

# PALIN'S ADVISOR MAKES THE COMPARISON TO THE US ATTORNEY PURGE EXPLICIT

If you've been watching Sarah Palin's attempt to cover-up her abuse of power in TrooperGate, it may have reminded you of Bush's attempt to cover up his US Attorney purge: An executive wants to retaliate against those who have put the rule of law above partisan or personal grudges, so she fires people. And then, when people notice, she starts stone-walling and back-tracking on promises to cooperate.

Kagro X has already made this comparison explicit.

Warning to Democrats Americans:  
Republicans are fighting this investigation like it was Florida 2000. If you're harboring any thoughts of taking a hands-off approach, rising above the fray, and then doubling back to investigate it later if she gets elected, think again. At that point we'll be hearing nothing but how it was "thoroughly investigated" by the Alaska state legislature. The quashing of the subpoenas won't be mentioned, and all will be forgotten. You *know* it's coming.

This is a direct parallel to federal issues playing out as we speak in Washington, with Harriet Miers a no-show once again today on a subpoena that's now well over a year old.

Turns out, Kagro X isn't the first one to make such a comparison. One of Sarah Palin's own personal advisors is.

WSJ broke and CNN did a follow-up story on the warnings Palin's ethics advisor, Wevley Shea, gave her just as the story that she fired Walt Monegan started to break back in July.

An informal adviser who has counseled Gov. Sarah Palin on ethics issues urged her in July to apologize for her handling of the dismissal of the state's public safety commissioner and warned that the matter could snowball into a bigger scandal.

He also said, in a letter reviewed by The Wall Street Journal, that she should fire any aides who had raised concerns with the chief over a state trooper who was involved in a bitter divorce with the governor's sister.

In an interview with CNN, Shea compares the TrooperGate cover-up (and remember—this is a description coming from one of Palin's friends!) and the US Attorney purge:

"The problem, in my opinion, is that there has been out-and-out cover-up and misleading statements by staffers in the governor's office," he said. "And the parallel that I tried to draw is, you know, the problem with the firing or terminating of the U.S. attorneys."

But it's in a later letter to Palin that Shea makes the extended comparison (kudos to the WSJ for linking this—I recommend you all click through and read this series of letters because it is absolutely damning).

On August 4, between the time the investigation began and proof of Palin's direct involvement came out, Shea wrote Palin a detailed review of Federal rules about Congressional contempt. It then goes into a three-page analysis of the Judge Bates' July 31 opinion on the Miers/Bolten case, including this passage:

... the Executive cannot be the judge of its own privilege ... Ms. Miers is not excused from compliance with the Committee's subpoena by virtue of a claim of executive privilege that may ultimately be made. Instead, she must appear before the Committee to provide testimony, and invoke executive privilege where appropriate.

He then closes with the suggestion that those running the legislative investigation—Steve Branchflower and Hollis French—probably don't know all that much about executive privilege claims.

This overview is to provide you with Congressional contempt criteria and "immunity" alternatives. I know Investigator Steve Branchflower has a limited understanding of executive privilege. I doubt your leadership in the Department of Law or Senator Hollis French and his colleagues have any in-depth understanding of the capacity of the potential complexity of the issues. I want to emphasize my federal court analysis, especially the United States Supreme Court, may be applicable to your present investigation situation.

Shea appears to have shifted, between his July warnings about the gravity of the situation and his August analysis of Palin's options regarding executive privilege, from someone advising her to avoid the cover-up to someone advising her of the legal dangers in stone-walling. He seems most concerned about helping her avoid contempt charges—and this concern appears to have borne fruit, since the legislative committee investigating this has promised not to subpoena Palin. And frankly, given Shea's comment to CNN, he still seems to be just as appalled at the cover-up as we are.

Yet that doesn't change the fact that he used

the Miers/Bolten case as an outline of what she could and could not declare off-limits. Palin is using the Republican experience in the US Attorney purge cover-up and applying those lessons to her own cover-up.

No wonder it all looked so familiar.