

LAW & JUSTICE

Obama Nominee Defends Record

Court pick on way toward confirmation

(AP) -- Challenged bluntly by Republicans, Supreme Court nominee Elena Kagan said Tuesday the Pentagon's recruiters had access to Harvard Law School students "every single day I was dean" and rejected claims she maneuvered to thwart them.

"I'm just a little taken aback by the tone of your remarks because it is unconnected to reality," retorted Sen. Jeff Sessions of Alabama, the first Republican on the Senate Judiciary Committee to question President Barack Obama's choice for the high court in public.

Said Kagan: "I respect and indeed I revere the military."

The exchange came near the beginning of a full day of questioning by members of the panel, which will vote first on Kagan's appointment to succeed retiring Justice John Paul Stevens. Barring a major gaffe, the



Supreme Court Nominee Elena Kagan testifies Monday before the Senate Judiciary Committee.

50-year old Obama administration solicitor general appears well on her way toward confirmation in time to take her seat before the court opens a new term in October.

Democratic Sen. Patrick Leahy of Vermont, the committee's chairman, was first to broach the military recruiting controversy, raising the issue that Republicans had often cited in pre-hearing criticism of Kagan.

"I've only cried once during this process," Kagan said, recalling her reaction to an op-ed article praising her for her treatment of the military, a commentary written by a Marine captain and 2008 graduate of Harvard Law.

The hearings turned testy when Sessions returned to the issue of the military's presence at Harvard Law School, and a controversy that arose when she blocked recruiters

from the career services office.

She has said she acted because of the military's "don't ask, don't tell" policy, which bars openly gay men and women from serving, was a violation of the university's anti-discrimination rules. And that as an alternative, she encouraged a campus veterans group to facilitate the Pentagon's recruitment of students.

Sessions disputed Kagan's version of events, saying that for one recruiting season "you gave them (the Pentagon) the runaround. ... You've continued to persist with this view that somehow there was a loophole in the statute that Harvard didn't have to comply with."

Kagan gave no ground, countering that "military recruiting went up that year, not down," when

Pentagon's representatives worked through the veterans office on campus.

Kagan also sparred at length with Sen. Jon Kyl, R-Ariz., who had said on Monday the late Justice Thurgood Marshall, the first African-American Supreme Court Justice, was a judicial activist. When Kyl's turn came to question Kagan, he said she had written glowingly of the man for whom she once clerked, and he asked whether she would tend to judge cases in a way that would protect the rights of the disadvantaged.

"If you confirm me, you'll get Justice Kagan, you won't get Justice Marshall," she said. She added that the "glory of the courts" is accessibility to all, and after that, the Constitution rules.

Gore Implicated in Sex Scandal

(AP) -- Portland police say they investigated allegations that former Vice President Al Gore had "unwanted sexual contact" with a massage therapist during an October 2006 visit, but they found insufficient evidence to support the woman's claims.

Multnomah County District Attorney Michael Schrunk said an attorney representing the woman contacted police in late 2006. Schrunk said the woman refused to be interviewed by detectives and didn't want the investigation to continue.

But the woman contacted police in January 2009 and gave a statement, saying Gore tried to have sex with her during a massage appointment at the upscale downtown Hotel Lucia. Gore reportedly was registered at the hotel as "Mr. Stone."

Gore family spokeswoman Kalee Kreider said the former vice president had no comment. Gore and his



The National Enquirer was first to report accusations against former Vice President Al Gore.

wife announced June 1 they were separating.

The National Enquirer first reported the allegations last Wednesday, identifying the accuser as a 54-year-old woman. Her name has not been released.

A police report prepared in 2007 said the alleged incident happened

on Oct. 24, 2006. Gore was in Portland to give a speech on climate change.

According to the report, the woman canceled appointments with detectives on Dec. 21 and 26 of that year. Her attorney canceled another meeting set for Jan. 4, 2007, and said the matter would be handled civilly.

"This case is exceptionally cleared as (the woman) refuses to cooperate with the investigation or even report a crime," the report states.

The case was reopened in January 2009 after the woman contacted police. Detectives interviewed her but determined there was insufficient evidence to support the allegations, Portland police said in a news release.

In a transcript of the interview released by police, the massage therapist said she was doing requested abdominal work on Gore. She claimed he started to moan, demanded she go lower, and later grabbed her hand and shoved it toward his pubic area.

Interested in a rigorous education for your child?

Come learn about The SEI Academy

- A holistic education that includes values, critical thinking and community service.
- Exposure to dance, drama, music and the arts.
- A learning community where your child will build meaningful relationships with teachers and peers.
- Our test scores surpass the district's average and comparable middle schools' test scores for our student population in reading, writing and science.

SEI Academy

3920 N. Kerby Ave.
Portland, OR 97227

The Portland Observer Established 1970

USPS 959-680

4747 NE Martin Luther King, Jr. Blvd., Portland, OR 97211

EDITOR-IN-CHIEF, PUBLISHER: Charles H. Washington

EDITOR: Michael Leighton

DISTRIBUTION MANAGER: Mark Washington

CREATIVE DIRECTOR: Paul Neufeldt

The Portland Observer welcomes freelance submissions. Manuscripts and photographs should be clearly labeled and will be returned if accompanied by a self addressed envelope. All created design display ads become the sole property of the newspaper and cannot be used in other publications or personal usage without the written consent of the general manager, unless the client has purchased the composition of such ad. © 2008 THE PORTLAND OBSERVER. ALL RIGHTS RESERVED. REPRODUCTION IN WHOLE OR IN PART WITHOUT PERMISSION IS PROHIBITED. The Portland Observer--Oregon's Oldest Multicultural Publication--is a member of the National Newspaper Association--Founded in 1885, and The National Advertising Representative Amalgamated Publishers, Inc., New York, NY, and The West Coast Black Publishers Association

CALL 503-288-0033 FAX 503-288-0015

news@portlandobserver.com

ads@portlandobserver.com

subscription@portlandobserver.com

POSTMASTER: Send address changes to Portland Observer, PO Box 3137, Portland, OR 97208