

Trump's Beast in the Night

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If you have been following the serious destruction brought about by Hurricane Florence in North Carolina and the political turmoil caused by the allegations of teenage sexual misconduct made by Dr. Christine Blasey Ford against Judge Brett Kavanaugh, along with his firm and unbending denials, you might have missed a profound event in a federal courtroom in the nation's capital late last week.

The Florence damage may take years to repair, and the Kavanaugh nomination to the U.S. Supreme Court, which once seemed assured, at this writing is in a sort of limbo, pending an Anita Hill/Clarence Thomas-like confrontation before the Senate Judiciary Committee next week. But when Paul Manafort, President Donald Trump's one-time campaign chair, entered a guilty plea in federal court last week, it created the potential for a political earthquake.

Here is the backstory.

Manafort was indicted by two federal grand juries -- one in Arlington, Virginia, and the other in Washington, D.C. -- for financial crimes committed before and during his time running the 2016 Trump presidential campaign. Both prosecutions have been led by Robert Mueller, the Department of Justice-appointed special counsel charged with investigating whether there was a conspiracy between the Trump campaign and people working for the Russian government.

Often, when prosecutors are looking for evidence of crime A, they find evidence of crime B. This is what happened to Manafort. Yet, as the trial judge said in Manafort's Virginia trial last month, which ended in convictions on 8 of 18 charges, the feds were indeed looking for evidence of crime B as well. We all know that the principal reason for pursuing Manafort on financial crimes has been to squeeze him for what he knows about Trump.

Last week, on the eve of Manafort's second trial, that prosecutorial strategy paid off when he entered a guilty plea before a federal judge in Washington, D.C. Manafort's guilty plea is unique and extraordinary. In the plea, Manafort, who only pleaded guilty to two federal crimes -- witness tampering and conspiracy to defraud the government -- also admitted that he committed dozens of other federal and state crimes.

This was intentionally maneuvered by Mueller as part of the plea agreement so as to make it bulletproof from a presidential pardon. I have never seen this before. The president can only pardon federal crimes. Should he do so for Manafort, state prosecutors in New York, Virginia and California -- the states where these crimes (mainly bank fraud) to which Manafort admitted under oath actually took place -- can seek indictments immediately. It will be easy to indict and easy to convict Manafort because of his public admissions last Friday.

The pattern of crimes to which Manafort admitted but for which he did not plead guilty is breathtaking. It involves tens of millions of dollars, the highest-ranking former government officials in the Ukraine, an unnamed Obama Cabinet member and a few Russian oligarchs. The only good news for Trump in all this is that he and his Republican congressional colleagues will be spared the

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daily barrage of negative headlines from a second Manafort trial, which was scheduled to start this week and which would have led up to the midterm elections, had it not been aborted by the guilty plea. But the president surely fears a beast in the night in the form of whatever Manafort privately tells Mueller.

The plea agreement -- all 117 pages of it -- does not spell out what evidence Manafort gave Mueller to persuade him to agree to cap Manafort's prison time exposure at 10 years when he could have gotten 60. But it does spell out Manafort's willingness and now legal obligation to assist Mueller.

We know that Manafort's personal offer of assistance to Mueller took place over the course of two days of negotiations on Monday and Tuesday of last week. That type of meeting, during which Manafort tipped his hand as to what evidence he could give Mueller about Trump, has been called a "Queen for a Day" by federal prosecutors and FBI agents because the defendant gets to say whatever he wants and if the negotiations fail to produce a deal the feds cannot use what the defendant has told them. The meeting obviously intrigued and excited Mueller's team, and hence a deal was struck.

What did he tell them?

Manafort was present at the July 2016 Trump Tower meeting between campaign officials and Russian intelligence agents, and he made notes. He was present at the preparatory meeting for that Trump Tower meeting. He can probably explain the circuitous and mysterious route of Russian money transfers that followed the Trump Tower meeting. He can explain the 80 times the campaign was in contact with the Russians while he was the campaign chair, and he probably knows if Trump personally knew of the Trump Tower meeting in advance and of any agreements made there.

Stated differently, Manafort can help Mueller paint the Trump Tower meeting and whatever followed it as an agreement by the campaign to accept something of value from a foreign entity, even if the thing of value never arrived: That would be a criminal conspiracy, which my media colleagues call "collusion," a non-legal term. Manafort can also inform Mueller of his financial deals with Trump that preceded Trump's candidacy, at least one of which involved Russian money.

The president's lawyers have shrugged off the Manafort guilty plea as unrelated to the president. This is false bravado for public consumption only, and I don't blame them for it when their client is the president. But if their client has been candid with them, then they can prepare for the Manafort bombshells that are coming.