



# **U.S. Supreme Court, Obamacare & Gay Marriage**

## **National and State-Wide Online Survey**

**June 4 to June 9, 2015**

The Elon University Poll conducted two online surveys using a non-probability opt-in panel. This method was used in order to implement simultaneously a national survey and a state-wide survey of North Carolina. The project collected 1125 adults living in the United States, 901 of whom stated they were registered to vote. The North Carolina survey obtained a sample of 835 adult residents in North Carolina, 709 of which said they were registered to vote in the state. Both surveys were conducted simultaneously between June 4th and June 9th. The purpose of the project was to examine differences between the North Carolina population and the national population. Prior studies have suggested that the politics of North Carolina are different from other Southern states and closer to the national average.<sup>1</sup> This report will focus its analysis on registered voters in both samples and the survey items regarding attitudes toward the Supreme Court and various issues related to pending cases before the Court.

### **United States Supreme Court: Pending Cases**

Recent court cases being decided by the U.S. Supreme Court create an interesting research opportunity. The Elon Poll has consistently asked residents and voters of North Carolina how they feel about same-sex marriage and Obamacare/Affordable Care Act. Given that these salient issues are currently being decided in the highest court in the nation, it seemed an opportune time to examine attitudes in North Carolina and the nation simultaneously.

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<sup>1</sup> Vercellotti, Timothy. 2008. "How Southern Is the Old North State?: Public Opinion in North Carolina." In *The New Politics of North Carolina*, pp. 38-60. Chapel Hill, NC: University of North Carolina Press.

## Trust and Confidence in the Supreme Court

Respondents in North Carolina and across the country were asked the following question:

*"How much trust and confidence do you have at this time in the U.S. Supreme Court: A great deal, a fair amount, not very much, or none at all?"*

This question contains similar wording to a Gallup poll question frequently asked by that organization and is used as a baseline survey instrument to compare the national online survey with surveys conducted in other modes. The table below shows the national online survey produced very similar results to the Gallup poll.<sup>2</sup> However, North Carolina is somewhat different, with slightly more respondents saying they don't trust the Supreme Court very much or not at all.

	<b>Elon Poll: NC</b>	<b>Elon Poll: US</b>	<b>Gallup: Sept 2014</b>
	%	%	%
A great deal	10.0%	11.0%	10.0%
A fair amount	46.3%	49.3%	51.0%
Not very much	33.9%	29.0%	30.0%
None at all	5.3%	4.7%	9.0%
Don't know	2.2%	2.0%	1.0%
Refused	2.3%	4.0%	*
Total %	100.0%	100.0%	100.0%

\* Gallup did not provide information on refusals

## Perceptions of the Supreme Court's Ideology

Respondents were also asked to evaluate the Court's ideological bent. A survey item asked:

*"In your view, do you think the current U.S. Supreme Court is conservative, middle of the road, or liberal?"*

This question is also used as a baseline measure. The Pew Research Center asked this question in March of this year. Table 2 shows the results for North Carolina, the national poll and the March Pew survey.

The national Elon Poll survey had fewer respondents saying the Court is liberal than the Pew survey or the Elon Poll North Carolina survey. Currently 4 of the 9 judges are considered conservative based on their past decisions (Alito, Thomas, Scalia, and Roberts). Four are

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<sup>2</sup> <http://www.gallup.com/poll/4732/supreme-court.aspx>

considered liberal (Kagan, Sotomayor, Ginsberg, and Breyer). Justice Kennedy is in the middle with half of his decisions siding with the conservative judges and half the other with the more liberal judges.<sup>3</sup>

<b>Table 2: Perceptions of the Ideology of the U.S. Supreme Court</b>			
	Elon Poll: NC	Elon Poll: US	Pew: March 2015
	%	%	
Conservative	26.9%	28.8%	28.0%
Middle of the road	38.6%	42.8%	38.0%
Liberal	22.1%	15.5%	26.0%
Don't know	10.1%	8.9%	8.0%
Refused	2.3%	4.0%	*
N=	100.0%	100.0%	100.0%

\*Pew combined refusals and don't knows

### **Affordable Care Act/Obamacare**

This month the Supreme Court will rule on an important key element of the Affordable Care Act. If the Court rules the law does not allow for insurance subsidies in states without state run exchanges, millions of individuals in 37 states may lose their health insurance, including North Carolina. Such a ruling could make Obamacare unworkable by making insurance through HealthCare.gov unaffordable to many because of the elimination of subsidies. Furthermore, younger and healthier individuals would likely drop their insurance coverage, leaving only individuals with health problems willing to pay the increased premiums. This would drive up costs even further. Respondents were asked the following hypothetical question:

*"If the Supreme Court ruled the Affordable Care Act (also known as Obamacare) was unconstitutional would you prefer Congress to modify the Affordable Care Act so it would remain in effect or would you prefer the Affordable Care Act to be abolished?"*

Although prior Elon Poll surveys have found Obamacare to be unpopular, the results here suggest that most registered voters in North Carolina (60%) would prefer Congress to fix the ACA rather than abolish it (38%). The results from the North Carolina survey were not remarkably different than the national survey. Slightly more respondents in North Carolina said they would prefer Obamacare to be abolished (38%) compared to the U.S. sample (34%).

<sup>3</sup> <http://www.nytimes.com/2014/06/27/upshot/a-more-nuanced-breakdown-of-the-supreme-court.html?abt=0002&abg=1>

## Gay Marriage

One of the most controversial cases to be decided by the Court this month will be on the issue of gay marriage. In 20 states, including North Carolina, federal judges have ruled bans on same-sex marriage were unconstitutional. The Courts may uphold these prior decisions or they may rule that states have the right to determine whether to allow gay marriage. Prior Elon Polls have frequently asked North Carolinians about gay marriage and have found in most cases a slight plurality oppose same-sex marriage. However, the Elon Poll has never asked about specific state or federal court cases involving gay marriage. In these two simultaneous online surveys we asked residents of North Carolina and the United States the following question:

*"Do you believe the U.S. Supreme Court should rule that same-sex marriages must be recognized in all 50 states or should each state be allowed to decide whether to recognize gay/same-sex marriages?"*

The national sample is almost evenly split, with 48% saying the Supreme Court should rule that gay marriage would be legal across the country and 47% saying states should be allowed to decide. The results from the North Carolina survey show a much larger gap between the two categories. Fifty-four percent of North Carolina respondents said states should decide whether to recognize gay marriage compared to 44% who think the Court should rule that same-sex marriage should be the law of the land. This seems to confirm prior research which has found voters in North Carolina and other Southern states often strongly support the idea of states having more autonomy when deciding social issues.<sup>4</sup>

## Texas License Plates and Freedom of Speech

The Court has also heard arguments regarding the government of Texas's ability to regulate the types of messages and images on specialty license plates for automobiles. The Texas Department of Motor Vehicles has a process in which individuals or organizations can propose the design of a specialty license plate.<sup>5</sup> However, the department must approve of the design. The case before the Court involves a proposed license plate design by the Sons of Confederate Veterans that included the Confederate flag. The Texas DMV rejected the proposal on the grounds it felt the plate could offend some individuals. The state of Texas argues that license plates are the property of the state and therefore messages and images on them qualify as government speech and is therefore not required to observe "viewpoint neutrality" when approving or rejecting license plate proposals.<sup>6</sup>

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<sup>4</sup> See Glaser., James M. 2005. *The Hand of the Past in Contemporary Southern Politics*. New Haven: Yale University Press; and Black, Earl & Merle Black. 1987. *Politics & Society in the South*. Cambridge: Harvard University Press.

<sup>5</sup> [http://www.txdmv.gov/txdmv-forms/doc\\_download/674-how-to-propose-a-specialty-license-plate](http://www.txdmv.gov/txdmv-forms/doc_download/674-how-to-propose-a-specialty-license-plate)

<sup>6</sup> *Walker v. Texas Division, Sons of Confederate Veterans, Inc.*

Respondents were asked the following question and shown the following images:

*"As you may know most states allow car owners to choose from a selection of specialty car license plates. Some states allow for some specialty plates, but prohibit others. Currently Texas allows drivers to select the 'Choose Life' plate for their car (see Plate A below), but has rejected a 'Sons of Confederate Veterans' plate because it has the Confederate flag on the design, which might offend some groups (see Plate B)."*



License Plate A



License Plate B

*In your opinion should the State of Texas.....*

- Allow Plate A (Choose Life) But Prohibit/Ban Plate B (Sons of Confederate Veterans)
- Allow Both Plates
- Prohibit/Ban Both Plates
- Unsure/Don't Know

North Carolina residents were more likely to say that the state should allow both plates and less likely to say the state should ban both plates. African Americans in both samples were more likely to support banning both plates or allowing the Choose Life plate and prohibiting the Sons of Confederate Veterans plate. However, African Americans in North Carolina were more likely to prefer banning the Sons of Confederate Veterans plate than Blacks in the U.S. as a whole. Whites in North Carolina (65%), on the other hand, were more likely to suggest allowing both plates than whites in the U.S. as a whole (54%).

## **TOPLINE RESULTS**

### **U.S. Supreme Court Intro**

As you know, our federal government is made up of 3 branches: an executive branch, headed by the president; a judicial branch, headed by the U.S. Supreme Court; and a legislative branch, made up of the U.S. Senate and House of Representatives. The next set of questions is about the U.S. Supreme Court.

### **Trust in U.S. Supreme Court**

How much trust and confidence do you have at this time in the U.S. Supreme Court:  
A great deal, a fair amount, not very much, or none at all?

	<b>North Carolina</b>		<b>United States</b>	
	<b>%</b>	<b>No.</b>	<b>%</b>	<b>No.</b>
A great deal	10.0%	71	11.0%	99
A fair amount	46.3%	328	49.3%	444
Not very much	33.9%	240	29.0%	261
None at all	5.3%	38	4.7%	43
Don't know	2.2%	16	2.0%	18
Refused	2.3%	16	4.0%	36
N=	100.0%	709	100.0%	901

### **Ideology of U.S. Supreme Court**

In your view, do you think the current U.S. Supreme Court is conservative, middle of the road, or liberal?

	<b>North Carolina</b>		<b>United States</b>	
	<b>%</b>	<b>No.</b>	<b>%</b>	<b>No.</b>
Conservative	26.9%	191	28.8%	259
Middle of the road	38.6%	273	42.8%	386
Liberal	22.1%	157	15.5%	140
Don't know	10.1%	72	8.9%	80
Refused	2.3%	16	4.0%	36
N=	100.0%	709	100.0%	901

### **U.S. Supreme Court and the Affordable Care Act/Obamacare**

If the Supreme Court ruled the Affordable Care Act (also known as Obamacare) was unconstitutional would you prefer Congress to modify the Affordable Care Act so it would remain in effect or would you prefer the Affordable Care Act to be abolished?

	<b>North Carolina</b>		<b>United States</b>	
	<b>%</b>	<b>No.</b>	<b>%</b>	<b>No.</b>
Congress should modify ACA	59.5%	422	61.5%	554
ACA should be abolished	38.2%	271	34.3%	309
Refused	2.3%	16	4.2%	38
N=	100.0%	709	100.0%	901

**U.S. Supreme Court and Gay Marriage**

Do you believe the U.S. Supreme Court should rule that same-sex marriages must be recognized in all 50 states or should each state be allowed to decide whether to recognize gay/same-sex marriages?

	North Carolina		United States	
	%	No.	%	No.
States should decide about gay marriage	53.9%	382	47.4%	427
Gay marriage should be legal in all 50 States	43.8%	311	48.4%	436
Refused	2.3%	16	4.3%	38
N=	100.0%	709	100.0%	901

**U.S. Supreme Court and Texas License Plates**

As you may know most states allow car owners to choose from a selection of specialty car license plates. Some states allow for some specialty plates, but prohibit others. Currently Texas allows drivers to select the "Choose Life" plate for their car (see Plate A below), but has rejected a "Sons of Confederate Veterans" plate because it has the Confederate flag on the design, which might offend some groups (see Plate B).



In your opinion should the State of Texas.....

	North Carolina		United States	
	%	No.	%	No.
Allow Plate A; Ban Plate B	15.4%	109	19.0%	171
Allow both plates	55.0%	390	47.1%	424
Prohibit/ban both plates	19.3%	137	22.2%	200
Unsure/don't know	8.0%	57	7.8%	70
Refused	2.3%	16	4.0%	36
N=	100.0%	709	100.0%	901

## **DEMOGRAPHICS**

**Party ID:** Generally speaking, do you usually think of yourself as a Democrat, Republican, Independent, or something else?

	<b>North Carolina</b>		<b>United States</b>	
	%	No.	%	No.
Strong democrat	21.3%	151	20.8%	187
Democrat	14.8%	105	17.3%	156
Democrat leaning	8.1%	57	11.4%	102
Independent	6.6%	47	6.0%	54
Republican leaning	11.4%	81	10.1%	91
Republican	13.4%	95	12.8%	116
Strong republican	16.7%	118	10.7%	96
Something else	4.1%	29	4.5%	41
Don't know	1.3%	10	2.5%	22
Refused	2.3%	16	4.0%	36
N=	100.0%	709	100.0%	901

**Ideology:** When it comes to politics, do you usually think of yourself as liberal, moderate, conservative, or haven't you thought much about this?

	<b>North Carolina</b>		<b>United States</b>	
	%	No.	%	No.
Extremely liberal	5.4%	38	6.7%	61
Liberal	14.4%	102	12.8%	115
Slightly liberal	6.8%	48	8.7%	78
Moderate	36.0%	256	36.9%	333
Slightly conservative	9.9%	70	9.6%	86
Conservative	17.1%	121	14.4%	130
Extremely conservative	8.2%	58	6.9%	62
Refused	2.3%	16	4.0%	36
N=	100.0%	709	100.0%	901

**Education:** How much school have you completed?

	<b>North Carolina</b>		<b>United States</b>	
	%	No.	%	No.
Less than high school	1.6%	11	1.3%	12
High school diploma or GED	16.5%	117	16.4%	148
Vocational or technical school	5.5%	39	4.7%	42
Some college	28.9%	205	31.2%	281
College graduate	29.6%	210	27.3%	246
Some graduate school	4.4%	31	4.3%	38
Professional or graduate degree	11.3%	80	10.9%	98
Refused	2.3%	16	4.0%	36
N=	100.0%	709	100.0%	901



**Age:** How old are you? [Continuous variable recoded for presentation]

	North Carolina		United States	
	%	No.	%	No.
18-24	10.0%	71	9.0%	81
25-34	18.3%	130	19.3%	174
35-44	16.1%	114	15.6%	140
45-54	18.1%	128	19.2%	173
55-64	17.9%	127	15.9%	143
64-84	18.0%	128	19.8%	178
85+	1.5%	11	1.3%	12
N=	100.0%	709	100.0%	901

**Income:** What is your annual household income?

	North Carolina		United States	
	%	No.	%	No.
Less than \$20,000	16.2%	115	15.4%	139
\$20,000 to \$39,999	24.5%	174	23.3%	210
\$40,000 to \$59,999	18.3%	130	18.5%	167
\$60,000 to \$79,999	16.3%	116	13.0%	117
\$80,000 to \$99,999	8.5%	60	8.3%	75
\$100,000 to \$119,999	5.3%	37	4.1%	37
\$120,000 to \$139,999	4.2%	30	2.7%	24
\$140,000 to \$159,999	1.7%	12	4.2%	38
\$160,000 to \$179,999	1.0%	7	2.1%	19
\$180,000 or more	1.7%	12	3.6%	32
Refused	2.3%	16	4.8%	43
N=	100.0%	709	100.0%	901

**Race:** What racial or ethnic group best describes you?

	North Carolina		United States	
	%	No.	%	No.
White	71.5%	508	66.3%	597
African American or black	22.2%	157	13.9%	125
Hispanic or Latino	1.8%	13	12.1%	109
Asian American/Pacific Islander	2.2%	15	4.8%	44
Native American	0.9%	6	1.1%	10
Other	1.4%	10	1.8%	16
N=	100.0%	709	100.0%	901

**Sex/Gender:** What is your gender/sex?

	North Carolina		United States	
	%	No.	%	No.
Male	48.3%	343	50.3%	454
Female	51.7%	366	49.7%	447
N=	100.0%	709	100.0%	901

**Religion:** What is your present religion, if any?

	North Carolina		United States	
	%	No.	%	No.
Protestant	37.5%	266	23.8%	214
Roman catholic	10.8%	76	22.1%	199
Mormon	1.0%	7	0.8%	7
Orthodox (such as Greek or Russian)	0.7%	5	1.2%	11
Jewish	2.8%	20	4.2%	38
Buddhist	0.5%	4	0.8%	8
Muslim	0.4%	3	0.8%	8
Hindu	0.9%	6	0.4%	4
Atheist	3.5%	25	5.2%	46
Agnostic	4.5%	32	4.7%	43
Nothing in particular	13.9%	98	16.3%	147
Something else	21.3%	151	15.5%	140
Refused	2.3%	16	4.0%	36
N=	100.0%	709	100.0%	901

**From the South:** Are you originally from the South?

	North Carolina	
	%	No.
Yes	61.1%	433
No	36.6%	260
Refused	2.3%	16
N=	100.0%	709

**Southern Accent:** Do you have a southern accent

	North Carolina	
	%	No.
Yes	41.1%	292
No	56.6%	401
Refused	2.3%	16
N=	100.00%	709

## Question Ordering

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The entire survey can be viewed exactly as displayed to respondents at:

[http://elon.co1.qualtrics.com/SE/?SID=SV\\_5yYH5DZaox7N8CV](http://elon.co1.qualtrics.com/SE/?SID=SV_5yYH5DZaox7N8CV)

- Introduction
  - intro ..... Introduction to Survey
  - resident..... Are you a resident of NC [US]
  - regist..... Are you registered to vote
  - gender/sex..... What is your gender/sex
  - race ..... What racial/ethnic group
  - age ..... How old are you
  - courtintro..... How much trust in Supreme Court
  - courtideo ..... Ideological leaning of Court
  - obamacare..... ACA be modified or abolished
  - gaymarriage..... Should gay marriage be legal in all states
  - Licenseplate..... Should Confederate plate be allowed
- Fourth of July Question [Results to be presented in future report - elon.edu/elonpoll]
  - plans ..... Plans for 4th of July
  - food ..... Favorite food on July 4th
  - beer..... Do you drink beer on 4th of July
  - beer2 ..... favorite beer
  - founding fathers ..... quality control question
- Partisanship
  - partyid ..... Party Identification
  - partyidrep..... Party ID Branch [strong Republican]
  - partyiddem ..... Party ID Branch [strong Democrat]
  - partyidind ..... Party ID Branch [Closer to GOP or Dem]
- List of Democratic Candidates - type 1 or 2 words that first come to mind [Names rotated]
  - Hillary Clinton
  - Joe Biden
  - Bernie Sanders
  - Martin O'Malley
  - Jim Webb
  - Lincoln Chaffee
  - Elizabeth Warren

- List of Republican Candidates - type 1 or 2 words that first come to mind [Names rotated]

Jeb Bush  
Ben Carson  
Chris Christie  
Ted Cruz  
Carly Fiorina  
Lindsay Graham  
Mike Huckabee  
Bobby Jindal  
John Kasick  
George Pataki  
Rand Paul  
Rick Perry  
Marco Rubio  
Rick Santorum  
Scott Walker

- founding fathers2 .....Would FF approve of the quality of candidates

- Demographics

- ideology ..... when it comes to politics
- educ ..... How much school have you completed
- inc ..... Annual household income
- religion.....What is your present religion
- evangelical ..... Are you a born again or evangelical Christian
- zipcode.....What is your zip code
- south ..... Are you originally from the South [NC survey only]
- accent ..... Do you have a southern accent [NC survey only]
- movie ..... Favorite movie or film

## Basic Methodological Information

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Survey Mode:	Online using opt-in panel from Survey Sampling International (with quotas to balance sample to reflect U.S. Census information for North Carolina or the United States)
Target Population & Sample Area	Registered Voters in North Carolina & the U.S.
Dates in the field:	June 4 - 9, 2015
Sample Size	North Carolina Survey: 835 residents United States Survey: 1125 residents <i>Results in this report are based on:</i> North Carolina: 709 registered voters United States: 901 registered voters
Margin of Error	Not Applicable (See Below)
Weighting	Raking (Rim Weighting) using 3 dimensions (Age, Race, & Gender) to approximate U.S. Census information
Design Effect of Weighting	National Survey: 1.30 State Survey: 1.07
SSI Online Panel Size	North Carolina: 58,000 (approximately) United States: 1.7 million (approximately)

### Online Survey Sample

Respondents for these two surveys were selected from among those who have volunteered to participate in the online panel for Survey Sampling International (SSI). A quota system was used to obtain a balanced sample. One that reflects the North Carolina adult population on age, gender and race and one that matches the U.S. population on the same attributes. Both surveys were then weighted to match U.S. Census information.

Although SSI goes to great length to produce high quality online panels that can produce samples that reflect the demographics of the target population, these samples are still considered nonprobability samples. Because the sample is based on those who initially volunteered or have been recruited for participation in the online panel rather than randomly selected from the broader state and national population, estimates of sampling error (margin of error) can be misleading.

Non-probability online surveys are used by numerous academics and organizations and have produced interesting and accurate results.<sup>7</sup> However, the American Association of Public Opinion recommends organizations not produce margins of errors when using non-probability, opt-in survey data because audiences may interpret the findings as coming from a probability sample. Information on Survey Sampling International's online panel can be found on their website located at: <http://www.surveysampling.com/who-we-are/awards>.

The survey was sponsored, designed and administered by the Elon University Poll. Qualtrics online survey software was used to design the survey. To view the national survey as it appears to a respondent you can take the Qualtrics survey by visiting the following link:

[http://elon.co1.qualtrics.com/SE/?SID=SV\\_5yYH5DZaox7N8CV](http://elon.co1.qualtrics.com/SE/?SID=SV_5yYH5DZaox7N8CV)

**For more information on the Elon University Poll and this survey, visit**  
<http://www.elon.edu/elonpoll>

or

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<sup>7</sup> See the following scholarly articles for examples of research using SSI online panel: Ahler, Douglas J. 2014. "Self-Fulfilling Misperceptions of Public Polarization." *The Journal of Politics* 76 (03):607-620. Barker, David C, and Christopher Jan Carman. 2009. "Political geography, church attendance, and mass preferences regarding democratic representation." *Journal of Elections, Public Opinion and Parties* 19 (2):125-145.