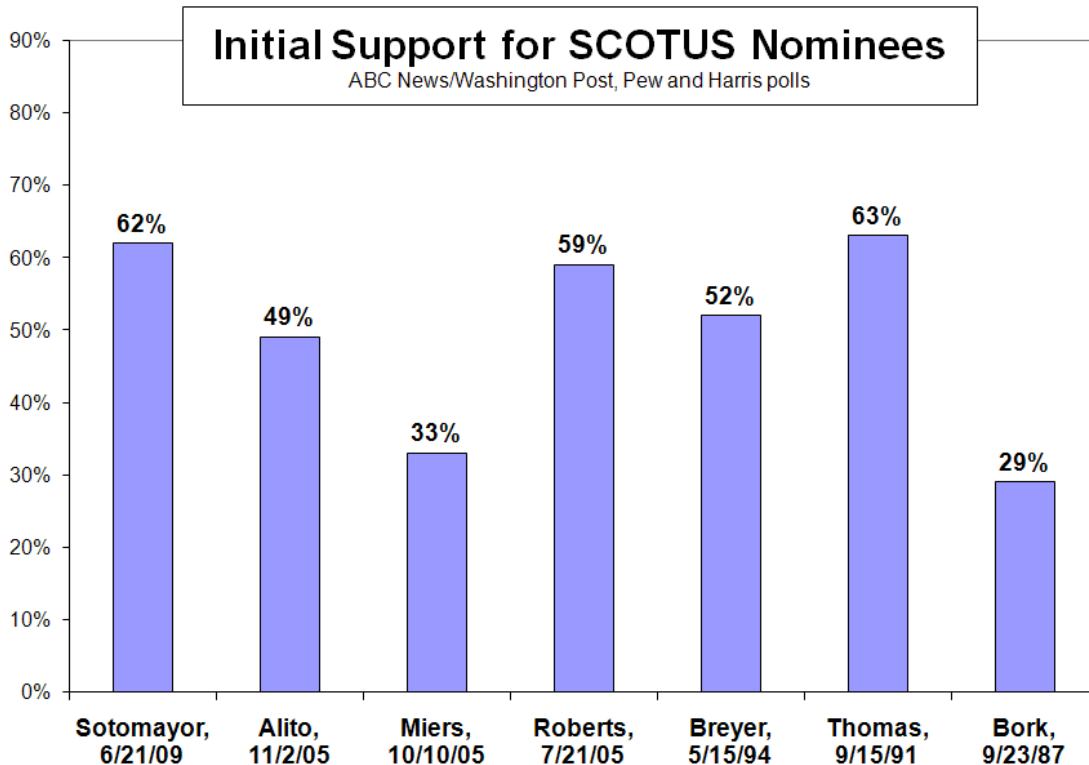


## **Sotomayor Holds Broad Support for Supreme Court Confirmation**

Sonia Sotomayor enjoys broad public support for a seat on the U.S. Supreme Court, with large majorities of Americans rejecting the notion that her sex, race or ethnicity play a negative role in how she decides cases as a judge.

Sixty-two percent in this ABC News/Washington Post poll say Sotomayor should be confirmed, among the highest levels of support for a high court nominee in polling data back to Robert Bork in 1987. The only numerically higher was 63 percent initial support for Clarence Thomas, which fell when his nomination turned controversial.



**SEX/ETHNICITY** – There’s been close scrutiny of a 2001 speech in which Sotomayor said, “I would hope that a wise Latina woman with the richness of her experiences would more often than not reach a better conclusion than a white male who hasn’t lived that life.” Critics say this raises questions of judicial even-handedness; supporters call it a reflection on the benefits of diversity and the fact that life experience shapes judgment.

Results of this poll show support for Sotomayor in two ways. First, 59 percent don't think her sex plays a role in her judicial decisions. Moreover, among those who think it does inform her judgment, 70 percent see that as a good thing. The total – those who see no influence, or a positive one – is 82 percent. (It's virtually identical among women and men.)

The results on ethnicity are somewhat less lopsided; nonetheless 52 percent believe Sotomayor's racial or ethnic background doesn't play a role in her decisions, and of those who think it does, 42 percent call that a good thing. On this, a net total of 68 percent see no influence or a positive one (66 percent of whites, as well as 77 percent of non-whites).

**IDEOLOGY and ABORTION** – Sotomayor also benefits from a mainstream image. Fifty-five percent say she's "about right" ideologically, about as many as said so about John Roberts and more than Samuel Alito's 44 percent in 2005. Just over a quarter call her too liberal, about as many as called both Roberts and Alito too conservative.

Sotomayor's past statements and judicial record leave little hint of her views on abortion, a perennial issue in Supreme Court nominations. It's an issue on which public views are complex, but one that most Americans seem to want left alone. Sixty percent in this poll say that if it came before the court, Sotomayor should vote to uphold *Roe v. Wade*, about the same results (anywhere from 60 to 65 percent) as for Roberts and Alito four years ago.

Partisans split hard on the issue – 71 percent of Democrats want the law upheld, 54 percent of Republicans want it overturned. Among independents, 61 percent favor it.

Still, Sotomayor's silence on the topic might serve her well. She's supported by 73 percent of those who want *Roe v. Wade* upheld, but also by a sizable 42 percent of those who oppose the ruling. (For many, it should be noted, a single issue is not determinative.)

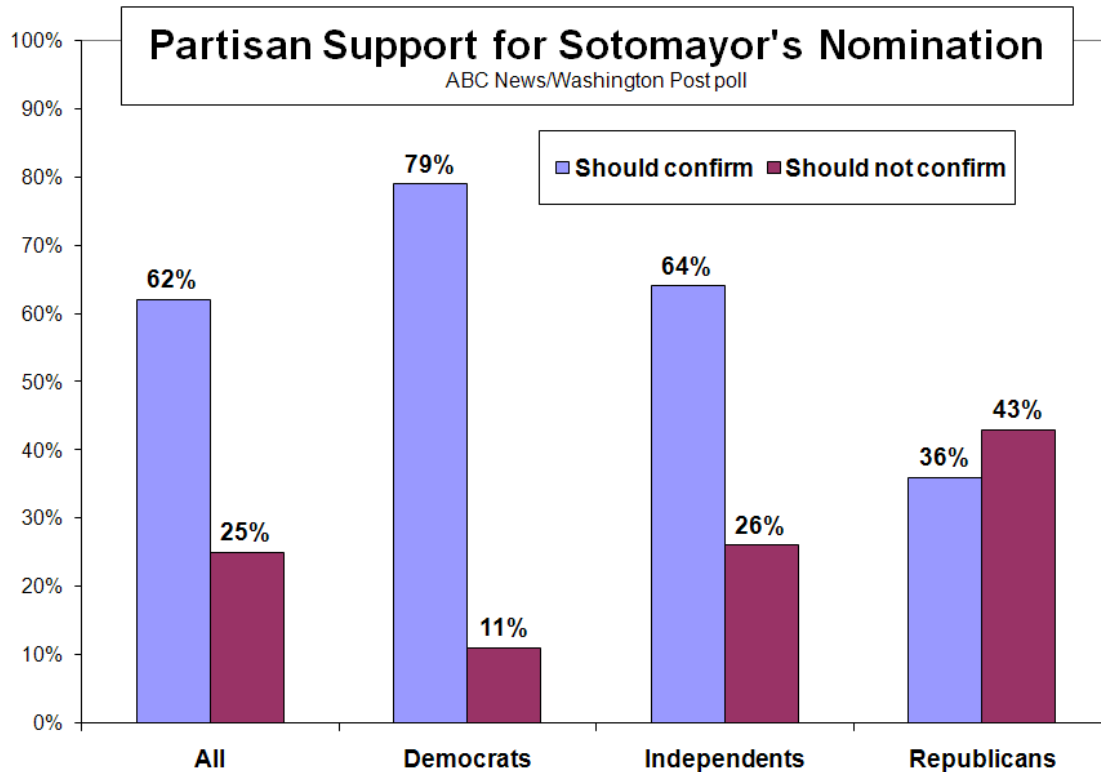
Another measure finds Americans' overall opinions on abortion stable: Fifty-five percent say abortion should be legal in most or all cases, while 43 percent believe it should be all or mostly illegal. Those are very near their long-term averages, 56-42 percent, in ABC/Post polls since 1995. Support for legal abortion as usual includes roughly equal numbers of men and women, and is about the same among Catholics as among all adults.

**GROUPS** – Sotomayor, who'd be the first Hispanic justice, enjoys prodigious support from minorities: Seventy-eight percent want her confirmed, compared with 57 percent of whites. (The sample size of Hispanics is too small in this poll for separate analysis.)

At the same time, her support is nearly the same among women and men, 63 percent and 61 percent, respectively.

Views on the judge divide starkly along party lines. Seventy-nine percent of Democrats want her confirmed (peaking at 86 percent of liberal Democrats), compared with 36

percent of Republicans (and just 21 percent of conservative Republicans). Independents line up on her side, with 64 percent support.



Similarly, Republicans are more likely to think Sotomayor's race and ethnicity affect her decision-making, and to think it's a bad thing. Forty-nine percent of Republicans see this influence, and by 4-1 they think it's a bad thing; among conservative Republicans it's 59 percent, and 9-1 negative.

Far fewer Democrats, 33 percent, think Sotomayor's race and ethnicity influence the way she decides cases, and they, by a 2-1 margin, think this is good.

By contrast, there are no partisan differences in views of whether Sotomayor's sex plays a role in her judicial decisions – although Republicans who say yes are more apt to think that's a bad thing.

**METHODOLOGY** – This ABC News/Washington Post poll was conducted by telephone June 18-21, 2009, among a random national sample of 1,001 adults, including landline and cell-phone-only respondents. Results for the full sample have a 3.5-point error margin; click [here](#) for a detailed description of sampling error. Sampling, data collection and tabulation by TNS of Horsham, PA.

Analysis by Giovanni Russonello.

ABC News polls can be found at ABCNEWS.com at <http://abcnews.com/pollingunit>

Media contact: Cathie Levine, (212) 456-4934.

Full results follow (\*= less than 0.5 percent).

1-8 previously released.

9. On another subject, as you may know, Obama has nominated federal judge Sonia Sotomayor to serve on the U.S. Supreme Court. Do you think the U.S. Senate should or should not confirm Sotomayor's nomination to the Supreme Court?

	Should	Should not	No opinion
Sotomayor, 6/21/09	62	25	13
Alito, 1/8/06	53	27	20
Alito, 12/18/05	54	28	19
Alito, 11/2/05	49	29	22
Miers, 10/10/05*	33	27	40
Roberts, 9/11/05**	55	26	19
Roberts, 8/28/05	57	22	20
Roberts, 7/21/05	59	23	17
Breyer, 5/15/94	52	10	37
Thomas, 10/14/91***	59	28	14
Thomas, 10/13/91	56	29	15
Thomas, 10/12/91	50	29	20
Thomas, 10/9/91	47	23	30
Thomas, 10/8/91	50	25	24
Thomas, 9/15/91	63	24	14
Bork, 9/23/87****	29	57	14

\*Pew

\*\*as chief justice

\*\*\*No opinion for Thomas includes "wait and see" (vol.)

\*\*\*\*Harris, "All in all, if you had to say, do you think the U.S. Senate should confirm or turn down the nomination of Judge Robert Bork to be on the U.S. Supreme Court?"

10. Given what you know, do you think Sotomayor is a (more) liberal nominee than you'd have liked, (less) liberal than you'd have liked, or about right?

	More	Less	About right	No opinion
Sotomayor, 6/21/09	26	8	55	12
Alito, 11/2/05*	29	10	44	17
Roberts, 7/21/05*	26	9	58	7

\* "conservative" instead of "liberal"

11. Do you think Sotomayor's racial and ethnic background plays a role in the way she decides cases as a judge, or not? (IF YES) Do you think that's a good thing or a bad thing?

	----- Yes -----				
	NET	Good	Bad	No	No opinion
6/21/09	38	16	22	52	10

12. Do you think the fact that Sotomayor is a woman plays a role in the way she decides cases as a judge, or not? (IF YES) Do you think that's a good thing or a bad thing?

	----- Yes -----				
	NET	Good	Bad	No	No opinion
6/21/09	33	23	10	59	8

13. The Supreme Court legalized abortion 36 years ago in the ruling known as Roe versus Wade. If that case came before the court again, would you want Sotomayor to vote to (uphold) Roe versus Wade, or vote to (overturn) it?

	Uphold	Overturn	No opinion
Sotomayor, 6/21/09	60	34	6
Alito, 12/18/05	61	35	4
Alito, 11/2/05	64	31	5
Roberts, 8/28/05	60	33	7
Roberts, 7/21/05	65	32	4

14-41 previously released.

42. On another subject, do you think abortion should be legal in all cases, legal in most cases, illegal in most cases or illegal in all cases?

		----- Legal -----		----- Illegal -----				
		All	Most	NET	Most	All	No	
		cases	cases	cases	cases	cases	opinion	
6/21/09		55	20	35	43	26	17	2
9/7/08	RV	57	19	38	39	24	15	4
8/22/08		54	22	32	44	26	18	3
6/15/08		53	18	35	44	28	16	3
1/12/08		57	21	36	40	25	15	3
12/9/07		53	18	35	44	27	17	3
11/1/07		55	19	36	43	27	16	2
7/21/07		56	23	34	41	28	14	2
2/25/07		56	16	39	42	31	12	2
12/18/0		56	17	40	41	27	13	3
4/24/05		56	20	36	42	27	14	3
12/19/04		55	21	34	42	25	17	3
5/23/04		54	23	31	44	23	20	2
1/20/03		57	23	34	42	25	17	2
8/12/01		49	22	27	48	28	20	3
6/24/01		52	22	31	43	23	20	4
1/15/01		59	21	38	39	25	14	1
9/6/00	RV	55	20	35	42	25	16	3
7/23/00		53	20	33	43	26	17	4
9/2/99		56	20	37	42	26	15	2
3/14/99		55	21	34	42	27	15	3
7/12/98		54	19	35	42	29	13	4
8/5/96		56	22	34	41	27	14	3
6/30/96		58	24	34	40	25	14	2
10/1/95		60	26	35	37	25	12	3
9/21/95		60	24	36	36	25	11	4
7/17/95		59	27	32	40	26	14	1

\*\*\*END\*\*\*