

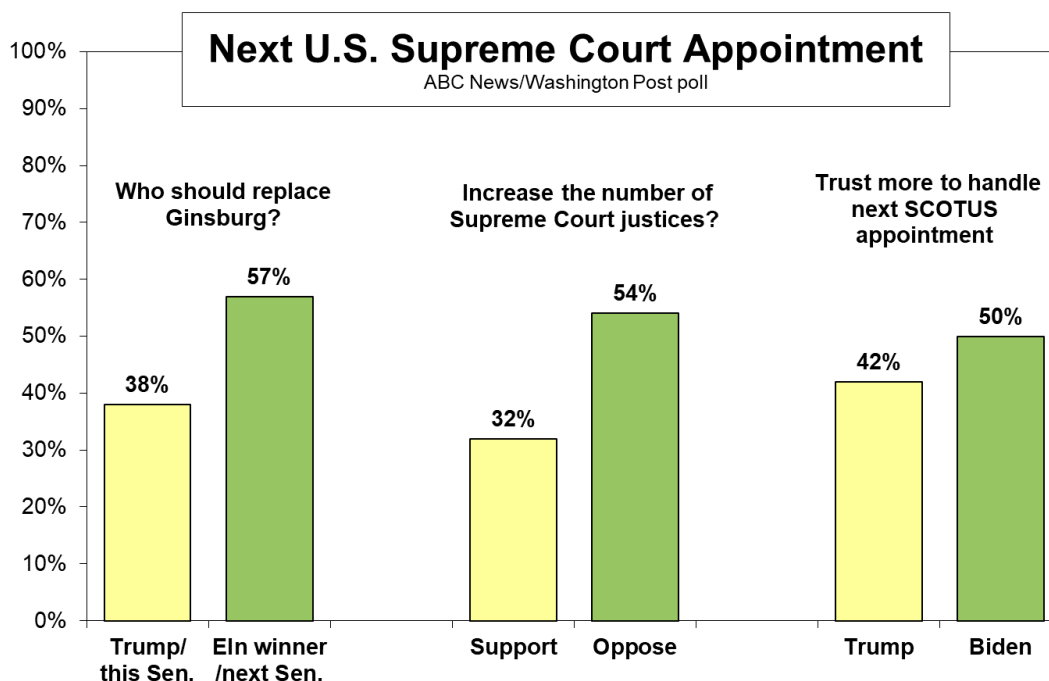
Most Say Wait on Ginsburg Seat, While Opposing Packing the Court

Americans by nearly a 20-point margin say the next justice of the U.S. Supreme Court should be left to the winner of the presidential election and a Senate vote next year, contrary to GOP plans for a quick nomination by Donald Trump and vote by the current Senate.

At the same time, in a new ABC News/Washington Post poll, the public by as wide a margin opposes increasing the size of the high court to give the winner of the upcoming election more influence over its makeup.

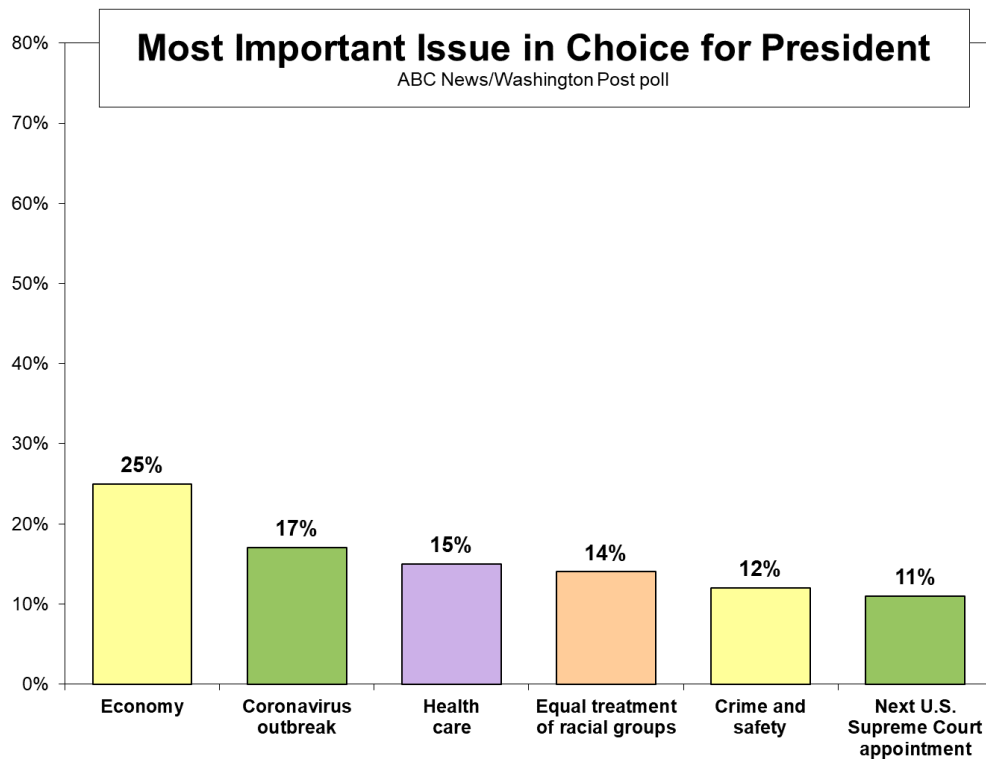
Fifty-seven percent favor delaying action to fill the vacancy created by the death of Justice Ruth Bader Ginsburg a week ago, while 38 percent prefer to see Trump and the current Senate act, the poll finds. Expanding the court is opposed by 54-32 percent.

The survey, produced for ABC by [Langer Research Associates](#), also finds that Joe Biden leads Trump in trust to handle the issue, by an 8-point margin, 50-42 percent. Biden's supporters are far more apt than Trump's to say the high court vacancy makes it more important to them that he wins the election.



The gap is wide: Among people who support Biden, 64 percent say the opening on the court makes it more important to them that he wins. Among Trump supporters, just 37 percent say the same; 62 percent instead say it makes no difference in the importance they place on his winning.

At the same time, the issue is not the single most dominant one: Eleven percent call the next appointment to the Supreme Court the single most important issue in their choice for president, about half as many as cite the economy as their top issue, 25 percent. (Among the rest, 17 percent pick the coronavirus pandemic; 15 percent, health care; 14 percent, equal treatment of racial groups; and 12 percent, crime and safety.)



On this, unlike most issues, there are no differences by partisanship. Essentially equal numbers of Democrats (12 percent), Republicans (11 percent) and independents (11 percent) call the next court vacancy their top issue. It peaks in importance among very conservative adults, at 20 percent, but 35 percent in this group focus more on the economy. Similarly, 16 percent of evangelical white Protestants call it their top issue, while about twice as many cite the economy, 31 percent, and 19 percent pick crime and safety.

Ginsburg’s memorial service is today; she is the first woman to lie in state in the U.S. Capitol. Trump has indicated that he’ll nominate her replacement tomorrow, and Senate Majority Leader Mitch McConnell has said the Senate will vote on the nomination.

GROUPS – There’s a wide gender gap in preferences on how Ginsburg’s seat should be filled. Men divide closely, 50-45 percent, between preferring action by the election winner and the next Senate, as opposed to Trump and the current Senate. Among women, preference for waiting reaches a 2-1 margin, 64-31 percent. (The gap is especially wide between women who describe themselves as political independents, 73-23 percent, vs. with independent men, 49-43 percent.)

Racial/ethnic gaps are even wider: Whites divide evenly on the question, 49-48 percent, while Black people favor delay by 88-8 percent, as do Hispanics by 68-23 percent.

Partisan divisions are vast; 90 percent of Democrats say to wait, while 80 percent of Republicans want action by Trump and the current Senate. Independents side broadly with holding off for the election winner and next Senate, 61-34 percent.

Preference for waiting until after the election before filling the seat widens, to 62-32 percent, looking just at results in the 13 states the presidential candidates are mainly contesting. That said, people in these states are no more likely than those elsewhere to call the next appointment to the Supreme Court a top issue in their vote, and they divide evenly in trust to handle it, 47-45 percent, Biden-Trump.

Who should replace Ginsburg?		
	Trump and current Senate	Election winner and next Senate
All	38%	57%
Men	45	50
Women	31	64
Whites	48	49
Blacks	8	88
Hispanics	23	68
Democrats	7	90
Republicans	80	16
Independents	34	61
Evangelical white Protestants	71	29
Non-evangelical white Protestants	39	58

Among other groups, there’s a sharp split in the ranks of white Protestants, a group that accounts for nearly one in four Americans. Among those who are evangelicals, a core Republican group, 71 percent favor action by Trump and the current Senate. Among non-evangelical white Protestants, this declines to 39 percent.

Views on increasing the size of the court also are as partisan, albeit less sharply so. Democrats divide 45-39 percent, support-oppose. Republicans oppose the idea by 63-25 percent, and on this question independents side with Republicans, 61-29 percent.

LAST TIME – Views on holding off on action to fill the seat, vs. acting now, differ sharply from preferences on filling Antonin Scalia’s seat four years ago. In an ABC/Post poll in March 2016, Americans by 63-32 percent said the Senate should hold hearings on Barack Obama’s nominee to fill the seat, rather than leaving it for the next president. That didn’t happen.

METHODOLOGY – This ABC News/Washington Post poll was conducted by landline and cellular telephone Sept. 21-24, 2020, in English and Spanish, among a random national sample of 1,008 adults. Results have a margin of [sampling error](#) of 3.5 points, including the design effect. Partisan divisions are 31-27-37 percent, Democrats-Republicans-independents.

The survey was produced for ABC News by [Langer Research Associates](#) of New York, N.Y., with sampling and data collection by Abt Associates of Rockville, Md. See details on the survey’s methodology [here](#).

Analysis by Gary Langer.

ABC News polls can be found at ABCNEWS.com. Join our [mailing list](#) to get updates on all new poll releases.

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Full results follow.

1-16d, 16f, 22-24 held for release. * = less than 0.5 percent.

16. Who do you trust more to handle [ITEM] - (Trump) or (Biden)?

	Trump	Biden	Both (vol.)	Neither (vol.)	No opinion
e. the next appointment to the U.S. Supreme Court	42	50	1	4	2

17. Which of the following is the single most important issue in your choice for president - (the economy), (the coronavirus outbreak), (crime and safety), (health care), (equal treatment of racial groups), or (the next appointment to the U.S. Supreme Court)?

	Economy	Coronavirus outbreak	Crime and safety	Health care	Equal treatment of racial groups	Appointment to U.S. Supreme Court	Other (vol.)	No op.
9/24/20	25	17	12	15	14	11	5	2

18. As you may know, U.S. Supreme Court Justice Ruth Bader Ginsburg died last Friday, creating an opening on the Supreme Court. Do you think her replacement should be nominated by Donald Trump and confirmed by the current U.S. Senate, or should this be left to the winner of the presidential election and a Senate vote next year? Do you feel that way strongly or somewhat?

	--- Nominated by Trump ---			-- Winner of election --			No opinion
	NET	Strongly	Somewhat	NET	Somewhat	Strongly	
9/24/20	38	34	4	57	9	48	4

Compare to:

The death of Supreme Court Justice Antonin Scalia has opened a seat on the U.S. Supreme Court. After Obama nominates someone to replace Scalia, do you think the Senate should (hold hearings and vote on whether to accept the nomination), or should the Senate (NOT hold hearings, which would block the nomination and leave it to the next president)? Do you feel that way strongly or somewhat?

	-- Should hold hearings -			--- Not hold hearings ---			No
	NET	Strongly	Somewhat	NET	Somewhat	Strongly	opinion
3/6/16	63	44	19	32	6	25	5

19. (ASK IF NAMED TRUMP FOR VOTE) Does the opening on the Supreme Court make it more important to you that Trump wins the election, or does it make no difference? (IF MORE IMPORTANT) Is that much more important, or somewhat more important?

	-- More important ---			No	No
	NET	Much	Somewhat	difference	opinion
9/24/20	37	29	8	62	1

20. (ASK IF NAMED BIDEN FOR VOTE) Does the opening on the Supreme Court make it more important to you that Biden wins the election, or does it make no difference? (IF MORE IMPORTANT) Is that much more important, or somewhat more important?

	-- More important ---			No	No
	NET	Much	Somewhat	difference	opinion
9/24/20	64	48	15	35	1

21. Would you support or oppose increasing the number of U.S Supreme Court justices, which would give the winner of the presidential election more influence over the court's makeup?

	Support	Oppose	Depends who wins (vol.)	No opinion
9/24/20	32	54	2	12

END