban on semi-automatic rifles violates the 2nd amendment and thus is unconstitutional.

****PROGRAMMER NOTE: Present Q47-Q52 as a grid. Scramble order of Q47-Q52****

How much do you favor or oppose the following recent Supreme Court decisions?

Strongly favor 1	Somewhat Favor 2	Somewhat Oppose 3	Strongly oppose 4	Don't know 8
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- Q47. Established a constitutional right for same-sex couples to marry
- Q48. Decided colleges can use race as one factor in deciding which applicants to admit
- Q49. Upheld President Donald Trump's travel ban against citizens of five Muslim-majority countries
- Q50. Decided that privately-held for-profit companies may choose not to pay for coverage of prescription birth control in their workers' health plans if the company's owner has religious objections
- Q51. Decided that corporations and unions can spend unlimited amounts of money to directly support or oppose political candidates
- Q52. Decided that federal courts lack the constitutional authority to rule on cases involving legislative and congressional district boundaries designed to favor one political party (known as gerrymanders)

****Ask on single screen, not as grid****

- Q53. The Second Amendment reads: "A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed." In 2008 the Court ruled that the Second Amendment protects an individual right to possess a firearm unconnected with service in a militia, and to use that arm for traditionally lawful purposes, such as self-defense within the home. How strongly do you favor or oppose that decision?

- 1. Strongly favor
- 2. Somewhat favor
- 3. Somewhat oppose
- 4. Strongly oppose
- 8. Don't know

- Q54. Overall, how much do you approve or disapprove of the way Donald Trump is handling his job as president?

- 1 Strongly approve
- 2 Somewhat approve
- 3 Somewhat disapprove
- 4 Strongly disapprove

****PROGRAMMER NOTE: Present Q55-Q57 as a grid. Scramble Q55-Q57****

How much do you approve or disapprove of the way Donald Trump is handling the following issues?

Strongly approve 1	Somewhat Approve 2	Somewhat Disapprove 3	Strongly disapprove 4
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Q55. The economy

Q56. The issue of immigration

Q57. Appointments to the US Supreme Court

****PROGRAMMER NOTE: Scramble Order of Q58-Q59. Rotate candidate names in Q58-Q59, but use same order of Democrat and Republican in both Q58-Q59. If code 7 selected in first question, auto code (7) and skip second question.****

Q58. If the election for president were being held today and the candidates were Joe Biden, the Democrat, and Donald Trump, the Republican, for whom would you vote?

1. Definitely vote for Joe Biden
2. Probably vote for Joe Biden
3. Probably vote for Donald Trump
4. Definitely vote for Donald Trump
5. Vote for someone else
6. Would not vote
7. Not registered to vote/can't vote

Q59. If the election for president were being held today and the candidates were Elizabeth Warren the Democrat and Donald Trump the Republican, for whom would you vote?

1. Definitely vote for Elizabeth Warren
2. Probably vote for Elizabeth Warren
3. Probably vote for Donald Trump
4. Definitely vote for Donald Trump
5. Vote for someone else
6. Would not vote
7. Not registered to vote/can't vote

****PROGRAMMER NOTE: Present Q60-Q62 as a grid. Scramble Q60-Q62****

For each of the following, how frequently do you read or watch that source of news?

	A few times a week	Once a week	Less than once a week	Never
Everyday 1	2	3	4	5

Q60. Read the newspaper, either in print or online?

Q61. Read or learn about the news on social media such as Facebook or Twitter?

Q62. Watch the local TV news in your area?

Q63. When it comes to keeping up with the news, which of these national news sources, if any do you watch or listen to most often?

1. Network news such as on NBC, ABC or CBS
2. Fox News Channel
3. CNN
4. MSNBC
5. PBS NewsHour
6. National Public Radio (NPR)
7. Some other national news source (specify) _____
8. Do not watch/listen to national news source

D1. Generally speaking, do you usually think of yourself as a Republican, a Democrat, or an Independent?

- 1 Republican
- 2 Democrat
- 3 Independent
- 4 Other/No preference

****PROGRAMMER NOTE: Ask D2 IF 3,4 in D1****

D2. Do you think of yourself as closer to the Republican Party or to the Democratic Party?

- 1 Republican
- 2 Democratic
- 3 Neither

D3. Aside from weddings and funerals, how often do you attend religious services?

- 1 More than once a week
- 2 Once a week
- 3 Once or twice a month
- 4 A few times a year
- 5 Seldom
- 6 Never

D4. What is your religious preference?

- 01 Protestant
- 02 Roman Catholic
- 03 Other Christian Religion
- 04 Mormon/Latter-Day Saints
- 05 Jewish
- 06 Muslim/Islam
- 07 Other Non-Christian Religion
- 08 No Religion

****PROGRAMMER NOTE: IF 01 or 03 in D4 Ask D5.****

D5. Would you describe yourself as a "born-again" or evangelical Christian, or not?

- 1 Yes, would
- 2 No, would not

*****PROGRAMMER NOTE: Scramble D6 so half get (very conservative, conservative, moderate, liberal or very liberal), and half get (very liberal, liberal, moderate, conservative or very conservative) and reverse the order of responses accordingly. Save which order is used as a variable.*****

D6. In general, would you describe your political views as...?

- 1 Very conservative
- 2 Conservative
- 3 Moderate
- 4 Liberal
- 5 Very liberal

(CLOSING)

Thank you very much. Have a great day