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Supreme Court retention vote topic for ad campaign

By Tom Humphrey, The Knoxville News-Sentinel, Tenn.
McClatchy-Tribune Information Services

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July 11--NASHVILLE -- Three state Supreme Court justices Thursday began television advertising in support of their quest for new terms in the Aug. 7 election while a group opposed to their retention sent out direct mail advertising that depicts them as "liberal justices who do not represent our values."

Both sides said there is more to come, but declined to give specifics on how much is being spent in the initial advertising. Early voting begins July 18 with Supreme Court Justices Cornelia Clark, Sharon Lee and Gary Wade, all appointed by former Democratic Gov. Phil Bredesen. They are on the statewide ballot, along with other appeals court judges, with voters to cast ballots "yes" or "no" on new eight-year terms.

The TV ad sponsored by Keep Tennessee Courts Fair, the umbrella group set up to coordinate the three justices' individual campaigns, opens with pictures of the three being sworn into office and repeats part of the oath pledging to support the constitutions of Tennessee and the United States "faithfully and impartially."

"And they kept their word," says the narrator. "Protecting individual rights, The second amendment right to bear arms -- And upholding nearly 90 percent of death sentences.

"Vote to retain Justices Clark, Lee and Wade, and keep politics out of Tennessee's courts," the narrator says.

Carol Andrews, spokeswoman for the justices' campaign, said the ad will run in Knoxville, Nashville, Memphis, Chattanooga and Tri-Cities TV markets and further advertising will continue until Aug. 7. But she declined to provide specifics.

"We are going to engage in a very substantive conversation with Tennessee voters until election day," Andrews said.

Lt. Gov. Ron Ramsey, who has been a leader in urging defeat of the three justices, has contended they are "soft on crime" and cited two cases where the Supreme Court vacated death sentences. Defenders of the court say the judges were simply following the state's law in doing so and have upheld about 20 death sentences.

The direct mail advertising attack ad targeting the justices, sponsored by Tennessee Forum, does not mention crime and focuses on the court members' political affiliations, linking the judges to President Barack Obama. On one side is a picture of a judicial gavel and the headline, "Drop the hammer on our liberal Supreme Court."

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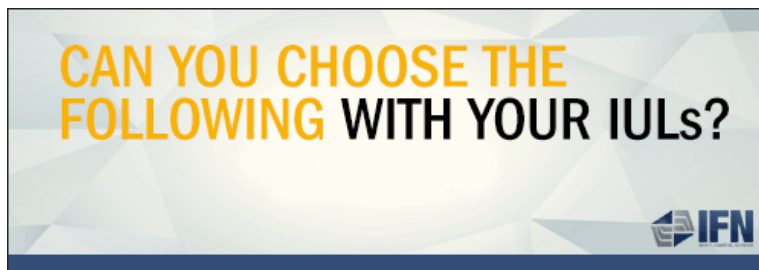


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On the flip side, the mailer has a headline saying Clark, Lee and Wade are "too liberal for our Supreme Court."

"Our highest court should reflect the values of Tennessee families," says the ad. "Unfortunately, the balance of our court's power has skewed far left."

Further, the ad asserts that "Tennessee trial lawyers have packed the Supreme Court with liberal justices" and the three justices "hired a top Obama political operative to run their campaign." The latter reference is to Victoria McCullough, an adviser to Keep Tennessee Courts Fair, who previously worked for Organizing for America, a non-profit organization set up to push the president's initiatives.

The ad does make one point similar to a contention previously made by Ramsey.

"When 28 states tried to fight Obamacare, Tennessee sided with Obama Why? Our liberal Supreme Court.

"The Supreme Court appointed a liberal Democrat to be Tennessee's attorney general who refused to join lawsuits to take a stand against Obamacare. Now the rights of Tennessee patients have been taken away, federal government mandates have been imposed on our families and Tennesseans have lost insurance coverage they liked," says the ad.

Attorney General Bob Cooper, who was appointed by the court, did refuse to join other attorneys general in filing a lawsuit against the Affordable Care Act. Supporters of that move said it was unnecessary, given that other states were already suing, and saved Tennessee taxpayer money.

Susan Kaestner, a leader of Tennessee Forum, said the mail piece had been posted to addresses statewide and should be arriving in most places today. She declined to say the number of mailers sent, the cost involved or whether specific voter groups were targeted. Kaestner said, however, more advertising is in the works possibly, but not certainly including television ads. She declined to discuss how much money the group has raised, saying only the group will comply with disclosure laws.

"We feel really confident that we're going to be able to get our message out," she said and that message is that the justices "have a more liberal view in their values than the majority of Tennesseans."

Asked about the Supreme Court justices' TV ad, Kaestner said, "I don't believe anybody questions their allegiance to the oath. What we're talking about is core values."

Andrews, asked about the Tennessee Forum mailer, said it "typifies the political attack on our nonpartisan Tennessee Supreme Court.:

"This campaign is about whether Tennesseans want to allow politics into our Supreme Court. The courts of Tennessee should be about fair and impartial judgments based on Tennessee's Constitution and laws. That is just what these eminently qualified justices have done: impartial rulings Our courts should be a politics-free zone," Andrews said in an email.

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