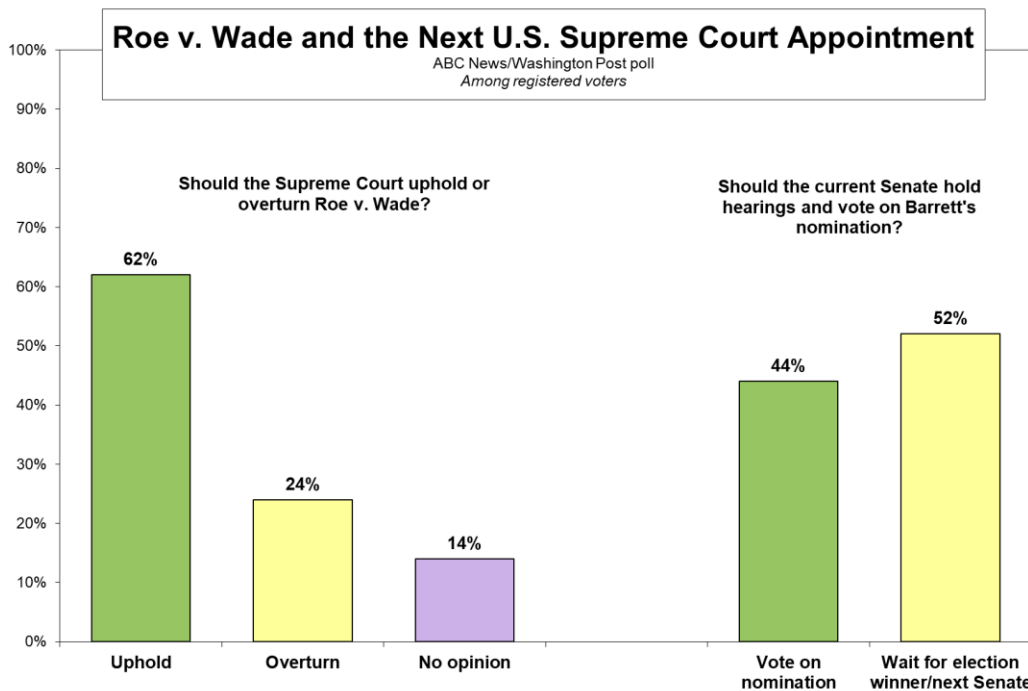


## **52% Say Wait on the SCOTUS Seat; Six in 10 Favor Upholding Roe**

Six in 10 registered voters say the U.S. Supreme Court should uphold *Roe v. Wade* as the basis of abortion law in the United States, and a majority in an ABC News/Washington Post poll – albeit now a narrow one – says the Senate should delay filling the court’s current vacancy.

Sixty-two percent in the national survey say they would want the court to uphold *Roe*, while 24 percent would want it overturned; 14 percent have no opinion. There are broad political, ideological and religious-based divisions on the question.

Separately, 52 percent say filling the seat opened by the death of Ruth Bader Ginsburg last month should be left to the winner of the presidential election and a Senate vote next year. Forty-four percent instead say the current Senate should vote on Trump’s nomination of Amy Coney Barrett to the position.



That’s a closer division than the 57-39 percent preference for waiting in an ABC/Post poll late last month. That poll was conducted before Trump nominated Barrett and the Senate moved to proceed with her confirmation hearings, scheduled to start today.

Opposition to action now dropped among political independents, from 63 to 51 percent. Eighty-three percent of Democrats favor waiting to fill the seat, while 77 percent of Republicans in this poll, produced for ABC by [Langer Research Associates](#), support action now.

Similarly, 77 percent of conservatives want action by the current Senate; 64 percent of moderates and 87 percent of liberals say wait. Among registered voters who want Roe upheld, 68 percent say the Barrett nomination should be set aside; among critics of Roe, 71 percent want the Senate to proceed.

ROE v. WADE – Some previous ABC/Post polls have characterized the 1973 Roe decision as having “legalized abortion,” which it did without restrictions only in the first trimester of pregnancy. Other surveys have characterized Roe other ways, for example, as having established a woman’s constitutional right to an abortion, which it also did, as a right to privacy, albeit, again, with restrictions.

This poll, in an experimental approach, did not characterize the ruling beyond saying that abortion law in the United States is based on the Roe v. Wade ruling. Asked what the court should do if the case came before the court again, as noted, 62 percent said the court should uphold Roe, 24 percent said the court should overturn it, and 14 percent had no opinion.

Support for Roe is similar to results in previous ABC/Post polls, from 2005 to 2010, asking how new members of the court should vote on the issue; anywhere from 59 to 65 percent, averaging 62 percent, said Roe should be upheld. An average of 34 percent said Roe should be overturned, more than in this poll; and fewer, an average of 5 percent, had no opinion. Impacts of characterizing Roe merit further study.

Among groups, 66 percent of women say Roe should be upheld, as do 58 percent of men. Support for upholding the law peaks among people with postgraduate degrees (83 percent), Democrats and liberals (both 81 percent), moderates (75 percent) and those with no religious preference (also 75 percent). This drops to lows among conservatives (37 percent), Republicans (40 percent), evangelical Protestants (44 percent) and people with no more than a high school education (51 percent).

METHODOLOGY – This ABC News/Washington Post poll was conducted by landline and cellular telephone Oct. 6-9, 2020, in English and Spanish, among a random national sample of 879 registered voters. Results have a margin of [sampling error](#) of 3.5 points among registered voters, including design effects. Partisan divisions are 32-29-34 percent among registered voters, 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.

1-22, 25 previously released. \* = less than 0.5 percent.

23. (ASK IF REGISTERED TO VOTE) As you may know, Trump has nominated Amy Coney Barrett to serve on the U.S. Supreme Court. Do you think the current U.S. Senate should hold hearings and vote on her nomination, or should filling this seat on the Supreme Court be left to the winner of the presidential election and a Senate vote next year?

	Vote on nomination	Left to winner	No opinion
10/9/20 RV	44	52	5

Compare to:

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	opinion
9/24/20	38	34	4	57	9	48	4
9/24/20 RV	39	36	3	57	7	50	3

24. (ASK IF REGISTERED TO VOTE) As you may know, abortion law in the United States is based on the 1973 U.S. Supreme Court ruling known as Roe v. Wade. Do you think the Supreme Court should (uphold) Roe v. Wade or (overturn) it?

	Uphold	Overturn	No opinion
10/9/20 RV	62	24	14

Compare to:

The Supreme Court legalized abortion 37 years ago in the ruling known as Roe versus Wade. If that case came before the court again, would you want the next justice to vote to (uphold) Roe versus Wade, or vote to (overturn) it?

	Uphold	Overturn	No opinion
Next justice, 4/25/10	59	38	3
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

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