



Written by [R. Cort Kirkwood](#) on April 4, 2023

## Trump Pleads Not Guilty. Dershowitz: Indictment Threatens All Americans

As expected, Donald Trump pleaded not-guilty to [34 trumped-up felony charges](#) of falsifying business records to hide hush money payments to porn queen Stormy Daniels and another woman who claimed to have had affairs with the former president.

All the charges are almost identical, with leftist Manhattan prosecutor Alvin Bragg creating a unique one for each of the supposed payments.

Problem for Bragg is, the statute of limitations has expired on the crimes, and the Justice Department previously refused to charge Trump with violating federal election law, another aspect of Bragg's case.

But that wouldn't stop a determined Trump hater. Thus, Trump's appearance in court to plead not guilty to what even liberal legal scholars say is politicized justice that threatens not only all future political candidates but also average Americans.



Donald Trump (AP Images)

### The Charges and Statement of Facts

The 34 counts are almost all identical, and only vary in the description of how the payments were made through convicted criminal Michael Cohen, Trump's onetime attorney.

"The defendant, in the County of New York and elsewhere, on or about February 14, 2017, with intent to defraud and intent to commit another crime and aid and conceal the commission thereof, made and caused a false entry in the business records of an enterprise, to wit, an invoice from Michael Cohen dated February 14, 2017, marked as a record of the Donald J. Trump Revocable Trust, and kept and maintained by the Trump Organization," the first count says.

Thereafter the charges describe myriad account and voucher numbers with which the hush money went to the women.

The statement of facts weaves a labyrinthine tale that describes the means by which Trump paid the women through Cohen. That tale also involves the *National Enquirer's* parent company, American Media, which paid the women to tell their stories, then suppressed them until the 2016 election passed.

The account says Cohen set up a shell company to pass through money from Trump.

Trump asked, "So what do we got to pay for this? One fifty?" the [statement of facts says](#). Trump suggested paying by cash, but Cohen "disagreed," and so Trump "then mentioned payment by check."

Cohen pleaded guilty to paying one woman \$150,000, and Stormy Daniels \$130,000.

One snag for Bragg could be the letter from Cohen's former attorney to the Federal Election



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Commission that says Cohen paid Daniels of his accord without orders from Trump.

“Neither the Trump Organization nor the Trump campaign was a party to the transaction with Ms. Clifford, and neither reimbursed Mr. Cohen for the payment directly or indirectly,” the [attorney wrote](#).

A professional Trump hater who ran for office on a vow [to bring down](#) Trump, Bragg claims Trump and his team violated federal election laws by paying the woman to suppress negative information about him as he ran for president in 2016.

That supposedly turns the 34 misdemeanor counts of falsifying business records into felonies.

The potential punishment is four years in prison on each count, which Trump will not serve, legal analysts say.

As well, the indictment and even convictions [won't stop](#) him from running for president.

## **Politicization of the Law**

The nation's two most prominent legal scholars, Jonathan Turley and Alan Dershowitz, say that novel legal theory is ridiculous.

Both men say the charges are a sad day for American justice.

For one thing, [Turley says](#), the statute of limitations has expired on the falsification charges. For another, federal prosecutors didn't charge Trump in the hush money case. And their similar case against failed Democrat presidential candidate John Edwards collapsed in court. Of six charges against Edwards, the jury acquitted him on one and deadlocked on five, for which the judge declared a mistrial.

Dershowitz said the only felony he sees is the one committed when someone leaked the coming indictment to the news media.

The prosecution is “a scandalous misuse of the criminal justice system,” Dershowitz told Sky News Australia:

It will create a terrible precedent in which other prosecutors will go after people of the opposing party. Remember, this is a prosecutor who ran on the platform of getting Trump essentially to help defeat Trump when he runs against the head of the Democratic Party. This is an extreme example of the politicization of the criminal justice system and it's very, very dangerous for America.

Dershowitz, who defended Trump during his impeachment, riffed off a political cartoon that compared Trump crimes to tearing off a mattress tag.

Even worse, Dershowitz said, is that the prosecution sets a precedent dangerous to rank-and-file Americans:

There's an enormous threat. Today Trump, tomorrow it could be a Democrat, the day after tomorrow it's your uncle Charlie, and after that it's your niece. It's a terrible, terrible precedent.



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