



Written by [R. Cort Kirkwood](#) on October 9, 2018

Heitkamp Believed Kavanaugh's Accusers, Collins Didn't, And His Women Clerks Haven't Quit

Democratic Senator Heidi Heitkamp of North Dakota claims she would have voted to confirm Supreme Court Justice Brett Kavanaugh had she not done one thing: turn the sound off during his statement to the committee when he answered uncorroborated accusations of sex crimes.

Heitkamp, whose reelection campaign is in trouble according to polling data, said Kavanaugh's demeanor turned her off to the federal judge.



Maybe, but it didn't turn off Senator Susan Collins, who came to the opposite conclusion, or, apparently, the four women whom Kavanaugh recently hired as clerks.

Heitkamp Stumble?

During her interview with CNN, [Heitkamp said](#) she turned off the sound after she watched Christine Blasey Ford level her evidence-free accusations and Kavanaugh's heated, angry response.

"It's something I do," she told the anti-Trump network. "We communicate not only with words, but with our body language and demeanor."

Heitkamp didn't like the way Kavanaugh acted. "I saw somebody who was very angry, who was very nervous, and I saw rage that a lot of people said, 'well of course you're going to see rage he's being falsely accused,' but it is at all times you're to acquit yourself with a demeanor that's becoming of the court," Heitkamp said.

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Easy to say when you're not the person accused of gang rape, but at any rate, Heitkamp was particularly perturbed with Kavanaugh's answer to Senator Amy Klobuchar (D-Minn.), who asked whether the judge ever passed out from drinking. Kavanaugh reversed the question.

From this, Heitkamp concluded, "When someone shows you who they are, believe them."

And despite claiming she was ready to give Kavanaugh the benefit of the doubt, CNN reported, "she instinctively believed Ford."

[Said Heitkamp:](#)

I certainly think I have expertise beyond a number of people within the United States Senate and that expertise is that I have sat across the desk with victims people I've believed when they told me their story, and I had to say, 'I believe you but these cases can't be proved beyond a reasonable doubt so we can't proceed with the prosecution.' And when you've done that, you know for a victim, the most important thing you can say is 'I believe you' if you do, and I think it really came down to that I believed her.

Problem was, of course, that Kavanaugh's was one of "these cases [that] can't be proved" and was not



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proved. That, at least, was the verdict of someone who also has the expertise that goes with sitting across a desk from a victim. That someone was the prosecutor who questioned Ford. Ford's own witnesses, [she said](#), "refuted" and "failed to corroborate" her story. [The Senate Judiciary Committee](#) and [second FBI probe concluded](#) likewise.

The question is what the vote means for Heitkamp in a state that [President Trump won by 36 points](#) in 2016.

The Real Clear Politics average [puts Heitkamp 8.7 points behind](#) GOP challenger Kevin Cramer. A survey from [Fox News has Cramer ahead by 12](#), while a [local affiliate poll put him ahead by 10](#).

Collins and the Kavanaugh Clerks

Senator Susan Collins, the Maine Republican whose vote saved Kavanaugh, didn't agree with Heitkamp, concluding the opposite [during her floor speech](#).

Collins noted in particular the "[outlandish allegation](#) [that] was put forth without any credible supporting evidence" that Kavanaugh was virtually a professional gang-rapist in high school. "That such an allegation can find its way into the Supreme Court confirmation process is a stark reminder about why the presumption of innocence is so ingrained in our American consciousness."

And Collins noted the same problems as the prosecutor who asked Ford questions: no corroborating witnesses and Ford's memory lapses. "I do not believe that these charges can fairly prevent Judge Kavanaugh from serving on the Court," she said.

A few other women who might agree are Kavanaugh's law clerks. All four are women — a first in the history of the Supreme Court — something that the [New York Times](#), to its credit, noted.

[During his testimony](#) defending himself before the Senate Judiciary Committee, Kavanaugh noted that he began pushing for more women law clerks after [the Times reported](#) that only seven of 37 clerks on the high court were women. "A majority of my 48 law clerks over the last 12 years have been women," he said. "In my time on the bench, no federal judge — not a single one in the country — has sent more women law clerks to clerk on the Supreme Court than I have."

Kavanaugh hired the women, the [Times noted](#), before Ford and the other women leveled their unsubstantiated charges against him.

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