

COMMENTARY

Knight Ridder Alito story: Fair, factual

BY CLARK HOYT
choyt@krwashington.com

On Dec. 1, Knight Ridder's Washington bureau sent a story analyzing the record of Judge Samuel Alito to our 32 daily newspapers and to the more than 300 papers that subscribe to the Knight Ridder/Tribune News Service. Written by Stephen Henderson, Knight Ridder's Supreme Court correspondent, and Howard Mintz of the San Jose Mercury News, the story began:

"During his 15 years on the federal bench, Supreme Court nominee Samuel Alito has worked quietly but resolutely to weave a conservative legal agenda into the fabric of the nation's laws."



HOYT

Assisted by Washington bureau researcher Tish Wells, Henderson and Mintz spent nearly a month reading all of Alito's 311 published opinions,

which are available in a commercial database or in the archives of the 3rd U.S. Circuit Court of Appeals in Philadelphia, where Alito has sat for 15 years.

Henderson and Mintz cataloged the cases by category — employment discrimination, criminal justice, immigration and so on — and analyzed each one with help from attorneys who participated on both sides of the cases and experts in those fields of law. They interviewed legal scholars and other judges, many of them admirers of Alito.

They concluded that, "although Alito's opinions are rarely written with obvious ideology, he's seldom sided with a criminal defendant, a foreign national facing deportation, an employee alleging discrimination or consumers suing big business."

You might find this neither surprising nor controversial. Alito, after all, was nominated by a president who said that his ideal Supreme Court justices were Antonin Scalia and Clarence Thomas, the high court's most reliably conservative members.

You'd be wrong.

*TURN TO HOYT, 5L

I'm not making this up . . . well, maybe I am

I'm writing a memoir called *A Million Little Royalty Checks*.

It opens with a graphic, bowel-wrenching account of the time I had a double-kidney transplant without anesthesia.

The truth (which I won't tell my readers) is that I've never had major surgery — although once I had a mole sliced off my shoulder by a skin doctor. He froze it first, which I suppose counts as an anesthetic.

That's the truth and admittedly it's mundane, but here's the good part:



IN MY OPINION
CARL HIAASEN

Truth doesn't seem to matter these days when you're penning a memoir.

Look at James Frey, author of the phenomenal best-seller called *A Million Little Pieces*. It purportedly is a factual recounting of his

time as a felonious drug addict and alcoholic, and of his subsequent recovery.

Early on, Frey gruesomely describes suffering through back-to-back root canal procedures without painkillers, because the staff at the rehab clinic wouldn't let him have any.

That passage seemed mighty peculiar to me, since the most commonly

*TURN TO HIAASEN, 5L

EDITORIAL AND OPINION PAGES

CITRUS CANCKER: Dramatic decision to change policy was necessary, but painful for South Florida, 4L

U.S. IN IRAQ: American colonel is optimistic, but says success will require 'time and money,' 5L



Charlie bought bootleg 8-tracks of the Beatles Greatest Hits at this outdoor flea market. (Bird Road & the Palmetto)

Absence of Place

The landscape changes, but memories persist: An artist invites the public to collaborate on a work to remember a vanished past

Watson Island used to be the place to go for fresh fish, and that's the picture I still have of it in my mind: a handful of weathered shacks animated by equally weathered fishermen, each assuring us that the other guy's fish were at least a day old.

It was the early '90s, I had just moved to South Beach and I was in love. Everything in those years was colored by the state I was in. I'd never had such tasty fish, seen such deep sunsets, wandered into such a marvelous place. On Sunday afternoons, my love and I would drive to Watson Island to buy our fish. He'd worked on a fishing boat as a kid and loved to regale me with stories as we cruised the

shacks. Once, he told me of how he'd been hastily scaling a customer's fish when his knife slipped and he cut his finger nearly to the bone. Without hesitating, he'd taken off his T-shirt, wrapped his bleeding finger and finished the job. The customer never even knew, he bragged, and I learned a little of all he was willing to conceal.

Today, of course, the Watson Island fish shacks are no more. And their disappearance points to other, deeper losses. Time, relentless, irrevocable, moves us constantly forward.

Last year, I returned to Miami after 10 years away. In some ways, the city hadn't changed. In others, it was almost unrecognizable. The rhetoric was still the same; the problems remained familiar. But many of the old landmarks were gone or altered.

*TURN TO PLACE, 6L

ABOUT THE EXHIBIT

The image and caption above, and those on Page 6L, are from "Absence of Place," an art installation by Xavier Cortada shown during Art Basel in Miami last year. The work featured 180 snapshots of places across Miami where memories were created during his four decades of living here. Brief captions scrawled on the wall accompanied each.

- In the caption above, the artist wrote this about his older brother: "Charlie bought bootleg 8-tracks of the Beatles' Greatest Hits at this outdoor flea market. (Bird Road & the Palmetto.)"
- Cortada will create an exhibit similar to this when he receives readers' photos.

MIAMIHERALD.COM: CLICK ON TODAY'S EXTRAS TO BE PART OF 'ABSENCE OF PLACE'

WE WANT YOUR MEMORIES, AND YOUR RECENT PHOTOGRAPHS

Be a part of this project, and help our community preserve memories of what used to be in South Florida. Here's how you can participate.

E-mail your present-day photos to:

absenceofplace.cortada@buzznet.com

or mail them to:

Absence of Place,
The Miami Herald,
c/o 5th floor newsroom
1 Herald Plaza,
Miami, FL 33132

Be sure to include:

- Your name, city and state, and phone number and e-mail. Tell us if you prefer that your name not be used.
- Describe the place where the photo was taken (as specific as possible) and when.
- Describe your memory of the place that is now absent.

Even if you cannot send a photo, you can add your own memories to photos by Xavier Cortada or those submitted by other readers. Just go to MiamiHerald.com and click on Today's Extras.

No camera at all? Write to us anyway, and we'll try to get someone out to take a photo of the place you describe.

We'll post the photos online as we receive them. This summer, Xavier Cortada and The Miami Herald will sponsor an exhibition of the photos at One Herald Plaza in Miami.

Questions? Leave a message for us at 305-376-3466.

By sending your photo and message to participate in the project, you agree to release all rights to Xavier Cortada, The Miami Herald and/or MiamiHerald.com, thereby allowing the Miami Herald and the artist to use the photo, message and information as they deem appropriate and without limitation.

We are sorry, but we cannot return photos.