

# Young woman dies; Republicans see only road to victory

On the day she disappeared last month, Mollie Tibbetts had left her boyfriend's home in a small town in Iowa to go for a run.

As has been widely reported now, Chistian Rivera was driving when he spotted 20-year-old Tibbetts, who was white. An Iowa law enforcement official said Rivera told authorities that he first followed her in his car, and then pulled over and started running next to her.

Tibbetts was frightened, Rivera said. She pulled out her phone and told him, "I'm gonna call police." Police say he can't remember what happened next, a memory block he claims is common when he's angry or upset. He did, however, lead authorities to the cornfield where he had hidden her body.

Police initially described Rivera as an undocumented immigrant from Mexico and said he may have used a stolen ID to avoid federal detection. On Wednesday, his lawyer said he was here legally.

Rivera was working on a farm owned, in part, by a prominent Republican. Please

note that I'm not blaming that Republican for Mollie Tibbetts' death. See how that works?

Rivera was an angry man who wouldn't take no for an answer. He is now charged with killing an innocent woman. Also this week, a white Colorado man named Christopher Lee Watts was charged with killing his pregnant wife and their two young daughters.

Watts did not inspire the president and his Republican minions to denounce his alleged crime on Twitter.

Rivera is another story, and we all know why.

Iowa Gov. Kim Reynolds tweeted, "We are angry that a broken immigration system allowed a predator like this to live in our community ..."

Vice President Mike Pence tweeted: "We commend the swift action by local, state, & federal investigators working in Iowa in apprehending an illegal immigrant, who's now charged with first-degree murder. Now, justice will be served. We will never forget Mollie Tibbetts."

U.S. Sen. Tom Cotton



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tweeted a now-popular meme of side-by-side photos of brown-skinned Rivera and Tibbetts, writing, "Mollie would be alive if our government had taken immigration enforcement seriously years ago."

Trump, who never tires of baiting the racists in his crowds, alluded to Tibbetts' murder at his Tuesday rally in West Virginia: "You heard about today with the illegal alien coming in, very sadly, from Mexico. And you saw what happened to that incredible, beautiful young woman. Should've never happened."

It is racist to blame an entire population of nonwhite people for the crime of one. Journalist Jamil Smith, who is my friend, worded it exactly right on Twitter: "If a young woman like Mollie Tibbetts had been killed by a white boyfriend or family member -

- as is significantly more common in America -- there would have been no @WhiteHouse video lamenting her 'permanent separation' from her family. Trump's exploitation of her death is abhorrent."

At that same rally, yet again, the anti-Hillary Clinton crowd erupted into a chant of "Lock her up!" Wrong person, but we can see why they had prison on their minds.

There is so much these Republicans want us to forget.

Trump's former lawyer Michael Cohen, for example, pleaded guilty Tuesday to eight federal counts ranging from tax evasion to campaign finance violation, and implicated Trump. As his lawyer later made clear, Cohen "would never accept a pardon from a man that he considers to be both corrupt and a dangerous person in the oval office."

On that same day, Trump's former campaign chairman Paul Manafort was convicted on eight counts of financial crimes.

And then there are all those innocent children, 565 of them, who remain separated

from their parents after U.S. officials tore them apart at our border. Where are all of those Republican tweets sharing side-by-side photos of mothers and their traumatized children?

Former House Speaker Newt Gingrich emailed Axios editor Mike Allen "to make sure that we'd be covering (the Mollie Tibbetts) story ... ahead of the Cohen-Manafort news."

Gingrich's take: "If Mollie Tibbetts is a household name by October, Democrats will be in deep trouble. If we can be blocked by Manafort-Cohen, etc., then GOP could lose (the House) badly."

Calling this vile exploitation doesn't begin to describe the harm Trump's Republicans are willing to inflict on a grieving family. On Wednesday, the family released a statement that read, in part: "Our hearts are broken."

"On behalf of Mollie's entire family, we thank all of those from around the world who have sent their thoughts and prayers for our girl. We know that many of you will join us as we continue to carry

Mollie in our hearts forever. "At this time, our family asks that we be allowed the time to process our devastating loss and share our grief in private."

Tibbetts' aunt, Billie Jo Calderwood, posted this public statement on her Facebook Tuesday evening: "Please remember, Evil comes in EVERY color. Our family has been blessed to be surrounded by love, friendship and support throughout this entire ordeal by friends from all different nations and races. From the bottom of our hearts, thank you."

No relative should have to say this in the throes of grief. But when politicians try to turn your family's tragedy into their road to victory, what choice do you have?

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# Self-interest vs. the public interest

The president of the United States will not talk to special counsel Robert Mueller because his lawyers want to prevent him from walking -- or, rather, talking -- into a perjury trap.

Rudy Giuliani, the president's most visible lawyer, insists that no attorney worth his license would permit a client to testify under such circumstances. For many of Trump's detractors this is tantamount to a confession that the president would lie. Many even insist there is no such thing as a "perjury trap."

That's wrong. Former federal prosecutor Andrew McCarthy, my National Review colleague, notes that "for charging purposes, the witness who answers the questions does not get to decide whether they have been answered truthfully. That is up to the prosecutor who asks the questions."

In other words, if Donald Trump testifies that he didn't murder Col. Mustard in the library with the candlestick, and Michael Cohen says Trump did it, the prosecutor decides who is lying.

Presumably Mueller would consider other evidence too. Trump and Cohen are both legendary liars, after all. So Mueller would surely look to corroborate either's testimony. If the candlestick bore Trump's fingerprints, Mueller might believe Cohen. If Col. Mustard spelled out "It was Cohen" in his own blood, Mueller would probably side with Trump.

But the point remains: When it comes to charging someone, the prosecutor gets to decide who's lying. For a conviction, however, it falls to a jury or judge to decide



whether someone is truly guilty.

Now there are many problems with my analogy. For starters, no one is accusing Trump of murder. Also, as a matter of Justice Department policy and common constitutional interpretation, a sitting president cannot be indicted.

This fact illuminates one of the many flaws with Giuliani's defense. He claims he's protecting Trump from being criminally charged with perjury while also insisting the president cannot be criminally charged with perjury (or anything else).

If pressed, the former New York City mayor would probably say he's also protecting Trump from criminal prosecution after he leaves office, or from impeachment.

But don't let the phrase "high crimes and misdemeanors" fool you. Impeachment isn't a legal process at all; it's a political one. The impeachment power vested in Congress is for breaches of the public trust, and Congress has the sole power to decide

what constitutes such a violation.

While it is possible that a Democrat-controlled House might vote to impeach Trump, it seems incredibly unlikely that a two-thirds majority of the Senate would vote to remove the president based on what we know now.

But my point here isn't really to demonstrate the weaknesses of Giuliani's legal and political arguments. Nor is it to point out that he zigzags between making legal arguments for political purposes and political arguments disguised as legal ones. Rather, it's to illuminate the fact that while Giuliani is right to keep Trump from testifying, he's not making an argument on behalf of the public interest. Like Tom Hagen in "The Godfather," Giuliani has a special practice with only one client.

Giuliani is doing whatever he can to protect that client. Where he draws moral or ethical lines to that end is between him and his conscience. But the rest of us are

not obliged to argue like we're Trump's legal water-carriers. Refusing to testify might make total sense as a matter of Trump's personal self-interest -- which is Giuliani's concern -- but it is not obvious that such a refusal would be in the public interest. We deserve to know all of the relevant facts. If that makes the president's job harder, so be it. The Constitution makes every president's job harder in myriad ways, but we don't say we that should therefore get rid of the Constitution.

As Ramesh Ponnuru recently noted at Bloomberg.com, the president has special obligations, including a sworn duty to faithfully execute the laws and safeguard our national security. Denouncing or stymieing investigations into foreign meddling, encouraging convicted criminals not to snitch, opining on active trials and similar conduct are violations of his sworn duties.

**Jonah Goldberg's new book, "Suicide of the West," is now available wherever books are sold.**

# A time for integrity

## A letter to Senators Flake, McCain, Corker and Collins

**To:** Sens. Jeff Flake, John McCain, Bob Corker and Susan Collins

**From:** Robert Reich  
Senators, I write you not as a Democrat reaching out to Republicans, or as a former Cabinet member making a request of sitting senators.

I write you as a patriotic American concerned about the peril now facing our democracy, asking you to exercise your power to defend it.

A foreign power has attacked our democratic institutions and, according to American intelligence, continues to do so.

Yet the president of the United States is unwilling to fully acknowledge this, or aggressively stop it.

Most of your Republican colleagues in the Senate will not force his hand. As a result, because your party has control of the Senate, there is no effective check on the president -- or on Vladimir Putin.

What is America to do? We will exercise our right to vote on Nov. 6. But by that time our system may be compromised. The president must be constrained, now. Putin's aggression must be stopped, now.

If just two of you changed parties -- becoming Independent and caucusing with the Democrats -- the Republican Party would no longer have a majority in the Senate.

The Senate would become a check on the president, as the framers of the Constitution envisioned it would be. And the president could be forced to defend the United States, as the framers intended.

I implore you to do so.

There is precedent. I'm sure you remember Jim Jeffords of Vermont, who served as a Republican senator from 1989 until 2001. He then left the GOP to become an Independent and began caucusing with the Democrats.

Jeffords' switch changed control of the Senate from Republican to Democratic.

Jeffords left the Republican Party because of issues on which he parted with his Republican colleagues and the George W. Bush administration. As he said at the time, "Increasingly, I find myself in disagreement with my party. ... Given the changing nature of the national party, it has become a struggle for our leaders to deal with me and for me to deal with them."

I knew and admired Jeffords years before he switched parties. We worked together on a number of initiatives when I was secretary of labor. He was a humble man of principle and integrity. He retired from the Senate in 2007 and died in 2014.

I appeal to the four of you to follow his noble example.

The stakes for the nation are far higher than they were in 2001. The issue today is



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not one on which honorable people like Jeffords may reasonably disagree. The issue now is the fate of our system of government.

All of you recognize the danger. All of you have expressed deep concern about what is occurring.

Senator Flake recently introduced a non-binding resolution acknowledging Russian involvement in the 2016 elections, expressing support for the Justice Department investigation and calling for oversight hearings about what happened in Helsinki. But Flake's fellow Republicans blocked that resolution.

Senator McCain said the president has "proved not only unable, but unwilling to stand up to Putin," that Trump "made a conscious choice to defend a tyrant against the fair questions of a free press, and to grant Putin an uncontested platform to spew propaganda and lies to the world," and that the president has "failed to defend all that makes us who we are -- a republic of free people dedicated to the cause of liberty at home and abroad."

Senator Corker has likened the Republican Party to a "cult" and conceded that "it's not a good place for any party to end up with a cult-like situation as it relates to a president that happens to be of purportedly of the same party."

Moreover, the three of you have decided against seeking re-election. You have no reason not to follow your consciences.

Senator Collins represents a state that has had a long and distinguished history of independent-minded politicians. (The other current senator from Maine, Angus King, is an Independent.) Her constituents will surely forgive her if she leaves the Republican Party.

There is a scene in the Robert Bolt play "A Man for All Seasons" in which Thomas More, having angered Henry VIII, is on trial for his life. After Richard Rich commits perjury against More in exchange for the office of attorney general for Wales, More says: "Why, Richard, it profits a man nothing to give his soul for the whole world. ... But for Wales?"

You have not pledged your souls to the Republican Party. You have pledged yourselves to America. Now is the time to deliver on that pledge.

**Robert Reich's latest book is "The Common Good," and his newest documentary is "Saving Capitalism."**

# Extreme weather and climate change

We, in the Mid-Ohio Valley, have experienced a relatively moderate summer -- no extended heat waves or severe storms. Such is not the case in other parts of our country and in other parts of the world. Even before our summer officially started, a serious heat wave gripped the country in the month of May; that month, as a result, was the fourth hottest May on record. And as the summer emerged in the northern hemisphere, four continents (Europe, Asia, northern Africa, and North America) experienced their hottest summer on record. In one oil city in Algeria temperatures reached 124°F Fahrenheit; in Pakistan it reached 122°F and in normally cool Oslo, Norway 86°F for 16 consecutive days. Scientists predict that heat waves will be more common than in the past due to human-induced climate change. Northern climates, where carbon emissions are the most common, are heating faster than the global average.

What, then are the short-term and long-term consequences of these extreme weather events throughout the world? The open-access medical and scientific publication

called PLOS in its Medicine Project, concluded that there has been an increase in mortality due to these unusual heat waves. In Algeria oil workers were not able to work more than two hours per day in the extreme heat. In North America rails are buckling under extreme heat, leading railroad companies to paint them white to reflect more of the heat. Forest fires have become more severe and extensive in the American West. Some farmers in Europe are strongly considering slaughtering their herds rather than continuing to struggle with feeding them in the face of decreasing water and grain and hay harvests. In the long term crops grown in moderate climates will not grow under extended heat waves; fish will be harvested in fewer numbers in warming oceans; and animals raised in overheated environments will be lighter and less numerous. The threats to wildlife in natural habitats of the northern hemisphere are even more disturbing; in fact, the Marietta Times recently carried an article reporting that the climate change is the likely reason for the decline in number

of bird species by 43% in the Nevada and California area.

In the past scientists have struggled to identify a causal link between human-induced climate change and extreme weather. Now there has been a break-through in scientific methodology to more clearly make this connection. In analyzing data from Australian heat waves in 2013, downpours in Louisiana in 2016, and flash floods in France, scientists have compared two sets of climate models -- those that take into account existing conditions, in which rising carbon dioxide has warmed the planet and those that assume CO2 emissions had never happened and the climate is as it was more than a century ago. This approach to studying extreme weather events is called climate-change attribution.

In applying this "attribution" method to data from the 2017 Hurricane Harvey in southeast Texas, scientists have been able to attribute the extreme rainfall of this event to climate change. During Hurricane Harvey 50 inches of rain occurred in some areas. World Weather Attribution concluded that climate

change accounted for an increase of the rainfall associated with Harvey by a factor of three. In the devastation wreaked by this hurricane, 80 people died and thousands of homes and businesses were destroyed by flooding.

We can anticipate more human suffering and death as well as increased property damage if we do not take action to mitigate the effects of climate change and reduce carbon emissions. These steps include rejoining the Paris Climate Accord, continuing to support the closing of coal-fired power plants (while transitioning workers and communities from coal to 21st century energy production), reducing methane emissions from the process of hydraulic fracturing (fracking), reinforcing sustainable agriculture, and making the commitment to renewable energy. We can demonstrate our personal engagement to reducing carbon emissions by opting for hybrid and electric vehicles, solar panels for generating home electricity, and practicing the three Rs -- reduce, reuse, and recycle.

**George Banziger lives in Marietta.**