



Memo: New CAP Action Polling Shows Americans Have Very Serious Concerns About Kavanaugh’s Views on Presidential Accountability, Particularly While Trump is Under Federal Investigation

New polling aligns with consistent unpopularity of Kavanaugh nomination and shows serious concerns on whether he will shield President Trump from the special counsel investigation.

As polls continue to show unusual disapproval of President Trump’s nomination of Judge Brett Kavanaugh (“[CNN Poll: Brett Kavanaugh nomination has lowest public support since Robert Bork](#)”), a new poll commissioned by the Center for American Progress Action Fund finds the public is deeply concerned about Judge Kavanaugh’s views on presidential powers, particularly at a time when the president is under federal investigation by the special counsel.

The new poll finds Judge Kavanaugh’s nomination under water (though slightly less so than the recent CNN poll). The new poll digs deeper into Judge Kavanaugh’s stated views on presidents and criminal investigations, finding that a majority of Americans have “very serious” concerns about Kavanaugh’s views on whether a president can be subpoenaed, the legitimacy of independent counsels, and the Supreme Court decision on the Watergate tapes. The new polling comes as Trump’s lawyer Rudy Giuliani increasingly warns of refusing a Trump interview and forcing a subpoena in the special counsel investigation, then challenging that subpoena up to the Supreme Court.

Key questions:

Brett Kavanaugh, President Trump’s Supreme Court nominee, has argued that presidents should be immune from subpoenas to testify for independent investigations. Does this give you very serious concerns, somewhat serious concerns, no real concerns, or no concerns at all about Brett Kavanaugh?

<i>Very serious concerns</i>	46%
<i>Somewhat serious concerns</i>	10%
<i>No real concerns</i>	20%
<i>No concerns at all</i>	21%
<i>Not sure</i>	3%

Brett Kavanaugh has said he thinks that the law should be changed so that there cannot be any more Independent Counsels able to investigate a president. Does this give you very serious concerns, somewhat serious concerns, no real concerns, or no concerns at all about Brett Kavanaugh?

Very serious concerns 56%
Somewhat serious concerns 9%
No real concerns 16%
No concerns at all 18%
Not sure 1%

Brett Kavanaugh argued that the Supreme Court was wrong and should not have required President Nixon to turn over the secret tapes that ultimately exposed his crimes and caused his resignation. Does this give you very serious concerns, somewhat serious concerns, no real concerns, or no concerns at all about Brett Kavanaugh?

Very serious concerns 52%
Somewhat serious concerns 11%
No real concerns 20%
No concerns at all 16%
Not sure 2%

Given that the president is currently under investigation, do Brett Kavanaugh's views on shielding presidents from criminal investigations give you very serious concerns, somewhat serious concerns, no real concerns, or no concerns at all about Brett Kavanaugh?

Very serious concerns 53%
Somewhat serious concerns 10%
No real concerns 16%
No concerns at all 19%
Not sure 1%

Given that President Trump is currently under investigation, do you think that Brett Kavanaugh's views on shielding presidents from criminal investigations was a major reason that President Trump chose to nominate him, or not?

Think that Brett Kavanaugh's views on shielding presidents from criminal investigations was a major reason that President Trump chose to nominate him 46%
Do not think that Brett Kavanaugh's views on shielding presidents from criminal investigations was a major reason that President Trump chose to nominate him 45%
Not sure 9%

Read the [full poll](#).