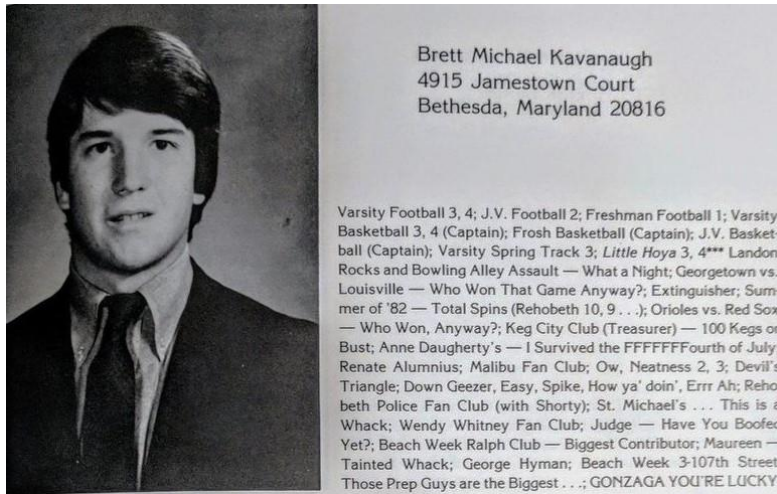


Decoding a Key Phrase in Kavanaugh's High School Year Book: Possible Bust by the Rehoboth Beach Police

by
Llewellyn Toulmin



Brett Kavanaugh, nominee for the US Supreme Court, wrote in his 1983 Georgetown Prep high school yearbook that one of his accomplishments was "Rehobeth Police Fan Club." What does this mean? No one knew except him and his friends, until now. And the discovery may have major implications for his nomination.



"Rehobeth Police Fan Club" -- see the 5th and 6th lines from the bottom, above

"Rehobeth" is clearly a misspelling of Rehoboth Beach, which Kavanaugh's publicly released and now famous calendars show that he visited on June 12, 1982, at the end of "BEACH WEEK" (caps and emphasis in the original calendar).¹ This entry for that date states that he would "Spend night at Squi's in Rehoboth." (Note the correct spelling.) He may well have

stayed with his friend Squi in Rehoboth Beach on July 9-10, 1982, when his

calendar entry was, "Go to Beach w/ Squi for weekend," and on July 30-31, 1982, when his calendar says, "Go to Beach w/ Tom, Squi." He definitely went to Rehoboth on August 14-15, 1982 when his calendar reports, "Go to Rehoboth w/ Squi, Tom, Mark and Donny." And of course it is quite possible that Kavanaugh visited Rehoboth Beach before and after these

¹ [The calendars are presented later in this analysis; they were not presented in the original story.]

particular dates, since it was a favorite beach party location for private prep schoolers in the 1980s.

Was Kavanaugh raising funds for a Rehoboth Beach Police Department charity at these times, and hence earned the civic accomplishment of “Rehobeth Police Fan Club”? Not likely, according to Patricia Bitondo, 81, of northwest Washington, DC. She states that, “I have a child who grew up in the 1980s and went to parties and knew other private prep schoolers who partied in Rehoboth Beach, Bethany Beach and Ocean City.”

Ms. Bitondo continued, “I learned during this period that the term ‘Rehoboth Police Department Fan Club’ was a teen-aged code word for ‘has your beach house party been busted or raided by the Rehoboth PD?’ It was used in this way: the first teenager might say, ‘Are you a member of the Ocean City Police Fan Club?’ and the second, recognizing the code, might say, ‘No, but our house party in Rehoboth was busted by their Police Department.’ This then might lead to an invitation to a raucous party with underage drinking. Or the code might mean that the teenager had been arrested by the police, usually for underage drinking, at some other venue.”

“Many of these beach house parties, especially during the infamous Beach Week, were well known for underage drinking and sex,” said Patricia. “Parents who were supposed to be chaperoning their children would often drop off their kids at a house party and disappear.” She stated that, “We were planning to throw a party at our home in 1983 for our 15-year-old, to increase her popularity. She told us that we had to be careful because of possible drinking, and likely sex in the upstairs bedrooms. She said we should take the old-style doorknobs off the doors in the upstairs bedrooms, so they couldn’t be opened by party-goers. We were shocked. My husband and I made sure that there was no alcohol or inappropriate activities at the party.”

What does all this mean? It means that Brett Kavanaugh has admitted to liking beer, a lot; that his calendars show that he visited Rehoboth Beach on at least two and probably more occasions; and that he apparently boasted about being at a party busted by the Rehoboth Beach Police Department for underage drinking. If so, there might well be an RBPD report on this incident, similar to the police report recently uncovered by *The New York Times* on Kavanaugh being involved in a bar fight in New Haven, Connecticut in 1985.

Pursuing this, I have filed a Freedom of Information Act (FOIA) request with the Delaware state government, where the archives of the RBPD are stored with the State Bureau of Investigation (SBI). But it could take months to obtain a response. And I officially notified the Federal Bureau of Investigation on October 2 of this lead, but have not heard back from them.

The FOIA process could be short-circuited if the FBI would ask the Delaware SBI to quickly search its Rehoboth Beach PD archived records for 1979-84 for any arrests, citizen complaints, police reports or field interrogation cards referring to Brett or "Bart" Kavanaugh. This might provide additional proof that Kavanaugh has lied under oath about his drinking, partying and sexual activities. And it might well provide the FBI with names of other persons who could reliably testify about Kavanaugh's behavior.

The question is, will the FBI be allowed to do its job, or will it be ordered to become a political arm of the White House and Senate leadership?

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See the Kavanaugh calendars below, followed by an Addendum.

June 1982

S	M	T	W	T	F	S
		1 MATH 8:30 OUT OF SCHOOL	2 Dr. DeLatorre 2:00 English Paper Due	3 KEMPER	4 Go to Kemper w/ Dad	5 Achievement Tests 8:30 w/ Mom BEACH WEEK Sean Feeley Drives
6 TRINITY SUNDAY	7	8	9	10	11	12
BEACH Suzanne (2)	A (3)	CH Suzanne (4)	WEEK Suzanne (5) DAD'S BIRTHDAY 13	10 (6)	11 (7)	END (8) SPEND NIGHT AT SOUVENIR SHOP
13 Go to Rocky Hill w/ Squi + P.J. See COME HOME FROM BEACH	14 FLAG DAY GAME 14:00 LOST PTS. 7-13 WEIGHTS MOM'S URGO'S	15	16 GAME 5:30 LOST 0-1 2 PTS GO TO GREASE II w/ Suzanne	17	18 FIVE STAR BASKETBALL CAMP STARTS	19
20 FATHER'S DAY	21	22	23	24	25 Go to party at Southouse w/ JC, Squi + Denny	26
27 COME HOME FROM ST. MICHAEL'S Play B-Ball at Chevy Chase	28 START WORK GAME 5:30 vs. Blair LOST 12-14 LIFT at Prep	29 Tobin's House-Workat 6-8 Play B-Ball at Maplewood WORK	30 Dr. DeLatorre 2:00 Game 5:30 vs. Whitman 21 PTS. LOST 7-8 LIFT at Prep			

See June 12 entry above

July 1982

11 - 2 - 12 - 21 - 5

S	M	T	W	T	F	S
				Tobin's House - Workout 1 Go to Pimmy's for Skis w/ Judge, Tom, PJ, Bernie, Squi'	Go to Beach w/ Squi to weekend 2 Delaware 9	3 10
INDEPENDENCE DAY 4 Anne Dougherty's Party 11	Come from Home Beach w/ Danny 5 11	Game 6:45 vs. Tigers LOST 4 PTS. 6 6	Columbia 7 LIFT AT PREP	Congressional 8 Dr. Strawberry 1:30	Game 8:00 vs. St. Albans 9 Go to St. Michael's for weekend	10 Richie Stanton Party
Come Home from M's 11	12 LIFT	13	14 LIFT	Game 6:45 vs. High Birt LOST 14 PTS 4-6 15	16 Go to St. Michael's for weekend	17
Come back from St. Michael's 18	19 LIFT	Game 9:15 vs. WJ LOST 19 PTS. 20	Game 6:45 vs. Syracuse LOST 9 PTS. 21 LIFT	Game 5:30 vs. St. Albans LOST 9 PTS. 22	23 Go to Connecticut for weekend w/ Granly	24
25	26 INTERVIEW BROWN	27 INTERVIEW VALE	Dr. Delabierre 2:00 28 Go to Judge's	29	30 Go to Beach w/ Tom, Squi	31 13

See entries for July 9-10 and 30-31 above



See entry for August 14-15 above

ADDENDUM (January 2019)

The story above was filed with *The Montgomery Sentinel* but not published in print or on-line, apparently because it quickly became clear that Kavanaugh was going to be confirmed despite any findings, testimony or investigations.

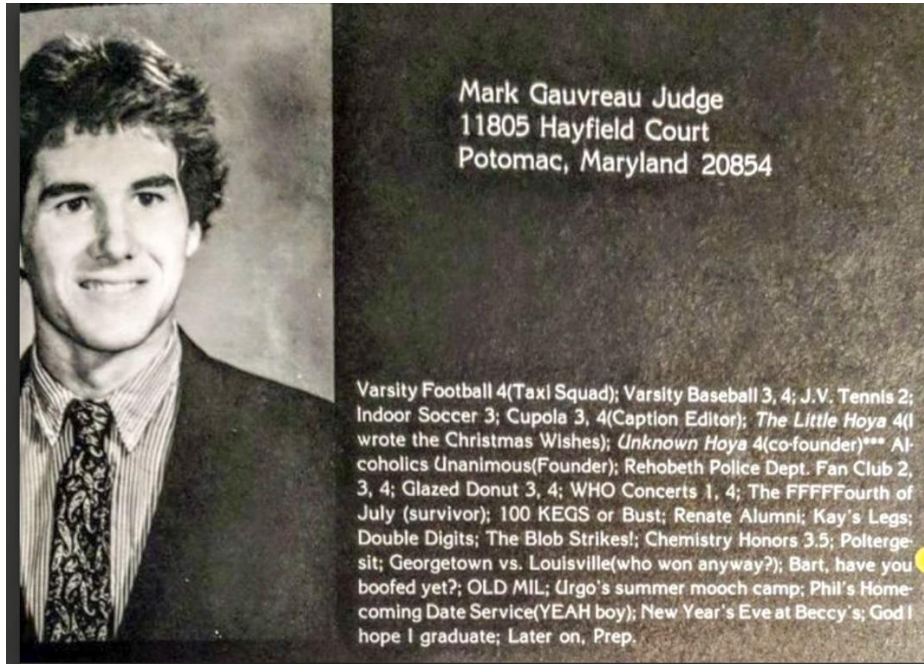
However, subsequent investigation continued, and the following information was obtained:

- The FBI never contacted me, and it became clear from news reports that the FBI had been directed by the White House to do only a cursory investigation.
- “Squi” was identified by Kavanaugh during Senate testimony as Chris Garrett.

- The Delaware FOIA office for the State Bureau of Investigation rapidly and tersely responded, and stated that I did not have standing to file any FOIA request with the Delaware government, since I was not a citizen of Delaware.
- Not pleased with Delaware's approach to open government and transparency, I contacted a reporter for a Delaware beach newspaper, and she filed a FOIA request, with my assistance.
- The request that I drafted for her was as follows: *Request: I request that you search the records of the Rehoboth Beach Police Department (RBPD), the archives of which I understand are complete and are held by the Delaware State Bureau of Investigation (SBI), and hence are under Delaware State Government control and FOIA authority. The records I am requesting by FOIA are RBPD police reports, citizen complaints, field interrogation cards, patrol reports, policeman logbooks, 911 calls, arrest records, booking sheets, jail logs, arraignment records, or any other RB police, court or corrections records which mention the names of Brett (or "Bart") Kavanaugh or Mark Judge. The years and months that I request be searched are as follows: June, July, August of 1981 June, July, August of 1982 June, July, August of 1983 June, July, August of 1984.*
- The FOIA office quickly responded to her, and stated that: "The Department has received and reviewed your request for Rehoboth Beach Police Department records from 'June, July, August of 1981 June, July, August of 1982 June, July, August of 1983 June, July, August of 1984.' The Delaware State Police have determined that there are no records responsive to this request. The department considers your request closed. Thank you."
- Note that the response does not say that "no records from this period exist." And the original request was for very specific information about individuals. So either no records exist, or it seems quite possible that this is bureaucratic language designed to conceal the fact that records exist, but the department wishes the matter to be closed and wants any investigation to stop. The Delaware reporter stated that Delaware is highly secretive about records, is known as a state that protects corporations and information, and is often not forthcoming re FOIA requests. That was certainly my experience when I spoke to the FOIA officials on the phone and contacted them by email and on their website.
- Examination of the high school year book of Mark Judge, good friend of Kavanaugh's, shows that he too states that he is a "Rehobeth Police Dept. Fan Club, 2,3,4" –the latter numbers almost certainly meaning sophomore, junior and senior years in high school. Thus it appears that Judge – and perhaps Kavanaugh -- was busted by the RBPD in each

of those years. See below.

- Since this is a matter of national importance, it seems worthwhile to pursue this more, to see if records do in fact exist.



"Rehobeth Police Dept. Fan Club 2,3,4" – See the 4th and 5th lines from the top, above

If RBPB records are ever obtained and they contain information on Kavanaugh, Judge or their associates, then what happened then could matter legally today, or not, depending on the statute of limitations in Delaware and the nature of any offense. What could matter quite a bit would be whether or not Kavanaugh lied or evaded questions in his Senate testimony, regarding his activities in the 1980s. Key parts of Kavanaugh's Senate testimony which might be relevant are as follows:

KAVANAUGH OPENING STATEMENT:

My friends and I sometimes got together and had parties on weekends. The drinking age was 18 in Maryland for most of my time in high school, and was 18 in D.C. for all of my time in high school. I drank beer with my friends. Almost everyone did. Sometimes I had too many beers. Sometimes others did. I liked beer. I still like beer. But I did not drink beer to the point of blacking out, and I never sexually assaulted anyone.

There is a bright line between drinking beer, which I gladly do, and which I fully embrace, and sexually assaulting someone, which is a violent crime. If every American who drinks beer or every American who drank beer in high school is suddenly presumed guilty of sexual assault, will be an ugly, new place in this country. I never committed sexual assault.

As high school students, we sometimes did goofy or stupid things. I doubt we are alone in looking back in high school and cringing at some things.

For one thing, our yearbook was a disaster. I think some editors and students wanted the yearbook to be some combination of Animal House, Caddy Shack and Fast Times at Ridgemont High, which were all recent movies at that time. Many of us went along in the yearbook to the point of absurdity. This past week, my friends and I have cringed when we read about it and talked to each other.

As to sex, this is not a topic I ever imagined would come up at a judicial confirmation hearing, but I want to give you a full picture of who I was. I never had sexual intercourse, or anything close to it, during high school, or for many years after that. In some crowds, I was probably a little outwardly shy about my inexperience; tried to hide that. At the same time, I was also inwardly proud of it. For me and the girls who I was friends with, that lack of major rampant sexual activity in high school was a matter of faith and respect and caution.

QUESTIONING:

MITCHELL: Have you reviewed every entry that is in these calendars of May, June, July and August of 1982?

KAVANAUGH: I have.

MITCHELL: Is there anything that could even remotely fit what we're talking about, in terms of Dr. Ford's allegations?

KAVANAUGH: No.

KLOBUCHAR: OK. Drinking is one thing, but the concern is about truthfulness, and in your written testimony, you said sometimes you had too many drinks. Was there ever a time when you drank so much that you couldn't remember what happened, or part of what happened the night before?

KAVANAUGH: No, I — no. I remember what happened, and I think you've probably had beers, Senator, and — and so I...

MITCHELL: When you talked to Fox News the other night, you said that there were times in high school when people might have had too many beers on occasion. Does that include you?

KAVANAUGH: Sure.

MITCHELL: OK. Have you ever passed out from drinking?

KAVANAUGH: I — passed out would be — no, but I've gone to sleep, but — but I've never blacked out. That's the — that's the — the allegation, and that — that — that's wrong.

MITCHELL: So let's talk about your time in high school. In high school, after drinking, did you ever wake up in a different location than you remembered passing out or going to sleep?

KAVANAUGH: No, no.

MITCHELL: Did you ever wake up with your clothes in a different condition, or fewer clothes on than you remembered when you went to sleep or passed out?

KAVANAUGH: No, no.

MITCHELL: Did you ever tell — did anyone ever tell you about something that happened in your presence that you didn't remember during a time that you had been drinking?

KAVANAUGH: No, the — the — we drank beer, and you know, so — so did, I think, the vast majority of — of people our age at the time. But in any event, we drank beer, and — and still do. So whatever, you know.

MITCHELL: During the time in high school when you would be drinking, did anyone ever tell you about something that you did not remember?

KAVANAUGH: No.

LEAHY: Judge Kavanaugh, I've heard your — your line (ph) and you state it over and over again. And I have that well in mind. But let me ask you this. He authored a book titled, "Wasted: Tales of a Genx Drunk." He references a Barthold (ph) Kavanaugh vomiting on someone's car during Beach Week and then passing out. Is that you that he's talking about?

KAVANAUGH: Senator, Mark Judge was...

LEAHY: To your knowledge, is that you that he's talking about?

KAVANAUGH: I'll explain it if you let me.

LEAHY: Proceed, please.

KAVANAUGH: Mark Judge was a friend of ours in high school who developed a very serious drinking problem, an addiction problem that lasted decades and was very difficult for him to escape from.

And he nearly died. And then developed — then he had leukemia as well, on top of it.

Now, as part of his therapy — or part of his coming to grips with sobriety, he wrote a book that is a fictionalized book and an account....

(CROSSTALK)

KAVANAUGH: I think he picked out names of friends of ours to throw them in as kind of close to what — for characters in the book. So, you know, we can sit here...

LEAHY: So you don't know — you don't know whether that's you or not?

KAVANAUGH: ... we can sit here and you (ph) like (ph), make — make fun of some guy who has an addiction.

LEAHY: I'm not making...

(CROSSTALK)

KAVANAUGH: I don't think that really makes — is really good...

LEAHY: ... Judge Kavanaugh, I'm trying to get a straight answer from you under oath. Are you Bart (ph) Kavanaugh that he's referring to, yes or no? That's it (ph)...

KAVANAUGH: You'd have to ask him.

LEAHY: Well, I agree with you there. And that's why I wish that the chairman had him here under oath.

Now, you've talked about your yearbook. In your yearbook, you talked about drinking and sexual exploits, did you not?

KAVANAUGH: Senator, let me — let me take a step back and explain high school. I was number one in the class...

KAVANAUGH: The — the yearbook, as I said in my opening statement, was something where the students and editors made a decision to treat some of it as farce and some of as exaggeration, some of it celebrating things that don't reflect the things that were really the central part of our school.

Yes, we went to parties, though. Yes, of course, we went to parties and the yearbook page describes that and kind of makes fun of it. And as a — you know, if we want to sit here and talk about whether a Supreme Court nomination should be based on a high school yearbook page, I think that's taken us to a new level of absurdity.

LEAHY: Ms. Mitchell? Well, we got a filibuster but not a single answer.

GRAHAM: If you wanted a FBI investigation, you could have come to us. What you want to do is destroy this guy's life, hold this seat open and hope

you win in 2020. You've said that, not me. You've got nothing to apologize for.

When you see Sotomayor and Kagan, tell them that Lindsey said hello because I voted for them. I would never do to them what you've done to this guy. This is the most unethical sham since I've been in politics. And if you really wanted to know the truth, you sure as hell wouldn't have done what you've done to this guy.

Are you a gang rapist?

KAVANAUGH: No.

BOOKER: If I may — if I may ask — if I may ask the next question, sir? You said clearly on the record, I just want you to restate it that you never in your life, after drinking heavily to the point of throwing up — and, again, you said you had a weak stomach — you said you never had gaps in memories. Never had any loses what so ever. Never had foggy recollection about what happened. Is that correct, sir, yes or no?

KAVANAUGH: ... That's — that's what I said.