

VII.

Presidents and the Favorable ACLU Voting Percentage of the Justice(s) They Nominated

This chart shows, in order from earliest to most recent by the 19 presidents who nominated them, the percentage of each justice's votes on the side of the ACLU and how many ACLU/SCOTUS cases on which they voted.

For example, Theodore Roosevelt, No. 1 in Column A below, nominated one justice to the Court, Oliver Wendell Holmes, Jr. He voted on three ACLU cases and was on the side of the ACLU in two of those cases, or 66.67% of the time.

Warren G. Harding, president No. 4, put four justices on the

U.S. Supreme Court. Those four justices collectively voted on 20 ACLU/SCOTUS cases. Seven of those votes, or 35%, were on the same side as the ACLU.

Chart: *Presidents and the Favorable ACLU Voting Percentage of the Justice(s) They Nominated*²

¹ Presidents were not considered to have nominated a new justice when they elevated a sitting justice to chief justice.

² The presidents named in Column A are listed from earliest elected president to most recent.

	President Nominating Justice(s)	Name of U.S. Supreme Court Justice(s) Nominated by President	# of Votes by the Justice(s) on ACLU Cases	# of Votes on the ACLU's Side	% of Votes on the ACLU's side (D/E)	Political Party of Nominating President	
						Democrat	Republican
	A	B	C	D	E	F	G
1	Theodore Roosevelt						R
		- Oliver Wendell Holmes, Jr.	3	2	66.67%		
		Totals	3	2	66.67%		
2	William Howard Taft						R
		- Willis Van Devanter	7	4	57.14%		
		Totals	7	4	57.14%		
3	Woodrow Wilson					D	
		- Louis Dembitz Brandeis	8	7	87.50%		
		- James Clark McReynolds	11	2	18.18%		
		Totals	19	9	47.37%		
4	Warren G. Harding						R
		- George Sutherland	7	4	57.14%		
		- Pierce Butler	9	3	33.33%		
		- William Howard Taft	2	0	0		
		- Edward Terry Sanford	2	0	0		
		Totals	20	7	35.00%		
5	Calvin Coolidge						R
		- Harlan Fiske Stone	40	24	60.00%		
		Totals	40	24	60.00%		
6	Herbert Hoover						R
		- Benjamin Nathan Cardozo	4	4	100%		
		- Charles Evans Hughes ⁸	10	9	90.00%		
		- Owen Josephus Roberts	35	16	45.71%		
		Totals	49	29	59.18%		