## The worst is yet to come for Kavanaugh's accuser. Take it from this sexual assault attorney.

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Nothing adequately prepares a sex crime victim for the moment she goes public.

Christine Blasey Ford, who alleges that Supreme Court nominee Brett M. Kavanaugh sexually assaulted her decades ago, may do so on a national stage before the Senate Judiciary Committee next week, a fate most high-profile criminal courts opt not to put upon sex-crime victims.

Monday's hearing is not a trial; the standard is not beyond a reasonable doubt. The Judiciary Committee's role is not to determine guilt or innocence but advise the Senate on whether to confirm Kavanaugh.

Nevertheless, attorney Douglas Wigdor, an expert in sexual assaults, said preparing victims of sexual assault to testify — be it in court, before the Senate or in cooperation with a prosecutor's office — pose similar challenges.

Wigdor represented hotel maid Nafissatou Diallo in her 2011 civil sexual assault claim against then-managing director of the International Monetary Fund, Dominique Strauss-Kahn.

Diallo accused Strauss-Kahn of trying to rape her inside a suite at the Sofitel New York hotel. The case, which brought then-rare national attention to allegations of sexual abuse and assault by powerful men, collapsed after attacks on Diallo's credibility. The prosecutor dismissed the charges; Strauss-Kahn subsequently reached a civil settlement for an undisclosed amount, calling the encounter with Diallo "rough" and "inappropriate."

"Diallo was treated like the criminal by the people who were supposed to protect her" namely, Wigdor said, the Manhattan District Attorney's Office. "That's something I hope wouldn't happen now."

Experts say the coming days will be crucial for the legal team preparing Ford, who has<u>already</u> <u>come under</u> scrutiny and is likely to see her personal history and credibility come under attack during a hearing.

According to Wigdor, it's important that the lawyer working with Ford knows all the facts before the hearing — good or bad.

"There may be facts that might not make the witness look good, but trying to suppress or change them will undoubtedly come back to haunt her," he said. Ford should be ready to respond as best she can to every question, however awkward or difficult. She should also not argue or be defensive, he said. Most importantly, though, she must tell the truth.

News broke Tuesday that Ford was requesting that the FBI launch an investigation before she was called to testify. According to a letter sent to the panel from Ford's lawyers, her worst fears have materialized. "She has been the target of vicious harassment and even death threats. As a result of these kind of threats, her family was forced to relocate out of their home. Her email has been hacked, and she has been impersonated online."

President Trump nevertheless encouraged the hearing to proceed, so Ford could "state her case." Kavanaugh was also summoned to the White House to prepare.

As the only woman to come forward with allegations against Kavanaugh, Ford's credibility has become the central issue.

"It's her word against his. There need to be difficult questions asked of both, but there's a way to ask them without embarrassing or demeaning either," Wigdor said.

## [What the man accused of being part of Kavanaugh's alleged sexual assault had to say about women's sexuality]

Several powerful men have already expressed an opinion that Ford is not to be believed. Trump said he <u>felt "terribly"</u> for Kavanaugh Tuesday, predicting that the judge would be exonerated. Sen. Orrin G. Hatch (R-Utah), who also questioned Anita Hill about her accusations against Justice Clarence Thomas during his confirmation hearings, said Ford must be "mistaking [Kavanaugh] for someone else," in a <u>statement to Fox News</u>. Sen. John Cornyn (R-Tex.) was also <u>concerned by "gaps"</u> in Ford's version of events.

Ford also faces the pressure of appearing on a national stage. Unlike Kavanaugh, who has testified before the Senate on several occasions, Ford has not.

One of the reasons there are no cameras in federal court, according to Wigdor, is to prevent witnesses or lawyers playing to the cameras, like they did in the O.J. Simpson case.

"With midterm elections around the corner, rather than focusing on whether Kavanaugh is qualified to be on the Supreme Court, politics and cameras in the courtroom will devolve to grandstanding and senators playing to constituents," Wigdor said.

Although prepping a witness is key, Monday will undoubtedly be overwhelming for Ford, who is already facing attacks on her privacy and credibility. She will be sitting in front of the Senate, her testimony and image broadcast to the nation, and questioned by senators who have already expressed skepticism about her accusation.

"At this point, if you're a senator, you should voice no view. You haven't met with [Ford] or heard her account firsthand, so to say that she's mixed up shows immediate bias," said Wigdor. It has not yet been disclosed whether Ford will have an opportunity to give a statement before questioning, which makes preparing tougher.

If she is, Wigdor said, "I would have her make it very clear in her remarks that she was not 'mistaken.' That the assault was something she recalled vividly and was confident she was not confused or mixed up about."