

To: *Interested Parties*
From: *Hart Research*
Date: *August 15th, 2023*
Re: *Survey Reveals Voters Want Higher SCOTUS Ethical Standards*

Hart Research has conducted a national voter survey about Supreme Court ethics on behalf of the Alliance for Justice Action Campaign, Stand Up America, and End Citizens United. We interviewed 1,205 registered voters from July 13 to 16, 2023, and the survey has a confidence interval of ± 2.9 percentage points. This memo presents the survey's key findings.

Confidence in the Supreme Court has fallen dramatically. Just 40% of voters express a great deal or fair amount of confidence in the current court, while 33% have little or no confidence. This represents a substantial downgrade in confidence compared to the last time this question was asked (June 2019), when 53% voiced confidence and just 15% had little or no confidence.

Voters overwhelmingly favor congressional action to raise the Court's ethical standards. A full 78% say it is very or fairly important for Congress to take action to raise the Supreme Court's ethical standards, including 50% saying very important. This sentiment crosses partisan lines – including 65% of Republicans and 63% of conservatives – and is embraced by at least three-fourths of voters in every region of the country. More than three in four voters favor each of these congressional actions:

- Establish a binding code of ethics for the Supreme Court;
- Require justices to disclose any gifts, travel, or outside income they receive;
- Impeach justices when there is sufficient evidence of ethical violations;
- Conduct an investigation into allegations of ethical violations by justices.

Most voters are aware of recent reports of unethical conduct by Justice Clarence Thomas, and they believe Thomas should resign from the Supreme Court. Three in four voters (75%) report they have heard reports about activities by Justice Thomas that some people view as unethical or illegal. These voters feel that Thomas should resign from the Court by a decisive 58% to 32% majority. Even among the full electorate, voters say Thomas should resign by a 21-point margin, 49% to 28%, with 23% unsure.

More than three in five voters disapprove of each reported act of unethical behavior by Justice Thomas. And once they hear all of these reports, overwhelming majorities of voters say that Thomas should resign and that Congress should investigate the allegations. When informed of six different reports of Thomas' questionable ethical behavior, over 60% disapprove of Thomas' actions in each case. The strongest negative responses are in



response to Thomas receiving luxury vacations from billionaire Harlan Crow (77% disapprove), Crow's purchase of a property from Thomas (75%), and Leonard Leo paying Justice Thomas's wife Ginni tens of thousands of dollars for consulting work (74%), with Thomas failing to report all of these actions. After hearing these reports, voters support Thomas' resignation by 64% to 24%. Moreover, 72% say that Congress should conduct an investigation into these reported ethical violations.

The Supreme Court issue is poised to benefit Democrats in 2024. Four in five voters (81%) say that the selection of Supreme Court justices will be an important voting consideration for them in 2024, including 46% who say *very important*. Significantly, we find strong partisan differences on this question, with Democrats (56%) more likely than Republicans (42%) to say the Court will be very important for them.