



**From: Tom Jensen, Director of Public Policy Polling**

**To: Interested Parties**

**Subject: Toomey, Portman Hurt By Supreme Court Stance**

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New Public Policy Polling surveys of Pennsylvania and Ohio find that both Pat Toomey and Rob Portman are suffering from very weak approval numbers as they seek reelection to the Senate. Furthermore voters in their states, by wide margins, want the vacancy on the Supreme Court to be filled this year. Their opposition to even considering a replacement for Antonin Scalia has the strong potential to put them in even worse standing with voters than they are already.

Key findings from the survey include:

-Only 29% of voters approve of the job Toomey is doing to 40% who disapprove, and just 30% approve of the job Portman is doing to 39% who disapprove. They're both very much in the danger zone for reelection based on those low approval numbers. One thing complicating their path to reelection is how bad the overall brand of Senator Republicans is. Mitch McConnell has a 13/56 approval rating in Pennsylvania, and a 14/57 one in Ohio. His extreme unpopularity is going to be a weight on his party's incumbents running across the country.

-Strong majorities of voters- 58/35 in Ohio and 57/40 in Pennsylvania- think that the vacant seat on the Supreme Court should be filled this year. What's particularly noteworthy about those numbers- and concerning for Portman and Toomey- is how emphatic the support for approving a replacement is among independent voters. In Ohio they think a new Justice should be named this year 70/24 and in Pennsylvania it's 60/37. Those independent voters are going to make the difference in these tight Senate races, and they have no tolerance for obstructionism on the vacancy.

-Voters are particularly angry about Senators taking the stance that they're not going to approve anyone before even knowing who President Obama decides to put forward. By a 76/20 spread in Pennsylvania and a



74/18 one in Ohio, voters think the Senate should wait to see who is nominated to the Court before deciding whether or not to confirm that person. Toomey and Portman are out of line even with their own party base on that one- Republicans in Pennsylvania think 67/27 and in Ohio think 63/32 that the Senate should at least give President Obama's choice a chance before deciding whether or not to confirm them.

-This is an issue that really does have the potential to make Portman's and Toomey's lives even harder this fall if they don't change their tune. In both states the numbers are identical- 52% of voters say they'll be less likely to vote for either Portman or Toomey this fall if they refuse to confirm a replacement for Justice Scalia no matter who it is, compared to only 25% who say taking that stance makes them more likely to vote for them. In both cases the numbers reinforce how perilous it is with independents for Portman and Toomey to take the position that they're not confirming someone no matter what- in Ohio 59% of them say that makes them less likely to vote for Portman to just 15% more likely, and for Toomey it's 55% of independents less likely to vote for him based on that stance to only 24% more inclined to support him.

The outlook in these states is pretty clear- voters want a replacement for Justice Scalia to be named this year, and they especially overwhelmingly want Republicans in the Senate to give President Obama's selection a chance. Rob Portman and Pat Toomey are already in trouble for reelection and this is an issue where their approach has real potential to put them in even deeper trouble as they seek reelection as unpopular incumbents.

Public Policy Polling interviewed 859 registered voters in Pennsylvania with a margin of error of +/- 3.3%; and 612 registered voters in Ohio with a margin of error of +/- 4.0% from February 19<sup>th</sup> to 21<sup>st</sup>. This research was conducted on behalf of Americans United for Change.

- [Full Ohio Results](#)
- [Full Pennsylvania Results](#)