



Interviews with 1,023 adult Americans conducted by telephone by Opinion Research Corporation on May 21-23, 2010. The margin of sampling error for results based on the total sample is plus or minus 3 percentage points.

FOR RELEASE: TUESDAY, JUNE 1 AT 3 PM

21. As you may know, Elena Kagan is the person nominated to serve on the Supreme Court. Would you like to see the Senate vote in favor of Kagan serving on the Supreme Court, or not?

May 21-23
2010

Vote in favor of Kagan	54%
Not vote in favor	36%
No opinion	11%

FOR COMPARISON:
CNN/USA TODAY/GALLUP TRENDS

SONIA SOTOMAYOR*	<u>Yes, vote in favor</u>	<u>No, not</u>	<u>No opinion</u>
2009 July 31-Aug 3	51	36	14
2009 June 26-28	47	40	13
SAMUEL ALITO*	<u>Yes, vote in favor</u>	<u>No, not</u>	<u>No opinion</u>
2006 Jan 20-22	54	30	16
2006 Jan 6-8	49	30	21
2005 Dec 9-11	49	29	22
2005 Nov 7-10	50	25	25
HARRIET MIERS**	<u>Yes, vote in favor</u>	<u>No, not</u>	<u>No opinion</u>
2005 Oct 21-23	42	43	15
2005 Oct 13-16	44	36	20
JOHN ROBERTS***	<u>Yes, vote in favor</u>	<u>No, would not</u>	<u>No opinion</u>
2005 Sep 16-18	60	26	14
2005 Sep 8-11	58	27	15
2005 Aug 28-30	52	26	22
2005 Aug 5-7	51	28	21
2005 Jul 22-24	59	22	19
RUTH BADER GINSBURG*	<u>Yes, vote in favor</u>	<u>No, would not</u>	<u>No opinion</u>
1993 Jun 18-21	53	14	33
CLARENCE THOMAS*	<u>Yes, vote in favor</u>	<u>No, would not</u>	<u>No opinion</u>
1991 Jul 11-14	52	17	31
ROBERT BORK*	<u>Yes, vote in favor</u>	<u>No, would not</u>	<u>No opinion</u>
1987 Sep 1-13	38	35	26
1987 Aug 24-Sep 2	31	25	44

***QUESTION WORDING FOR SOTOMAYOR, ALITO, GINSBURG, THOMAS AND BORK:** As you may know, NAME is the federal judge nominated to serve on the Supreme Court. Would you like to see the Senate vote in favor of NAME serving on the Supreme Court, or not?

****QUESTION WORDING FOR HARIET MIERS:** As you may know, Harriet Miers is the person nominated to serve on the Supreme Court. Would you like to see the Senate vote in favor of Miers serving on the Supreme Court, or not?

*****QUESTION WORDING FOR ROBERTS IN JULY AND AUGUST, 2005:** As you may know, John Roberts is a federal judge nominated to serve on the Supreme Court. Would you like to see the Senate vote in favor of Roberts serving on the Supreme Court, or not? **IN SEPTEMBER, 2005:** As you may know, John Roberts is a federal judge nominated to serve as chief justice on the Supreme Court. Would you like to see the Senate vote in favor of Roberts serving as chief justice on the Supreme Court, or not?

22. Based on what you have heard or read about Elena Kagan, do you think she is among the most qualified people who could serve on the Supreme Court, is she qualified to serve on the Supreme Court, but many others are more qualified, or is she not qualified to serve on the Supreme Court?

May 21-23
2010

Most qualified	15%
Qualified	63%
Not qualified	19%
No opinion	4%

CNN/USA TODAY/GALLUP TRENDS

HARRIET MIERS	<u>Most qualified</u>	<u>Qualified</u>	<u>Not qualified</u>	<u>No opinion</u>
2005 Oct 21-23	20	49	22	9

23. Thinking about Elena Kagan's background, does each of the following make you more likely to support her nomination, does it make no difference to you, or does it make you less likely to support her nomination? (RANDOM ORDER)

	<u>More likely To support</u>	<u>No difference</u>	<u>Less likely to support</u>	<u>No Opinion</u>
She is a woman May 21-23, 2010	16%	80%	5%	*
She has worked closely with Barack Obama on legal issues May 21-23, 2010	26%	44%	30%	1%
She has never served as a judge May 21-23, 2010	8%	40%	52%	1%
Her views on most major issues are not known May 21-23, 2010	9%	37%	53%	1%
When she was a law school dean, she barred military recruiters from campus because the U.S. did not allow openly gay people to serve in the military May 21-23, 2010	19%	40%	39%	1%

FOR COMPARISON:

<u>CNN/USA TODAY/GALLUP TRENDS</u>				
HARRIET MIERS	<u>More likely to support</u>	<u>No difference</u>	<u>Less likely to support</u>	<u>No opinion</u>
She is a woman 2005 Oct 3-4	29	66	5	*
She has never served as a judge 2005 Oct 3-4	10	42	46	2
Her views on most major issues are not known 2005 Oct 3-4	12	33	49	6

24. From what you know about Elena Kagan, as a Supreme Court Justice, do you think she would be too liberal, too conservative, or just about right? (ASKED OF HALF SAMPLE. RESULTS BASED ON 524 INTERVIEWS IN VERSION A -- SAMPLING ERROR: +/- 4.5 PERCENTAGE POINTS.)

May 21-23
2010

Too liberal	40%
Too conservative	6%
About right	50%
No opinion	4%

FOR COMPARISON:
CNN/USA TODAY/GALLUP TRENDS

	Too liberal	Too conservative	About right	No opinion
SAMUEL ALITO				
2006 Jan 6-8*	6	29	49	15
JOHN ROBERTS				
2005 Aug 28-30	8	24	48	20
RUTH BADER GINSBURG				
1993 Jun 18-21	14	4	47	35
CLARENCE THOMAS				
1991 Jul 11-14	7	20	46	27

* Asked of a half sample.

25. Based on what you have heard or read about her, do you think Elena Kagan's views on important issues are in the mainstream or do you think they are too extreme? (ASKED OF HALF SAMPLE. RESULTS BASED ON 499 INTERVIEWS IN VERSION B -- SAMPLING ERROR: +/- 4.5 PERCENTAGE POINTS.)

May 21-23
2010

Mainstream	54%
Too extreme	36%
No opinion	10%

FOR COMPARISON:
CNN/USA TODAY/GALLUP TRENDS

	Mainstream	Too extreme	No opinion
SAMUEL ALITO			
2006 Jan 6-8*	52	30	19
2005 Nov 1**	51	26	23

* Asked of a half sample.

** Polls conducted entirely in one day, such as this one, are subject to additional error or bias not found in polls conducted over several days.