

Kutcher's a Kook, But NOT
Because He Supported His Friend

Actor Danny Masterson was convicted of rape and sent to prison last week. Before the lynching (er... "sentencing"), he received many letters of support from friends and colleagues who wanted to tell the judge something about the person they knew before she passed judgement. Ashton Kutcher and Mila Kunis were Danny's two highest profile supporters, and now they're being vilified for it. Why, exactly?

In an MSNBC article titled "Letters from Ashton and Mila push a myth," the author insists that Kutcher and Kunis don't "support victims," simply because they wrote letters supporting their friend. She complained that they "didn't just ask for leniency," but also dared to describe Danny as "an outstanding role model and friend." Kutcher specifically wrote that Danny is "an ~~extremely~~ ^{extraordinarily} honest... human being who set an extremely high standard around how you treat people, (always) with decency, equality, and generosity." If that is the character that Danny Masterson demonstrated over many years, should his friends have kept that to themselves? Why, exactly?

The MSNBC author went on to say:

"In a sick twist of irony, Kutcher and Kunis cite what they call Masterson's staunch opposition to drugs as a reflection of his good character and positive influence on their lives. That argument ignores the fact that the jury found Masterson had drugged two women before sexually assaulting them."

Actually, the only one ignoring anything is the author, who ignores the fact that this information at least suggests the possibility that Danny Masterson may have been falsely accused. It seems that Danny's many supporters wanted to convey how the crimes he was convicted of do not fit with the person they know, and so Kutcher and Kunis (among others) tried to respectfully express their doubts, despite the jury verdict, that Danny did in fact "drug and rape two women." Should these people have stayed quiet about their doubts borne of personal experience with the defendant? Why, exactly?

At another point the MSNBC author notes:

"(Although) context is relevant sometimes, ... in a transgression as violent and premeditated as Masterson's, the context (doesn't matter because) being a good father or friend does not lessen the impact of such heinous crimes, nor does it mean he didn't commit them."

To be clear, the "context" of one's character never "lessens the impact" of ANY crime, because what's done is done, if anything was done at all. So, while Danny's friends' praise doesn't MEAN he didn't commit the crime, it does SUGGEST he may not have. That's generally the point of character evidence, to show there's REASONABLE DOUBT that the accused committed a crime. My only criticism is that this character evidence surely should've been given DURING trial, under oath, in this he said/she said case.

In any event, this MSNBC author clearly presumes that Danny is guilty just because a jury convicted him, or more likely, just because he was ever accused at all. She evidently embraces the "believe the (alleged) victims" mantra so intensely that she accepts their accusations uncritically, never considering the possibility

Such extensive praise for Danny's moral virtue might mean that the jury got it wrong. Does no one's character matter in a dispute that comes down entirely to whose testimony a jury chooses to believe? If not... why, exactly?

The fact is, we live in a cultural climate where jurors on sex-related cases fear freeing one guilty "perv" far more than they fear locking up 100 innocent defendants in pursuit of "the cause." This, by the way, is the answer to all those "why?" questions above: ours is a time of almost unbridled panic, when all the witches—real or imagined—must burn. Anyone who claims that sex-related convictions are hard to obtain are either shameless liars (e.g. cops, prosecutors, etc.), or they are just ignorant about how real life trials work as opposed to T.V. versions or pop-cultural mythology (e.g. Christina Ricci's comments on this case). Conviction rates in criminal trials hover near 100%, with the very few non-convictions almost never being acquittals but merely hung juries with perhaps one holdout preventing a unanimous verdict. Those defendants can count on convictions in the inevitable retrials.

Other asshole commentators have sounded off with shameful claims like "Kutcher and Kunis could have avoided this if they had not written the character letters with over-the-top praise heaped on the convicted rapist," and "it seems self-inflicted, a problem which easily could've been avoided. They tarnished their reputation by getting involved in this whole thing." How callous, how crass. They even mentioned that Kutcher and Kunis had "a good brand" between them before this, because they're a likable couple. So, their "brand" is what they should've protected, according to these wags. Not the reputation ~~of even~~ possibly the freedom of a longtime friend. What a brutal assault on the very value of friendship. Family and friends, I believe, have not only a right but a moral obligation to defend one another if they believe defence is deserved at all... and NO ONE has any right to assail those who speak the truth as they know it in defence of their friends. Friendships are sacred bonds with expansive duties of loyalty that all third parties must respect, no matter what they think of the people involved. That's my opinion... but it's my blog, so there. ☺

Look, I certainly don't know if Danny Masterson did any of what he was accused of, but if I had to determine someone's guilt or innocence of charges stemming solely from a purported victim's claims, I'd certainly want to learn all I could about the accused's character, habits, values, etc. What do the people who know him best think about it? What private acts can we consider in judging the type of person he is? And I'd like to know the same things about the complaining witnesses. How else can we come to reasonable conclusions about serious accusations in the absence of objective proof?

Similarly described Danny Masterson's apparently caring nature. While I don't like Ashton Kutcher much (from the little I've seen before this he seems like a bit of a turd), his words and those of Danny's other friends come from an obvious place of love and compassion. I can't help but contrast this with the spiteful grievance of one alleged victim after the support letters were made public. She complained that the APOLOGY Kutcher and Mila Kunis were bullied into was:

"...incredibly insulting and hurtful. My hope is that they learn radical accountability and the importance of self-education to learn when to keep their privilege in check."

Wow... and she talks of "privilege"? The APOLOGY wasn't good enough for her, even though none of Danny's supporters owed her anything for merely speaking on behalf of their friend at the lowest point of his life. IF anything, perhaps this aggrieved lady could use some education herself, beginning with the fundamental value of loyalty to friends, as well as the importance of freedom of individual conscience. She may well be a victim and Danny Masterson may be her abuser, I don't know and if that's true, then I sympathize with her, but ~~in light~~^{in light} of her tone of cringeworthy entitlement and the evidence of Danny's caring nature, it's hard not to wonder whether the accusers also have creditable people who'd vouch for their character, honesty, and integrity. Do the people who know these accusers best believe in them the way Danny's friends clearly believe in him? Or, knowing whatever they know, might those accusers' acquaintances have their own private doubts as to their motives and veracity — doubts about their character?

I think the answers to these questions matter a great deal if we care about justice; about who is telling the most truth.

Here are a few more words of praise from Danny's many supporters:

Eric ~~Scott~~^{Balfour} told the judge about Danny's "integrity and sincerity," and how Danny was "always the first person to protect and defend someone weaker than himself or anyone bullied in any way." He wrote, "There was never a time I faced a challenge or a broken heart that Danny wouldn't rush to meet me and listen or offer an empathetic word to ease my pain. That's truly the core of the person I know."

David Turner related how "Danny came to me (with an actress who was being harassed) to discuss how to stop the abusive behaviour. He was her friend and her advocate, and we settled on a plan... he didn't just disapprove of bad behaviour, he wanted to stop it and make things right. He knew when people's feelings were hurt, when people needed support, and when he could help. He is a man of upright values."

Chris Wadhams said, "Danny's generous and caring nature was exemplified by his offer to donate a kidney for my son. He has displayed heartfelt compassion (and) has profoundly shaped my understanding of friendship, empathy, and unwavering support. (The jury finding) Danny guilty ~~of~~^{of} serious charges... does not reflect the man I've known for over 20 years. I ask you to consider all the good he's done in his life."

Danny's brother Christopher Masterson wrote: "When I was 12, Danny heard me ask a friend if he was sad because his dog ~~had~~^{had} recently died. Danny pulled me aside and said, 'Don't ask people about things that make them sad unless you know how to make them feel happy again.' That comment sums Danny up. He has always, always thought of other people from the angle of 'what do they need?' and if possible, 'what can I do to help them fix it?'"

Now, for me, these testimonies speak volumes, along with the many others who