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## United States Senate

COMMITTEE ON THE JUDICIARY  
WASHINGTON, DC 20510-6275

KOLAN L. DAVIS, *Chief Counsel and Staff Director*  
JENNIFER DUCK, *Democratic Chief Counsel and Staff Director*

October 2, 2018

### **DELIVERED VIA EMAIL**

Ms. Debra S. Katz  
Ms. Lisa J. Banks  
Mr. Joseph E. Abboud  
Katz, Marshall & Banks, LLP  
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Mr. Michael R. Bromwich  
[mrbromwich@gmail.com](mailto:mrbromwich@gmail.com)

Dear Ms. Katz., Ms. Banks, Mr. Abboud, and Mr. Bromwich:

I write to renew my requests for material evidence relevant to allegations of sexual assault made by your client, Dr. Christine Blasey Ford, against Judge Brett Kavanaugh. During the hearing last week, Senator Kamala Harris argued that it was only fair for senators on the Committee to see the evidence that the witness was being asked to address. The same principle applies to this request. Your continued withholding of material evidence despite multiple requests is unacceptable as the Senate exercises its constitutional responsibility of advice and consent for a judicial nomination. I urge you to comply promptly with my requests.

First, I renew my request for the notes from therapy sessions in which Dr. Ford discussed the alleged assault by Judge Kavanaugh. *The Washington Post* reported that some notes were provided to *The Post*, and Dr. Ford's testimony indicated that these notes were highly relevant to her allegations. These notes have been repeatedly cited as corroboration even while written 30 years after the alleged event and in apparent contradiction with testimony and other public statements regarding several key details of the allegations, including when the alleged attack occurred, how many individuals were present in the bedroom in which the attack was alleged to have occurred, and how many individuals attended the party.

Your previous response to this request—that “[t]hese records contain private, highly sensitive information that is not necessary for the Committee to assess the credibility of [Dr. Ford’s] testimony”—is not justified, based on the fact that this material has been presented as a key component supporting allegations made by your client, including the presentation made to *The Washington Post*.

Second, I renew my request for copies of all audio or video recordings produced during the course of Mr. Hanafin's polygraph examination of Dr. Ford, as well as all polygraph charts and other data that Mr. Hanafin relied upon in preparing his report. I made these requests both before and during the hearing, but I

have yet to receive them. Dr. Ford cited the results of this polygraph examination to support her allegations. It's unfair to rely on the results of a polygraph examination while withholding the materials necessary to assess the accuracy of the results.

The full details of Dr. Ford's polygraph are particularly important because the Senate Judiciary Committee has received a sworn statement from a longtime boyfriend of Dr. Ford's, stating that he personally witnessed Dr. Ford coaching a friend on polygraph examinations. When asked under oath in the hearing whether she'd ever given any tips or advice to someone who was planning on taking a polygraph, Dr. Ford replied, "Never." This statement raises specific concerns about the reliability of her polygraph examination results. The Senate therefore needs this information.

Third, I renew my request for copies of any and all written, audiovisual, or electronic materials relating to the allegations raised by Dr. Ford against Judge Kavanaugh that Dr. Ford or her representative previously provided to any reporter or anyone else at a media organization. On the eve of our Thursday, September 27 hearing, you provided a single screenshot of Dr. Ford's WhatsApp correspondence with *The Washington Post* tip line. But Dr. Ford testified the next day that she had continued her conversation, "under the encrypted app," with a reporter. Your failure to provide the entirety of Dr. Ford's correspondence with *The Post* again suggests a lack of candor.

That the Senate is not a court of law does not change the reality that Dr. Ford's allegations have put Judge Kavanaugh on trial before the nation. A sitting federal judge and Supreme Court nominee has been accused of committing a violent crime. Dr. Ford, to her credit, offered her testimony to the Judiciary Committee, notwithstanding attempts at obstruction by her attorneys and Senate Democratic leadership. The testimony hinges on evidence to which Dr. Ford has repeatedly referred—some of which has already been provided to a nationally circulated newspaper—but which you have refused to provide to the Senate.

If it is necessary to protect certain records from public disclosure, then I'm happy to discuss how to achieve that goal. And I can certainly understand, in light of Democrats' betrayal of Dr. Ford's desire for confidentiality, that she may hesitate to trust such an arrangement. Still, these records are central to the credibility of Dr. Ford's allegations and must be produced.

Please provide the requested materials to the Senate Judiciary Committee immediately.

Sincerely,



Chuck Grassley  
Chairman