



Zogby/*O'Leary Report* Poll: American Voters Split 49/49 on Sotomayor Confirmation

Majority of Independents, Small Business Owners and Gun Owners Oppose Sotomayor Confirmation

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Washington, D.C. — Tomorrow, the Senate Judiciary Committee will vote on Judge Sonia Sotomayor's nomination to the U.S. Supreme Court. A breaking Zogby International/*O'Leary Report* poll finds that American voters who say they have read or heard enough about Sotomayor to make a decision are split evenly on her nomination, while several key voting blocs are decidedly opposed to her nomination. The poll was conducted July 21-24, surveyed 4,470 voters, and has a margin-of-error of plus-or-minus 1.5 percentage points.

According to the poll, 76 percent of American voters say they have "learned enough from the television, Internet or newspapers about Supreme Court nominee Sonia Sotomayor" that they could vote for or against her nomination if they had the opportunity.

Of those voters who say they have learned enough about Sotomayor to make a decision, 49 percent favor her confirmation and 49 percent oppose her confirmation. Surprisingly, even Hispanic voters are roughly split on Sotomayor, as 47 percent favor her confirmation and 43 percent oppose it.

Independent voters, however, oppose Judge Sotomayor's confirmation 55 percent to 44 percent, as do small business owners 52 to 42 percent. A majority of gun owners (67 percent) also oppose her confirmation, while only 30 percent support it.

On the other hand, a strong majority of Democrats (84 percent) favor Sotomayor's confirmation, while only 12 percent oppose it. A slight majority of young

voters age 18-29 years old also favor her confirmation, 53 to 46 percent. African-Americans line up in favor of Sotomayor 82 to 15 percent, as do American voters who reside in large cities, 57 to 42 percent.

During her confirmation hearing, Sotomayor told the Senate Judiciary Committee that she believes the Second Amendment only applies to the federal government. In addition, the National Rifle Association has stated that her past rulings indicate that she does not believe the “right to keep and bear arms” is a fundamental right of all Americans.

The Zogby/O’Leary poll asked voters:

“Do you agree or disagree that someone who thinks the Second Amendment does not guarantee a fundamental right to keep and bear arms should become a U.S. Supreme Court Justice?”

Fifty-five percent of all American voters believe that someone who opposes the Second Amendment should not become a Supreme Court Justice, while only 27 percent believe such a person should. A large majority of Independents (61 percent) believe that someone who opposes the Second Amendment should not be a Justice on the Supreme Court, and only 24 percent believe otherwise. Forty-nine percent of young voters (age 18-29 years old), 60 percent of Hispanic voters, and 61 percent of small business owners believe that someone who opposes the Second Amendment should not be a Supreme Court Justice. Only 33 percent of young voters, 24 percent of Hispanics, and 22 percent of small business owners believe such a person should.

The poll also asked:

“With which of the following two statements do you agree. Statement A: Judges and prosecutors should be enforcing laws on the books to deal with criminals. Statement B: Legislators should enact new laws to deal with criminals.”

A strong majority of all American voters (77 percent) agree with Statement A, while only 13 percent choose Statement B. Eighty-one percent of Independents agree with Statement A and only 9 percent agree with Statement B. Young voters age 18-29 years old choose Statement A over B, 70 to 17 percent, as do small business owners, 81 to 9 percent. Eighty-seven percent of gun owners agree with Statement A, while only 6 percent agree with Statement B. A large majority of Hispanic voters (69 percent) also agree with Statement A, and only 24 percent of Hispanics agree with Statement B.

Brad O’Leary is publisher of “The O’Leary Report,” a bestselling author, and is a former NBC Westwood One talk show host. His latest bestseller, “Shut Up, America! The End of Free Speech,” (www.EndofFreeSpeech.com) is available now in bookstores. To see more poll results, go to www.olearyreport.com. To interview Brad, contact Shawna Shriner at (703) 272-1500 or shawnashriner@pm-direct.com.