



September 18, 2018

Dear Senator,

The Constitution entrusts all 100 Senators with the responsibility to independently consider nominations to the Supreme Court. In light of the revelation that the Senate Judiciary Committee noticed a hearing without Dr. Christine Blasey Ford's consent and agreement, we call for the Senate Judiciary Committee to postpone the scheduled hearing on Monday, September 24, 2018. It is imperative that each member of the Senate clearly commit to providing a process to consider these very serious and credible allegations that is fair, thorough, and nonpartisan for all parties involved. A rushed process without a fair and independent investigation is unacceptable.

Survivors of sexual assault are often reluctant to tell their stories. As Dr. Blasey Ford stated in the *Washington Post*, "Why suffer through the annihilation if it's not going to matter?" It is up to each of you to be sure that it matters. The Senate must show that this distinguished body recognizes the severity of sexual assault and that it has learned critical lessons from the way Anita Hill was treated by the Senate in 1991. Senators must make clear that you will not be complicit in a process that silences or retraumatizes a survivor. The Senate has a responsibility to establish an atmosphere and process that ensures Dr. Blasey Ford's safety and treats her with the utmost dignity and respect.

To ensure that the process meets this important threshold, first and foremost, the Senate Judiciary Committee hearing scheduled for Monday must be postponed. This process cannot be rushed and driven by arbitrary deadlines rather than by the needs of a meaningful inquiry and a recognition of the gravity of sexual assault. Second, before any hearing with Judge Kavanaugh and Dr. Blasey Ford takes place, there must be an investigation led by independent, trauma-informed professionals who have the training and experience necessary to appropriately and respectfully handle a matter involving sexual assault. We have been disturbed to learn that the Senate Judiciary Committee plans to proceed with a hearing without even an inquiry into the matter by the FBI. Third, the Senate Judiciary Committee should rely on the investigators' conclusions and advice from relevant experts in framing their hearing questions for Judge Kavanaugh and Dr. Blasey Ford. Finally, because testimony of other individuals is relevant to the Senate's inquiry, it is inappropriate to preemptively assert that Dr. Blasey Ford and Judge Kavanaugh will be the only witnesses heard by the Committee. For instance, the hearing should also include testimony from Mark Judge who Dr. Blasey Ford notes was present at the time of the assault, as well as experts in sexual assault and trauma. It would be unfair to Dr. Blasey Ford, the American people, and contrary to our nation's highest ideals to let politics or myths about sexual assault guide the hearing.



When Anita Hill courageously came forward to share with the Senate Judiciary Committee that she was sexually harassed by Clarence Thomas, she was berated by Senators as though she were the one accused of wrongdoing. How you vet this Supreme Court nominee on behalf of the people you represent and serve is being closely watched. It will signal whether you have learned the lessons of our nation's shameful history of silencing and demonizing survivors of sexual trauma, who are bringing their stories to light through the #MeToo movement and Time's Up. It would be unacceptable for Senators to make it unsafe or difficult for survivors across the country to come forward and share their experiences in this setting or any other.

The Senate has a responsibility to do better than 1991. As a nation, we must be clear about the character required for those nominated to our nation's highest court. It is incumbent upon you to do what is right for Dr. Blasey Ford, for the public, and for the integrity of the Senate and the Supreme Court.

Sincerely,

Vanita Gupta  
President and CEO  
The Leadership Conference on Civil and Human Rights

Fatima Goss Graves  
President and CEO  
National Women's Law Center