

**TO: Interested Parties**  
**FROM: Geoff Garin**  
**DATE: April 27, 2016**  
**RE: Key Findings from a Survey of Pennsylvania Voters**

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From April 20 to 23, 2016, Hart Research Associates conducted telephone interviews with a representative cross section of 402 Pennsylvania voters and 100 additional interviews with registered independents in the state. The party registration composition of the total weighted sample of 502 respondents is 48% Democratic and 40% Republican, in line with official state voter statistics.

The results of this survey show that Senator Pat Toomey is badly out of step with his state on the question of whether the Senate should consider the Supreme Court nomination of Merrick Garland. Senator Toomey is particularly at odds with Pennsylvania's independent voters, who are likely to hold the balance of power in this November's elections.

By 56% to 37%, Pennsylvanians say the Senate should hold hearings on Judge Garland and take an up-or-down vote on him rather than waiting for a new president to nominate someone. Registered independents take this position by a margin of 60% to 36%.

When told that Republican Senate leaders said immediately after the death of Justice Scalia that they would refuse to consider any nominee submitted by President Obama, and have followed through on this by refusing to give Merrick Garland a hearing, 63% disapprove of this approach, including 50% who strongly disapprove. Fully 69% of registered independents disapprove.

While 67% of Pennsylvanians already are aware that Republican leaders are refusing to consider Judge Garland's nomination, only 27% are aware that Pat Toomey is following suit. Registered independents are even less likely to know what position Senator Toomey has taken on this matter.

The poll results indicate that Senator Toomey's standing with voters will suffer significantly as voters become more aware of the fact that he is joining in his party's refusal to consider the Garland nomination.

When told that Pat Toomey supports the Republican leadership's refusal to consider any Supreme Court nominee submitted by President Obama, including Merrick Garland, 57% of voters express an unfavorable reaction, including 60% of registered independents and 59% of voters who are undecided about whether they will support Toomey for reelection. Even among those who are otherwise inclined to vote to reelect Toomey, 29% express disapproval of his handling of this matter—putting a substantial share of his vote at risk.

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Indeed, after voters hear the pros and cons on Senator Toomey's position, feelings toward him become notably less favorable compared with those expressed at the beginning of the survey.

Feelings toward Pat Toomey				
	Positive %	Neutral %	Negative %	Not Sure %
<b>Before hearing about his Supreme Court stand</b>	25	32	25	18
<b>After hearing about his Supreme Court stand</b>	27	20	52	1

Independents move from a small net positive view of Toomey (24% positive, 18% negative) to a large net negative opinion of him (24% positive, 50% negative).

Electorally, Senator Toomey risks turning as much as 16% of the electorate against him by joining in the Republican obstruction of Judge Garland—a decisive pool of voters in what is likely to be a closely contested election.

At the start of the survey, 43% of voters say they are inclined to vote for Pat Toomey in November, 42% say they are inclined to vote for the Democrat, and 15% are undecided. At the end of the survey, 46% of all voters say they are less likely to support Toomey for reelection because of his position on the Supreme Court nomination (compared with just 17% who are more likely to vote for him). Significantly, half of all undecided voters and 22% of Toomey's own voters say they would be less likely to vote for him because of this matter, representing a total of 16% who would be more open to the Democrat as a result of Toomey's opposition to hearings for Judge Garland.

No reason in defense of Senator Toomey's position is convincing to a majority of voters. For example, only four in nine Pennsylvanians are convinced by the argument that the people should have a chance to weigh in through their vote in November rather than having a lame duck president pick the justice who could affect the balance of the court for many years to come.

Against this, criticisms of Senate Republicans generally and Pat Toomey specifically spark major doubts and concerns for the large majority of voters. Voters are particularly concerned about the implications for *Roe vs. Wade* and the impact of creating the longest vacancy in the history of the Court, and they say the refusal to consider any nominee is setting a dangerous precedent of playing politics with the Constitution.

This poll was conducted on behalf of the Constitutional Responsibility Project, in conjunction with the League of Conservation Voters