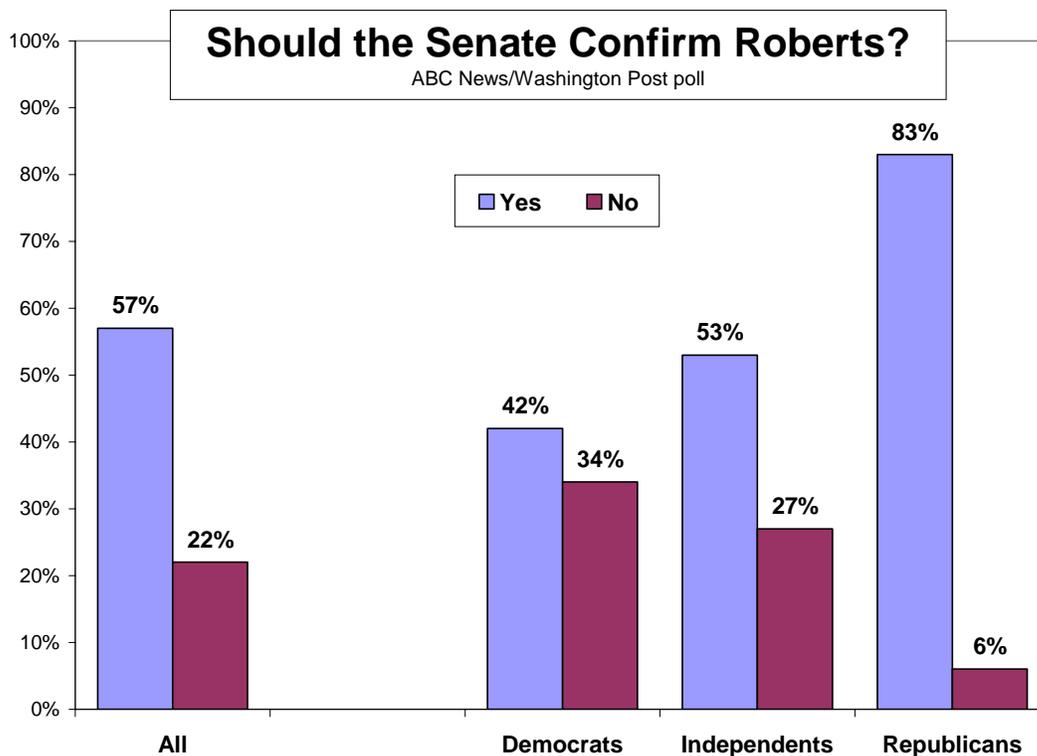


## **Roberts' Support Held Steady as Associate Justice Nominee**

John Roberts won more positive than negative reviews in the weeks following his nomination as an associate justice of the U.S. Supreme Court, and his support held steady. But six in 10 still want to hear his position on abortion.

Fifty-seven percent in this ABC News/Washington Post poll, completed last week, said the Senate should confirm Roberts as an associate justice. The survey was conducted before his nomination as chief justice following the death of William Rehnquist.

While there were sharp partisan divisions, even Democrats favored Roberts' confirmation, albeit just by an eight-point margin, 42-34 percent. Independents favored him by a 26-point margin; Republicans, by a huge 77-point gap, 83-6 percent.



All the same, a sizable group wants more details. Six in 10 said Roberts should publicly state his position on abortion before being approved by the Senate. And 52 percent said he should answer questions about how he would have ruled on past cases, although that's down from 61 percent in July – a decline that's occurred mainly among Republicans.

LIKE HIM –What the public’s learned so far about Roberts has done more to help than to hurt him, with his reviews most positive by far among Republicans and conservatives.

Among all Americans, nearly four in 10 say the more they’ve heard about Roberts the more they like him, while just over a quarter say they like him less. There’s great partisanship here: Democrats and liberals say by about 20-point margins that they like Roberts less as they learn more about him. But Republicans and conservatives like him more, by margins of 57 points and 34 points, respectively. Independents divide.

	After hearing about Roberts:	
	Like him more	Like him less
All	39%	28
Democrats	25	45
Independents	35	31
Republicans	64	7
Liberals	24	47
Moderates	37	27
Conservatives	53	19

ABORTION – Not only do six in 10 Americans want to hear Roberts’ position on the abortion issue, but the same number, 60 percent, say that if Roe v. Wade came before the court again they’d want Roberts to vote to uphold it.

But avoiding the hot-button question may be Roberts’ safest bet, since he currently wins support from both sides of the issue. Among people who oppose Roe, 69 percent favor Roberts’ confirmation. Among Roe supporters, fewer but still a majority, 53 percent, say he should be confirmed.

Similarly to views on Roe, 56 percent of Americans want the court to keep the availability of abortions the same as it is now or make them easier to get (47 percent and nine percent, respectively). The rest, 42 percent, want them more difficult to obtain. And again, Roberts wins support from most of those who want the availability of abortions to remain the same, as well as from those who want them to be more restricted.

	Should Roberts be confirmed?	
	Yes	No
Roberts on Roe v. Wade:		
Uphold	53%	27
Overturn	69	16
Abortion should be made:		
Easier	40	47
Same	54	23
Harder	65	17

**QUALIFICATIONS** – More broadly, Americans are more likely to say Roberts' background and qualifications should be the deciding factor at the hearings, rather than his judicial philosophy and legal views. Just under half say senators should support the nomination if they believe Roberts has the right qualifications, even if they disagree with his judicial philosophy. Thirty-seven percent say such senators should oppose him.

Among those who think Roberts' qualifications should be the more important factor to senators at his hearings, 84 percent favor his confirmation. But among those who say judicial philosophy should be key, his support plummets to 36 percent.

In terms of pure politics, Americans overall divide evenly on whether the Democrats in Congress have gone too far or not far enough in opposing Roberts's nomination. But congressional Democrats might start to feel the heat from their own ranks: Just among Democrats, six in 10 say their leaders in Washington haven't done enough.

**METHODOLOGY** – This ABC News/Washington Post poll was conducted by telephone Aug. 25-28, 2005, among a random national sample of 1,006 adults. The results have a three-point error margin. Sampling, data collection and tabulation by TNS Intersearch of Horsham, Pa.

Analysis by Dalia Sussman.

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

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

24. On another subject, as you may know, George W. Bush has nominated federal judge John Roberts to serve on the U.S. Supreme Court. Do you think the U.S. Senate should or should not confirm Roberts' nomination to the Supreme Court?

	Should	Should not	No opinion
8/28/05	57	22	20
7/21/05	59	23	17

Compare to:

BREYER:

	Should	Should not	No opinion
5/15/94	52	10	37

THOMAS:

	Should	Should not	Wait and see (vol.) /no opinion
10/14/91	59	28	14
10/13/91	56	29	15
10/12/91	50	29	20
10/9/91	47	23	30
10/8/91	50	25	24
9/15/91	63	24	14

25. Would you say that the more you hear about Roberts (the more you like him), or the more you hear about Roberts (the less you like him)?

	More you like him	Less you like him	No difference (vol.)	No opinion
8/28/05	39	28	16	17

26. Do you think a senator who believes Roberts has the right background and qualifications, but who disagrees with his judicial philosophy and legal views, should vote for or against Roberts' nomination?

	For	Against	No opinion
8/28/05	49	37	14
7/21/05	53	41	6

27. At his confirmation hearing, do you think Roberts should or should not answer questions about how he would have ruled on past cases that have come before the Supreme Court?

	Should	Should not	No opinion
8/28/05	52	42	5
7/21/05	61	36	3

28. Do you think Roberts should or should not publicly state his position on abortion before being approved by the U.S. Senate for the job?

	Should	Should not	No opinion
8/28/05	61	36	3
7/21/05	64	34	2
6/15/03*	73	23	4

\*"The next person nominated": included strongly/somewhat follow-up

29. The Supreme Court legalized abortion 32 years ago in the ruling known as Roe versus Wade. If that case came before the court again, would you want Roberts to vote to (uphold) Roe versus Wade, or vote to (overturn) it?

	Uphold	Overturn	No opinion
8/28/05	60	33	7
7/21/05	65	32	4

30. Would you like to see the Supreme Court (make it harder to get an abortion than it is now), (make it easier to get an abortion than it is now), or (leave the ability to get an abortion the same as it is now)?

	Harder	Easier	Same	No opinion
8/28/05	42	9	47	2

Compare to: Would you like to see the government and the courts (make it harder to get an abortion than it is now), (make it easier to get an abortion than it is now), or (leave the ability to get an abortion the same as it is now)?

	Harder	Easier	Same	No opinion
1/20/03	42	15	41	2

31. Do you think Democrats in Congress have gone too far or not far enough in opposing...

8/28/05 - Summary Table

	Too Far	Not far enough	Right amount (vol.)	No opinion
b. the nomination of John Roberts to the U.S. Supreme Court	38	38	7	18

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