

THE ODD VICTIM SYMPATHIES OF LIBERAL JUSTICES What Makes Activists Mad -- and What Doesn't By Lester Jackson

An unbridgeable values chasm exists between victims of the worst crimes and the zealous devotees of their depraved victimizers.

Last month, 18-year-old Alyssa Bustamante, [protected](#) from capital punishment by five U.S. Supreme Court justices [undemocratically imposing](#) their unrepresentative moral values, was sentenced to mislabeled "[life in prison](#)" for the October 2009 murder of 9-year-old neighbor Elizabeth Olten. Four months before that murder, the Court devoted 44 pages to the "embarrassment" of Savana Redding, a 13-year-old searched for illicit drugs.

These and other cases graphically shed light on unelected justices who run our lives. For them, brutally tortured victims evoke little sympathy or thought, while murderers' "human dignity" deserves dominant consideration. What makes such justices' blood boil is to "humiliate" a teenage girl by searching for drugs that already have seriously harmed other students; for them, "misconduct" by officials trying in good faith to prevent crime and injury merits far greater concern than protecting the public from the most violent among us.

The Brutal Murder of Elizabeth

No chance here for a [specious innocence claim](#). Alyssa [wrote](#) in her diary: "I just f--king killed someone. I strangled them and slit their throat and stabbed them[;] now they're dead. ... It was ahmazing. As soon as you get over the 'ohmygawd I can't do this' feeling, it's pretty enjoyable. I'm kinda nervous and shaky though[.]" Alyssa [confessed](#) and led police to Elizabeth's body. Her muddy shovels and clothes were found.

This crime was premeditated, with "[cool deliberation](#) [and] reflection." [Beyond dispute](#) is that Alyssa dug two graves in advance and used her unsuspecting sister to lure Elizabeth to come outside to "play." Alyssa [wanted to know](#) how killing felt, and she listed "killing people" as [one of her hobbies](#). Contrary to five "compassionate" justices who [assert](#) (15-17) that anyone under the age of exactly 18 cannot be fully expected to tell right from wrong, Alyssa's "ohmygawd I can't do this" feeling clearly shows that she well knew that the murder was wrong, leaving her "nervous and shaky."

Despite objection, she was sentenced to "life **with** possibility of parole" -- language that surely belongs atop any list of disingenuous oxymoronic legal absurdities. And make no mistake. [Parole guarantees future murders](#), sacrificing the innocent to save the guilty -- a cause of [little if any disquiet](#) for advocates and [judicial activists](#) who highly value guilty barbarians, with [utter contempt](#) for slaughtered innocents.

But fear not. These activists do care about some victims.

Savanna's "Ordeal"

Savanna was not strangled or stabbed; her throat was not slit. Her case deserved serious attention! As Justice [Souter](#) (1-2) wrote for the Court, "she was subjected to a search of her bra and underpants by school officials acting on reasonable suspicion that she had brought forbidden ... drugs to school." The search was conducted by two women, one a nurse.

Although Souter declared (7) that, if "reasonable suspicion of pill distribution were not understood to support searches of outer clothes and backpack, it would not justify any search worth making," he drew the line (9) at searching underwear.

Dissenting, Justice Thomas [indicated](#) (8-9) that, if school officials were justified in searching for contraband drugs, limiting the search made little sense: "Redding would not have been the first person to conceal pills in her undergarments. ... Nor will she be the last after today's decision, which announces the safest place to secrete contraband in school." Thus, with its [customary coherence](#), the Court, **rejecting a right to use outerwear, created a constitutional right for students to smuggle dangerous drugs in underwear.** (Thomas noted [4] unabated substance-abuse; a student had spent days in intensive care.)

Years earlier, Justice Brennan (joined by Justice Marshall) [protested](#) the "extreme invasion of personal privacy and dignity" of a woman who smuggled drugs in her digestive system. Customs officials required that she be x-rayed or defecate in a wastebasket watched by female inspectors. She turned out to have swallowed 88 cocaine-filled "balloons." Apparently, Brennan did not think that swallowing drug-filled condoms to be delivered upon defecation might itself be a self-inflicted "indignity." (Contraband has been [ingested](#) and inserted into [every available](#) body orifice.)

Today, of course, travelers are subjected to strip-searches, pat-downs, body-scanners, and other indignities -- **in the absence of any suspicion at all**, often solely to appear politically correct (e.g., [searches](#) of elderly [grandmothers](#)).

Yet some justices are outraged when [well-motivated](#) (10) school officials try to deal with a serious drug problem. Justice Ginsburg was so disturbed by the "humiliating" and "abusive" Redding search that, while joining Justice Stevens' dissent, she [separately](#) insisted on holding the assistant principal **personally** liable.

For daring to expose the Court's absurdity, Thomas was [denounced](#) by Andrew Cohen: "**What kind of world does Justice Clarence Thomas live in?** Alone[,] he declared ... that an 'abusive' and 'humiliating' strip search ... was actually a constitutional exercise ... His long dissent did **not** include **a single sympathetic remark** about the **ordeal** suffered by the **victim**[.]"

Here, then, is an "ordeal" and "victim" meriting the attention of the likes of Ginsburg and Cohen.

Priorities of Liberal Activists

[Ginsburg has](#) shed tears and suffered emotional stress over brutal murderers. One can search in vain for any similar expressions by her about their victims.

Two years before Ginsburg protested Savana's "humiliation," she joined Stevens' [dissent](#) supporting Cal Coburn Brown, who robbed, raped, tortured, mutilated, and murdered 21-year-old Holly Washa. While Savana's "ordeal" was extensively discussed, Stevens [protested](#) mere mention of Brown's crimes, mischaracterized as "a graphic description." The dissenters wanted to conceal the agony caused by heinous crimes. Saving murderers requires [ignoring their victims](#). For the horrifying actual "graphic description" Ginsburg sought to suppress without comment, please -- please -- see [here](#), [here](#), and [here](#).

Moreover, although Alyssa, with full awareness of wrongdoing, meticulously planned the murder of 9-year-old Elizabeth, by then, the Court had concocted a constitutional right allowing her to do this without fearing capital punishment. Were it available, a less unjust sentence might have been imposed. Ginsburg quietly provided an [essential fifth vote](#) to rescue teenage premeditated torture-murderers, including Christopher Simmons. Simmons abducted Shirley Crook in her own home, wrapped her face in duct tape, tied her with wire, drove her to a bridge, and threw her off to drown [while still alive and conscious](#).

Where was Ginsburg's sympathy for the victim here? Not one word! Instead, she shamelessly joined the patently [ludicrous claim](#) that Alexander Hamilton, who [ran](#) a complex business by age

16, would have voted to save 17½-year-old cold-blooded murderers -- but she refused to acknowledge Justice O'Connor's use of "[terror](#)" and "[ordeal](#)" (15): "One can scarcely imagine the **terror** that this woman must have suffered throughout the **ordeal** leading to her death."

Ginsburg was also essential to a 5-4 [fiat](#) inventing a constitutional right for 300-pound men to brutally rape and inflict severe injuries upon 8-year-old girls without fear of execution. Significantly, citing Savana as a prime example, Ginsburg campaigned for more female justices on the chauvinistic assertion of [inferior male ability](#) to understand females' problems; yet, to save rapists, she callously spurned any expression of "[sensitivities that our male colleagues lack](#)": absolutely no sensitivity to the "humiliation" or "abuse" (let alone "ordeal") suffered by a raped little girl who required major painful surgery to repair internal damage to her most private parts - - not partial exposure to a female nurse, but actual severe injury.

(Don't be shocked if Ginsburg's female superiority notion excludes non-activist judges such as [Edith Jones](#) and [Janice Rogers Brown](#).)

Brennan and Marshall objected to the "indignity" of a drug search but did not fret about far worse indignities that murderers inflict. Instead, they [insisted that no murderer](#), however barbaric, should have **his** "[dignity as a human being](#)" "[degraded](#)" by capital punishment, an "[undeserved] total denial of [his] [dignity and worth](#)."

Finally, denying being "disrespectful" to victims while rejoicing in saving clearly guilty murderers' lives, [rabidly pro-murderer polemicist Andrew Cohen](#) could not restrain himself from [revealing](#) his true views: murderers **should** "get more justice than their victims. That's the whole point of our criminal justice system ... In America, we aim to give the guilty **more** justice than they deserve." Indeed, Cohen sees indisputably guilty murderers as "victims" too -- "[screwed](#)" victims!

2012: Do Murderers Deserve More Justice Than Their Victims?

Andrew Cohen is mystified by the world of Justice Thomas. That is surely not the Cohen-Ginsburg world, where a search for reasonably suspected illegal drugs is considered an "ordeal," with no such terminology applied to victims of calculated savagery. In their world, facts about rape, child rape, terrorization, mutilation, and murder must be suppressed and not even mentioned, lest sympathy for victims ensue. In their world, "victim" describes someone "embarrassed" but not those disabled, raped, or murdered, to say nothing of their traumatized, suffering loved ones. In Cohen's and Ginsburg's world, the "human dignity" and "degradation" of barbaric murderers is of vastly more concern than the degradation of dignity of victims of torture and murder.

In their world, a single multiple murderer's life is worth more than all the vibrant innocent lives he prematurely and excruciatingly ended.

This is a world oblivious, at best, to the distinction between law-abiding victims and vicious victimizers. At worst, the distinction is [inverted](#), [turning murderers into victims](#).

Clearly, for a number of justices, often in a controlling majority, partially exposing a teenage girl to female searchers is far more worthy of comment and passionate disapproval than slit throats and barbaric rapes of children.

Are these the values of most decent people?

A majority of the Supreme Court could be replaced in the next presidential term. The 2012 election will likely determine whether the grotesquely unrepresentative Ginsburg-Cohen worldview will continue to dominate for a very long time.

Lester Jackson, Ph.D., a former college political science teacher, views mainstream media [suppression of the truth as essential to harmful judicial activism](#). His recent articles are collected [here](#).