

October 3, 2018

The Honorable Lisa Murkowski  
United States Senate  
Washington, DC 20510

The Honorable Dan Sullivan  
United States Senate  
Washington, DC 20510

Dear Senators:

We are Alaskan women attorneys who work in a variety of settings, including public interest organizations, government agencies, and private practice. Among us are Republicans, Democrats, Nonpartisan and Undeclared voters. We ask you, as your constituents and as fellow lawyers, to vote against confirmation of Judge Brett Kavanaugh as Justice of the United States Supreme Court.

Our opposition to the confirmation of Judge Kavanaugh is not a matter of policy disagreement or political affiliation. As lawyers, our focus is on the Constitution and the law. The ongoing legitimacy and public confidence in our nation's highest Court requires that we hold the Justices who interpret those laws to the very highest standards. Judges in state and federal courts, and the United States Supreme Court in particular, must uphold and promote the independence, integrity, and impartiality of the judiciary, avoiding even the appearance of bias or impropriety. The rule of law demands nothing less.

The press and some of your fellow Senators have presented the confirmation process as something like a criminal trial. But of course, your critical constitutional role to provide "advice and consent" on the suitability of a judicial nominee should bear no resemblance to that process. The question the Constitution asks you to consider is not whether Judge Kavanaugh could be convicted of a crime, but rather, whether he has demonstrated over the course of his life and his career—including during the confirmation process itself—his suitability to serve for a lifetime on our highest court.

Judge Kavanaugh's conduct during his confirmation hearings fell far short of our standards as citizens and as lawyers. He displayed uncontrolled anger, sarcasm, and open contempt for Senators—particularly female Senators—and he made numerous unapologetically partisan statements. This response to admittedly difficult circumstances exhibited poor judgment and a temperament unsuitable for a Supreme Court justice. His answers to Senators' questions were frequently evasive, incomplete, and combative. This behavior raised serious questions in our minds about his credibility and trustworthiness. His performance diminished public confidence, and our confidence, in his ability to uphold the independence and impartiality of the Court.

Our opposition to Judge Kavanaugh also reflects our deep concern for survivors of sexual harassment and sexual assault. Like far too many of our fellow Alaskans, many of us and many of our clients and others with whom we work professionally are survivors of these traumas. Sexual assault survivors nationwide are watching Judge Kavanaugh's response, and the response of the Senate, to Dr. Christine Blasey Ford's sworn allegations of sexual assault. In his testimony, the judge displayed no appreciation that this seat on the Court is much larger than one man and much larger than Dr. Ford and her story. His focus rested entirely on himself and his own outrage; his words and actions were not those of the dedicated public servant this country deserves.

This appointment will affect the legitimacy of the Court in the eyes of legal practitioners and the public for decades to come. We can, and we must, do much better than Brett Kavanaugh. We respectfully urge you to vote No when Judge Kavanaugh's confirmation reaches the Senate floor. Alaska deserves better. The nation deserves better.

Respectfully,

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