

GUEST COLUMN

The plot to destroy Brett Kavanaugh

The Kavanaugh confirmation process is a political mess and media circus. Democrats were never going to support any Trump nominee and had vowed to stop this confirmation process by any means necessary. Those having failed, Sen.



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Dianne Feinstein ambushed the vote at the last minute by introducing a high school sexual assault accusation against Brett Kavanaugh.

Consider these examples of politicizing the Supreme Court nominee confirmation process:

■ 1987: Nominee Robert Bork brutally attacked by Ted Kennedy and other Democrats.

■ 1991: Nominee Clarence Thomas subjected to a "high-tech lynching."

■ 1992: Senator Biden announced "The Biden Rule": in an election year the Senate "should not confirm any Bush nominee to the Supreme Court."

■ 2016: Applying the "Biden Rule," Republicans legitimately blocked Merrick Garland's confirmation.

Kavanaugh's confirmation process is full of deceit and character assassination — much the same tactics Democrats used against Bork and Thomas. It's at least partial payback for Republicans blocking Merrick Gar-

land's confirmation. Feinstein's "delayed ambush" strategy was uniquely deceitful because it was probably conceived knowing full well how Republicans would respond. Democrats likely would have made similar responses if this had been a Democrat nominee and the charges had similar characteristics — i.e. vague, uncorroborated, contradicted accusations, some with unknown year, date, time and place.

To those who set out to destroy Kavanaugh, I borrow a phrase, "Have you no shame?" These actions belie the seriousness of sex offenses. The Democrats' expressed concern for victims of sex offenses isn't sincere, or these outrageous tactics wouldn't have been chosen. It's all about *Roe v. Wade* and power. Obviously, the only motive was to provide cover for "red-state Democrats" to vote against Kavanaugh, or at least delay the vote until after the November elections. This last-minute ambush diminishes the validity of any Democratic claim of rushing to conclusion without adequate time for investigation. Feinstein had adequate opportunity to do that on a timely basis seven weeks earlier. This is outside the bounds of even degraded politics.

As I write this, Dr. Ford hasn't testified and new allegations are coming in. I won't attempt to summarize them all and their contradictions. I doubt the chaos

can be turned back. Things now have to run their course. I don't know where this will lead, but it doesn't change my message, which is to express concern about all the victims spinning out from this political stunt, particularly those in the battle against sex offenses.

The era of #MeToo has been shining a light on flaws in our system, and the movement has an opportunity to make valuable contributions dealing with sex offenses. But there have been many mistakes — Duke lacrosse players, mattress girl, et.al. These are the result of politics being tangled into our justice system, with results often being unfair, inconsistent and controversial. The negative implications would be staggering if unsubstantiated sex offense allegations could derail a Supreme Court confirmation. That may be what's developed here.

Kavanaugh's opponents seem comfortable selectively ignoring the concept of "presumed innocence." I won't list all the comments made by senators and others such as Joe Biden and Hillary Clinton, but they all reflected the comment by Harvard University's Simon Hedlin: "... the default in these situations is to believe the accuser." In spite of the seriousness of dealing with sexual offenses, it's becoming clear we don't have clear standards of accusation, evidence and due process. We must fix



that, remembering even though the Kavanaugh confirmation isn't litigation, courtroom and political rules of discourse reflect each other under the U.S. Constitution.

There will be many victims emerging from this foolish Democrat political strategy, such as:

■ At least one sincere accuser is being transformed into a political pawn.

■ Whatever the outcome, Kavanaugh's reputation is tainted, ignoring his flawless pattern of behavior.

■ The Supreme Court is being stripped of credibility by blatant politicization.

■ This circus will discourage future Supreme Court candidates from being considered.

■ Sex offense victims who are reluctant to go public will become even more cynical and suspicious because of this Democratic-created political mess.

■ The #MeToo movement has been politically hijacked and will suffer immensely.

Clearly this is a huge setback for the important fight against sexual abuse and exploitation.

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