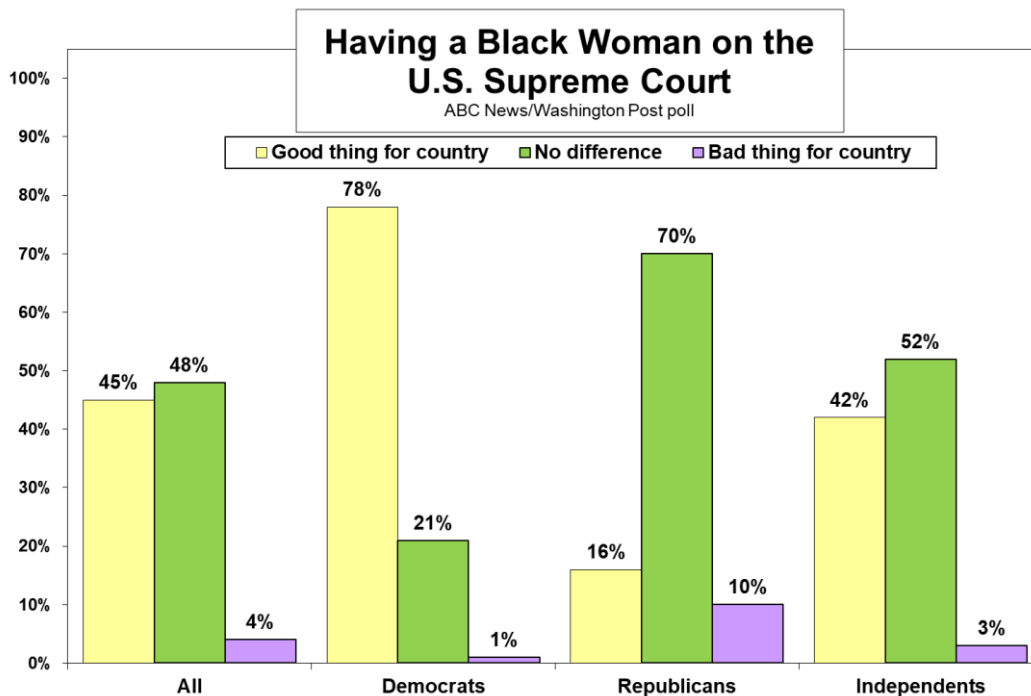


Poll Finds Sharp Partisan Divisions On the Impact of a Black Woman Justice

Leading into Joe Biden’s first Supreme Court nomination, Americans split along partisan lines on a range of attitudes relating to the high court – approval of its job performance, confidence in Biden’s selection and how having a Black woman as justice would affect the country.

There is one narrow area of congruence in this new ABC News/Washington Post poll: Americans of all partisan stripes split about evenly on whether justices’ decisions are guided by the law or their personal political views. It’s a closely divided 46-45 percent overall.



THE NOMINATION – Biden this afternoon is expected to nominate Ketanji Brown Jackson, a judge on the U.S. Court of Appeals for the D.C. Circuit, to fill the seat currently held by retiring Justice Stephen Breyer. In results from Sunday-to-Thursday interviews, confidence in Biden to pick a good nominee was split down the middle, 49-49 percent.

That’s a similar result to one achieved by Biden’s predecessor, Donald Trump, in an October 2020 poll by the Pew Research Center, 47-53 percent.

Jackson’s selection fulfills a Biden campaign promise to nominate a Black woman for the high court; if confirmed, she would be the first Black female justice in the nation’s history. The public

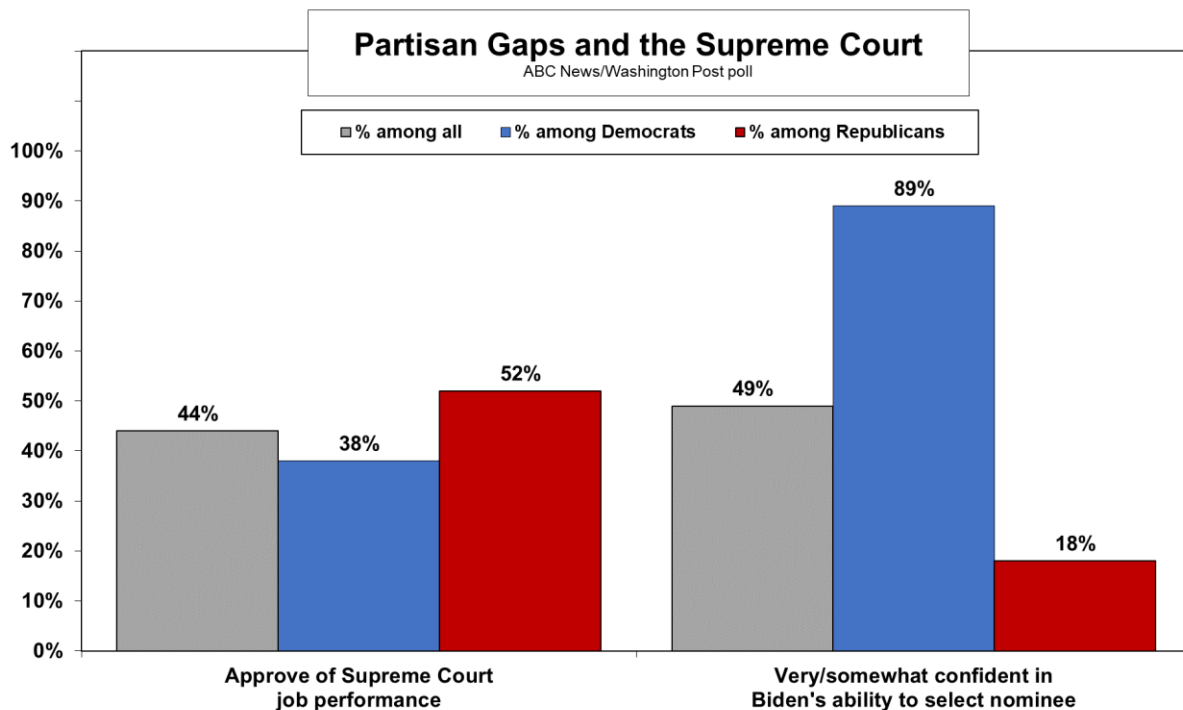
again divides, 45-48 percent, on whether having a Black woman on the court would be a good thing for the country or make no difference. A scant 4 percent say it would be a bad thing.

Black Americans call this a good thing by a 2-1 margin in this poll, produced for ABC by [Langer Research Associates](#).

These split results hide wide partisan divides. Biden had the confidence of a vast majority of Democrats, 89 percent, falling to 43 percent of independents and just 18 percent of Republicans. In terms of intensity, nearly twice as many independents were not at all confident as were very confident in Biden's ability to pick a good nominee, 39 vs. 20 percent.

In a similar partisan division, 78 percent of Democrats say a Black female justice would be a good thing for the United States, vs. 42 percent of independents and 16 percent of Republicans.

THE COURT TODAY – More Americans overall approve of the Supreme Court's job performance than disapprove, 44-36 percent; a substantial 19 percent have no opinion. Those most likely to approve of the current conservative-majority court include people with \$100,000+ household incomes (55 percent), white Catholics (54 percent), and Republicans and conservatives (both 52 percent). It's a close 46 percent among moderates and independents.



In contrast, just 33 percent of liberals and 38 percent of Democrats approve, along with 35 percent of those with incomes less than \$50,000. Approval also is lower among Americans younger than 50, compared with older adults.

As noted, Americans also divide on how the high court's current justices decide their cases –

whether mainly based on the law, 46 percent, or on their personal political views, 45 percent. That's strongly associated with opinions on the court's job performance: Among those who approve overall, 68 percent say the justices mainly decide based on the law; among disapprovers the result is flipped, with 66 percent saying they rule mainly based on their personal views.

Though there are no significant partisan differences on this question, there is a gap by political ideology. About half of moderates and conservatives say justices decide mainly based on the law, compared with 38 percent of liberals. Younger, less-educated Americans and those with no religious affiliation also are more skeptical of the idea that the law is the main guide for the justices; majorities in these groups think they decide cases primarily on the basis of their personal views.

While many think views-based decision making rules the day on the high court, few see it as optimal: In a Pew Research Center poll in January, just 13 percent thought justices should bring their own political views into how they decide major cases.

Supreme Court justices mainly decide cases based on...		
	The law	Their personal political views
All	46%	45%
Liberals	38	47
Moderates	50	43
Conservatives	49	46
Under 40	37	55
40+	52	38
High school/less	37	54
Some college	48	42
College degree	53	39

METHODOLOGY – This ABC News/Washington Post poll was conducted by landline and cellular telephone Feb. 20-24, 2022, in English and Spanish, among a random national sample of 1,011 adults. Results have a margin of [sampling error](#) of 4.0 percentage points, including the design effect. Partisan divisions are 27-26-40 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 Sofi Sinozich.

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.

1-20 held for release. *= less than 0.5 percent

21. Do you approve or disapprove of the way the Supreme Court of the United States is doing its job?

	Approve	Disapprove	No opinion
2/24/22	44	36	19
9/17/21*	40	53	6

7/21/21	49	44	7
9/13/20	53	43	4
7/23/20	58	38	4
9/15/19	54	42	4
9/12/18	51	40	8
7/11/18	53	41	7
9/10/17	49	40	10
9/11/16	45	47	8
7/17/16	42	52	6
9/13/15	45	50	5
7/12/15	49	46	5
9/7/14	44	48	8
7/10/14	47	46	7
9/8/13	46	45	9
7/14/13	43	46	11
9/9/12	49	40	11
7/12/12	46	45	9
9/11/11	46	40	14
9/16/10	51	39	10
9/2/09	61	28	11
6/17/09	59	30	11
9/11/08	50	39	11
6/12/08	48	38	14
9/16/07	51	39	10
5/13/07	51	36	13
9/10/06	60	32	8
9/15/05	56	36	8
6/26/05	42	48	10
9/15/04	51	39	10
9/10/03	52	38	10
7/9/03	59	33	8
9/8/02	60	29	11
9/10/01	58	28	14
6/17/01	62	25	13
1/14/01	59	34	7
9/5/00	62	29	9
7/17/95	63	31	6
7/1/91	59	30	10
9/23/87	65	28	7
6/23/86	66	25	9

* 2000-2021, Gallup: Do you approve or disapprove of the way the Supreme Court is handling its job?

22. How confident are you that Biden will select a good nominee for the Supreme Court - very confident, somewhat confident, not too confident or not at all confident?

	---- Confident ----			----- Not confident -----			No
	NET	Very	Somewhat	NET	Not too	Not at all	opinion
2/24/22	49	27	22	49	15	34	3

Compare to:

Thinking about Donald Trump's ability to handle a number of things, how confident are you that Donald Trump can do each of the following? Select good nominees for the Supreme Court

	---- Confident ----			----- Not confident -----			DK/Ref
	NET	Very	Somewhat	NET	Not too	Not at all	DK/Ref
10/5/20*	47	27	19	53	17	36	1

*Pew Research Center

23. Biden has said he will nominate the first Black woman to serve as a justice on the U.S. Supreme Court. Do you think that having a Black woman as a justice on the U.S. Supreme Court would be a good thing for the country, a bad thing for the country, or would make no difference?

	Good	Bad	No difference	No opinion
2/24/22	45	4	48	3

24. Do you think justices on the U.S. Supreme Court mainly decide cases (based on the law) or (based on their personal political views)?

	The law	Personal political views	No opinion
2/24/22	46	45	9

*** END ***