

FACTUAL RESPONSES to FALSEHOODS in the KNIGHT-  
RIDDER ARTICLE ATTACKING JUDGE ALITO

**FACT 1:** Knight Ridder's Writers Stephen Henderson And Howard Mintz Have Repeatedly Been Accused Of Biased Reporting On Judge Alito's Record:

National Journal's Stuart Taylor: "I Focus Here Not On The Consistently Mindless Liberal Hysteria Of The New York Times' Editorial Page. Nor On Such Egregious Factual Errors As The Assertion On C-SPAN, By Stephen Henderson Of Knight Ridder Newspapers, That In A Study Of Alito's More Than 300 Judicial Opinions, 'We Didn't Find A Single Case In Which Judge Alito Sided With African-Americans ... [Who Were] Alleging Racial Bias.' This, Henderson Added, Is 'Rather Remarkable.'" (Stuart Taylor Jr. Op-Ed, "Alito: A Sampling Of Misleading Media Coverage," The National Journal, 12/12/05)

\* National Journal's Stuart Taylor: "What Is Remarkable Is That Any Reporter Could Have Overlooked The At Least Seven Cases In Which Alito Has Sided With African-Americans Alleging Racial Bias." (Stuart Taylor Jr. Op-Ed, "Alito: A Sampling Of Misleading Media Coverage," The National Journal, 12/12/05)

National Journal's Stuart Taylor: "Also Remarkable Is The Illiterate Statistical Analysis And Loaded Language Used By Henderson And Howard Mintz In A 2,652-Word Article Published (In Whole Or In Part) By Some 18 Newspapers. It Makes The Highly Misleading Claim That In 15 Years As A Judge, Alito Has Sought 'To Weave A Conservative Legal Agenda Into The Fabric Of The Nation's Laws,' Including 'A Standard Higher Than The Supreme Court Requires' For Proving Job Discrimination." (Stuart Taylor Jr. Op-Ed, "Alito: A Sampling Of Misleading Media Coverage," The National Journal, 12/12/05)

The December Article Written By Knight Ridder's Henderson And Mintz Was Accused Of Mirroring Third Party Liberal Groups Partisan Attacks Against Judge Alito. "According to sources with ties to third-party groups opposing the Supreme Court nomination of Judge Samuel Alito, the Knight Ridder newspaper analysis of Judge Alito's judicial record -- which ran in many of the papers operated by KR -- mirrors analysis that was pulled together by staff of People for the American Way, Alliance for Justice, and the Leadership Conference on Civil Rights, all groups that are coordinating their anti-Alito efforts." (American Spectator Blog, 12/8/05)

**FACT 2:** Knight Ridder's Stephen Henderson Has Admitted His Reporting Was Wrong Before On Judge Alito:

Henderson: "For Example, We Didn't Find A Single Case In Which Judge Alito Sided With African-Americans, For Example, Alleging Racial Bias, Which I Think Is, Again, Rather Remarkable." (CSPAN's "Washington Journal," 12/7/05)

\* Radio Host Hugh Hewitt: "Goosby V. Johnson And Johnson. A Black Female Sued For Discrimination, The District Court Granted Summary Judgment For Her Employer. Judge Alito Was Part Of The Panel That Reversed, In Part." (Hugh Hewitt Radio Show, <http://www.radioblogger.com/#001211>, Accessed 12/8/05)

\* Hugh Hewitt: "You Said You Couldn't Find A Single Case Where He [Sided With A Woman In A Gender Bias Case] ... Okay, So Goosby V. Johnson Is A Black Female. ... I'm Counting It As A Refutation Of Both Of Your Statements." (Hugh Hewitt Radio Show, <http://www.radioblogger.com/#001211>, Accessed 12/8/05)

\* Hugh Hewitt: "Okay, Now Steven, I Want To Cite You Three Cases: Robinson V. Pittsburgh From 1997... Female Police Officer Harassed By Her Supervisor, Alito Rules For Her. ... Goosby V. Johnson And Johnson. Female That Was Suing For Discrimination. Alito Rules For Her. ... 2003, Reynolds V. Usx. Alito Affirmed A Judgment For An African-American Female Who Had Won A Claim Against A Steel Company, And Affirmed Her Attorney's Fees. ... That's Three Black Females." (Hugh Hewitt Radio Show, <http://www.radioblogger.com/#001211>, Accessed 12/8/05)

Henderson Admits Alito Ruled For Black Defendants, Contradictory To His Statements. Hewitt: "I'm saying that you said there were no cases where he ruled for black defendants. Zero. I've given you three. ... Henderson: "Where he wrote a case? Wrote an opinion?" Hewitt: "No. Where he voted. You said...ruled doesn't mean written. Ruled means voted." Henderson: "Well, okay. You got me. I mis-spoke." (Hugh Hewitt Radio Show, <http://www.radioblogger.com/#001211>, Accessed 12/8/05)

**FACT 3:** Knight Ridder's Stephen Henderson Admitted He Was Previously An Editorial Writer, Not A Reporter:

"Stephen Henderson Comes To Knight-Ridder From The [Baltimore] Sun, Where He Was Associate Editor Of The Editorial Page." (Knight Ridder Website, [www.realcities.com](http://www.realcities.com) <[http://www.realcities.com/mld/krwashington/news/columnists/steve\\_henderson/](http://www.realcities.com/mld/krwashington/news/columnists/steve_henderson/)> , Accessed 12/8/05)

\* Henderson: "I Was Actually The Deputy Editorial Page Editor Of The [Baltimore] Sun." (Hugh Hewitt Radio Show, <http://www.radioblogger.com/#001211>, Accessed 12/8/05)

\* Henderson: "I Joined The Editorial Board [At The Sun] Here As Associate Editor In 1999." (Editorial, "Who We Are," The [Baltimore] Sun, 12/29/02)

Despite History Of Editorial Writing, Stephen Henderson Listed In Byline With Howard Mintz In Controversial Knight Ridder Article. (Stephen Henderson And Howard Mintz, "Review Of Cases Shows Alito To Be Staunch Conservative," Knight Ridder, 12/01/05)

**FACT 4:** Knight Ridder's Stephen Henderson Admitted Bias On Affirmative Action Cases, Wrote Editorials In Favor Of It:

Henderson: "Bias Is Part Of Human Nature, So Any Reporter Who Claims Not To Be Biased Is Either A Robot Or A Liar." (Chips Quinn Scholars Website, [www.chipsquinn.org](http://www.chipsquinn.org) <<http://www.chipsquinn.org/skills/learning/learning.aspx?id=349>> , Accessed 12/8/05)

\* Henderson: "I Definitely Had To [Deal With Bias] With The University Of Michigan Cases Last Year. I Went To Michigan. I'm Black. I Attended School Just A Little Before The Woman Who Sued The Undergraduate [Sic] College There. The Case Was About Me! (I'm Kidding)." (Chips Quinn Scholars Website, [www.chipsquinn.org](http://www.chipsquinn.org) <<http://www.chipsquinn.org/skills/learning/learning.aspx?id=349>> , Accessed 12/8/05)

The [Baltimore] Sun Editorial: "That Thinking Could Provide Important Direction For The Current Justices. They'll Need To Remember, If They Consider The Michigan Case, That Race Matters In Nearly Every Sector Of American Life, So It Would Be Astonishingly Naive For Colleges And Universities To Pretend Otherwise." (Editorial, "Affirmed?" The [Baltimore] Sun, 5/26/02)

**FACT 5:** Stephen Henderson's Editorial Board Attacked Bush Administration, Conservative Appointees:

The [Baltimore] Sun: "But Beneath That Rich Chord Of Ethnicity And Gender Lies A Conservative Political Monotone. Few Of Mr. Bush's Nominees Come From The GOP's Center. Worse, He Saved His Most Reactionary Picks For Departments That Control The Administration's Stance On Issues Such As Civil Rights And Labor." (Editorial, "A Political Monolith In Bush's Cabinet," The [Baltimore] Sun, 1/4/01)

\* The [Baltimore] Sun: "Former Missouri Sen. John Ashcroft Sits Far To The Right Of The Political Mainstream - Especially When It Comes To Such Issues As Civil Rights, Affirmative Action And Abortion. Yet He Has Been Tapped For Attorney General, The Nation's Most Prominent Defender Of These Critical Legal Safeguards." (Editorial, "A Political Monolith In Bush's Cabinet," The [Baltimore] Sun, 1/4/01)

\* The [Baltimore] Sun: "Linda Chavez ... Is Also Problematic. She Made Scores Of Enemies By Staunchly Opposing Affirmative Action, Bilingual Education And Equal Pay For Women While At The U.S. Civil Rights Commission Under Ronald Reagan." (Editorial, "A Political Monolith In Bush's Cabinet," The [Baltimore] Sun, 1/4/01)

The [Baltimore] Sun: "[O]ne Of Mr. Bush's Nominations - That Of South Carolina District Judge Dennis Shedd To The 4th U.S. Circuit Court Of Appeals, Which Covers Maryland And Four Other States - Goes Beyond The Acceptable Boundaries For A President Putting His Political Stamp On The Judiciary." (Editorial, "A Court Uneven," The [Baltimore] Sun, 10/3/02)

\* The [Baltimore] Sun: "Judge Shedd's Appointment To The 4th Circuit Would Push The Nation's Most Conservative Appeals Bench Even Further Outside The Legal Mainstream For Decades To Come. It Would Dig More Potholes Along An Already Rocky Legal Road For Minorities Seeking Redress For Discrimination, Women In Search Of The Protection Of Long-Established Reproductive Rights, Workers Whose Employers Trample Labor Laws And Even Criminal Suspects Who Just Want To Be Read Their Rights Before Being Carted Off To Jail." (Editorial, "A Court Uneven," The [Baltimore] Sun, 10/3/02)