



Bryan White <zebrafactcheck@gmail.com>

"We found no legal scholar who agreed with Ratcliffe"

1 message

Bryan White <zebrafactcheck@gmail.com>
To: truthometer@politifact.com

Wed, Aug 7, 2019 at 7:26 PM

Dear Truth-O-Meter,

In a fact check published on July 24, 2019, you issued a "False" rating to Rep. John Ratcliffe apparently based at least in part on the following line from the story's summary:

"We found no legal scholar who agreed with Ratcliffe."

When I read the piece I was aware of at least one legal scholar who agreed with Ratcliffe (that a decision not to decide whether to prosecute falls outside the legal description of the Special Prosecutor's job), the well-respected Andrew C. McCarthy. And a little searching reminded me of another legal scholar whom I had heard [expressing essentially the same position](#), the renowned Alan Dershowitz. I also ran across [a Newsweek article](#) citing yet another legal scholar, David Dorsen, expressing the same view.

Assuming it is true PolitiFact was unable to find such sources, we can certainly accept that the statement was true when PolitiFact made it. Unfortunately for PolitiFact it also counts as an admission against interest.

Ratcliffe himself [has a legal background](#) (not mentioned in the story--why?), and his position has support in legal scholarship even if PolitiFact was not able to find it by the deadline.

Do your readers deserve to know any of this?

Note: I pointed out Dershowitz's agreement with Ratcliffe to Jon Greenberg [via Twitter](#) back in July. Greenberg offered no response.

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Sincerely,

Bryan W. White
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