

Substantial Disruption



Franken Sense

By Mike Tully

Rose: But why would a man need more than one woman?

Johnny: I don't know. Maybe because he fears death.

Rose: That's it! That's the reason!

Johnny: I don't know...

Rose: No! That's it! Thank you! Thank you for answering my question!

- "Moonstruck" (1987)

This is a fitting time to remember that Minnesota Senator Al Franken wrote a chapter in his [most recent book](#) entitled, "I Screw Up." Franken was the presiding officer of the Senate during a debate over the nomination of Elena Kagan to the Supreme Court. As Franken listened to what he describes as Senator Mitch McConnell's "awful, awful speech" criticizing Kagan, he rolled his eyes. Franken called that "a huge breach of Senate protocol, which I compounded by shaking my head once or twice and, worse, smirking at stuff I found particularly objectionable." The presiding officer is the most visible person in the Senate chamber and McConnell was aware of Franken's shenanigans. He marched to the dais after his remarks and warned Franken that he would call him out publicly if it happened again. Franken felt awful, awful. Like he does now.

I thought about Franken's "I Screw Up" story when I saw the photograph of him groping at the breasts of a sleeping Leann Tweeden during a USO tour. Tweeden, who said she was exhausted from two weeks of touring and performing, had fallen asleep on a plane while wearing her flak vest and helmet. The photograph shows Franken's right hand on the flak vest over her left breast. The other hand does not seem to make full contact and was partially touching the vest over Tweeden's chest. Franken is turned toward the camera, mugging mischievously and grinning, not so much a lecher as a little boy doing something naughty. He was the same little boy smirking in the background over Mitch McConnell's shoulder. That's why I thought of the "I Screw Up" episode.

Both incidents involve the Senate and its protocols. Franken's respect for the institution is a recurrent theme in his book and it was in that spirit that he called upon it to investigate the photograph, as well as Tweeden's claim that he forcibly kissed her while (ahem) "rehearsing" a scene that was never performed on stage. He knows the actions of individual Senators reflect on the institution, and his behavior with her, even before he was elected, reflected badly, as does a more recent allegation that he grabbed a female constituent's buttocks when the two of them were photographed during the state fair two years after he was elected to the Senate. Franken does not remember taking the photograph, and the alleged victim did not report the incident, even when he stood for reelection in 2014, but the Senate is likely to investigate it as well. The Senate, which could exonerate, censure, or even expel Franken, is the most important jury he will face outside of his own constituents should he run for re-election in 2020.

A good comedian understands timing and Franken, a comedian stuffed uncomfortably inside a Senator, knows that, as bad as his actions may have been, the timing was awful, awful. If Tweeden and the photo had surfaced the same day as the “Access Hollywood” video, Franken’s embarrassment would have been confined to an inside page opposite a grocery ad. Instead, his pratfall came in the wake of the Harvey Weinstein tsunami and the resultant “me, too” movement, the most significant purge of sexual predators in American history. And, to ensure that Franken remained well within the cross-hairs when his turn came, the most notorious predators outed immediately before Franken got in trouble were a would-be senator (Roy Moore) and a comedian (Louis C. K.). That’s an irony salvo.

While Franken made a mistake “rehearsing” with Tweeden, the incident in the photograph was more sophomoric than sexual and the state fair allegation is unconfirmed. The evidence does not show the repetitive predation of the despicable Weinstein, the mall-lurker Moore, the vile Louis C.K. or, more recently, Charlie the Bloom-Is-Off-the-Rose. Nevertheless, there have been calls for his resignation.

As of this writing, Franken is avoiding the media and nothing indicates any intent to resign. Unless there are more allegations and he winds up on Planet Predator with the others, he is likely to abide the outcome of the Senate ethics investigation. Should the result of the investigation be no worse than a censure and there are no more accusations, he is more likely than not to be a viable candidate for reelection. As for his odds: [the Senate has expelled](#) 15 members, 14 of them for supporting the Confederacy, the other for treason in 1797. The body has censured nine members, two of them for fighting in the chamber, most for corruption.

No Senator has been censured or expelled for sexual misconduct, although two resigned voluntarily in the face of charges including such behavior: Robert Packwood, who was also accused of tampering with evidence, and John Ensign, whose financial misconduct related to a sexual affair was referred to the Department of Justice. If Franken is formally disciplined by the Senate for sexual harassment, he’ll be the first and an opaque glass ceiling will shatter. Franken will be advancing women’s rights -- just not the way he had planned.