



Written by [R. Cort Kirkwood](#) on March 31, 2023

## Turley, Dershowitz: Trump Indictment Political, Prosecutorial Abuse

The ham sandwich [was indicted](#).

And it's an indictment that the top two liberal legal scholars in the United States say is garbage.

But that didn't matter to hate-Trump Manhattan District Attorney Alvin Bragg, who persuaded an obviously brain-dead grand jury in Blue New York City to charge Donald Trump yesterday.

The goal: Cripple Trump's likely presidential candidacy in 2024.

The reaction from people who know something about the law: It's a nakedly political prosecution.



AP Images

Donald Trump is expected to turn himself in and face arraignment on Tuesday, according to one of his lawyers.

Follow live updates here. <https://t.co/CjqF2h3qEM>

— The New York Times (@nytimes) [March 31, 2023](#)

### Turley: It's "Legally Pathetic"

At this writing, Bragg is keeping the indictment a secret, but news reports say the grand jury [charged Trump](#) with 34 counts of fraud in connection with \$130,000 that Trump's disgraced former attorney, Michel Cohen, paid to porn star Stormy Daniels. [A letter from](#) Cohen's former attorney says he made the payments on his own initiative. [And Daniels had recanted](#) her claim that she had an affair with the 45th president.

Be that as it may, Bragg foolishly forged ahead, liberal law professor Jonathan Turley avers.

Proceeding solely on the bootstrap theory would be a singularly ignoble moment for the Manhattan District Attorney. What is clear is that whatever comes out of that gate next week, it will not just be Trump who will face the judgment of history.

<https://t.co/eE4O2x6wEL>

— Jonathan Turley (@JonathanTurley) [March 31, 2023](#)

"History in this case — and in this country — is not on Bragg's side," [Turley wrote](#):

The only crime that has been discussed in this case is an unprecedented attempt to revive a misdemeanor for falsifying business documents that expired years ago. If that is still the



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basis of Thursday's indictment, Bragg could not have raised a weaker basis to prosecute a former president. If reports are accurate, he may attempt to "bootstrap" the misdemeanor into a felony (and longer statute of limitations) by alleging an effort to evade federal election charges.

While Trump will be the first former president indicted, he will not be the last if that is the standard for prosecution.

The federal election charges would be related to using campaign money to pay Daniels via Cohen.

Turley noted that the Justice Department refused to prosecute the federal claim because it had tried a similar prosecution of failed Democrat presidential candidate John Edwards, whose aides were involved in payoffs to cover up a [love child](#) conceived in an adulterous affair.

"At the time, Edwards' wife was suffering from cancer," Turley explained:

The prosecution still collapsed. The reason is that you need to show the sole purpose for paying hush money in such a scandal. For any married man, let alone a celebrity, there are various reasons to want to bury a sexual scandal.

And at first, Bragg refused to prosecute the case. But then, Turley observed, two lawyers in his office quit over the decision and attacked him in a book. Bragg caved.

The two renegades "did something that some of us view as a highly unprofessional and improper act," [Turley continued](#), one of them "published a book on the case against Trump — a person who was still under investigation and not charged, let alone convicted, of any crime":

It worked. Bragg ran on his pledge to bag Trump..... It really did not matter what that crime might be.

It's a "raw political prosecution," [Turley said](#) on Fox News's *Special Report*. "The indictment may come out with a crime that none of us have heard of."

It's "legally pathetic."

Constitutional law scholar Jonathan Turley on indictment of President Donald J. Trump:

"It's rather outrageous. It's legally pathetic." [pic.twitter.com/PwbpvV6Y7h](https://pic.twitter.com/PwbpvV6Y7h)

— Benny Johnson (@bennyjohnson) [March 30, 2023](#)

### **Dershowitz: Fake Crime**

Amusingly, Dershowitz told Fox's *Morning with Maria* that the only felony Bragg should investigate is the [grand jury leak](#) about the indictment.

"The most likely felony that's been committed in this case, and that is, if somebody on the grand jury ... leaked the fact that there was a vote to indict, that is a one- to five-year, Class E felony.... So Bragg now has a *prima facie* case that a crime has been committed right in his building."

That's the crime, Dershowitz continued, the very "opposite of the Trump case."



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Dershowitz observed that the prosecutor ran on a campaign pledge to “get Trump” and would “figure out what crimes there might be” after the election. Dershowitz said Bragg made up a “fake misdemeanor” that he wants to “piggyback” with a federal felony.

“In 60 years of practice, this is the worst case of prosecutorial abuse I have ever seen,” [Dershowitz told The Epoch Times](#).

Dershowitz also said Trump couldn’t get a fair trial in leftist Manhattan.

“There’s no possibility he can get a fair trial in Manhattan, a borough that went, you know over 80, close to 90 percent *against* Trump,” he said:

The case has to be moved to a place like Staten Island or upstate New York, where judges and jurors won’t come home to their family and be worried that their family will never talk to them again because they’re responsible for letting Trump run for president.

Happened to me when I represented Trump in front of the Senate [on impeachment]. Lost many, many of my friends, associates. My wife lost her friends, just because I was perceived as being on Trump’s side. (I was not on his side politically.) Imagine if a judge has to face that kind of a pushback — or jurors — so you’re never going to get a fair trial in New York City and Manhattan.

### **McCarthy: Bragg Will Held Accountable, DeSantis: No Extradition**

U.S. House Speaker Kevin McCarthy, considered by many a weak GOP sister, vowed vengeance.

“Alvin Bragg has irreparably damaged our country in an attempt to interfere in our Presidential election,” McCarthy tweeted:

As he routinely frees violent criminals to terrorize the public, he weaponized our sacred system of justice against President Donald Trump.

The American people will not tolerate this injustice, and the House of Representatives will hold Alvin Bragg and his unprecedented abuse of power to account.

Alvin Bragg has irreparably damaged our country in an attempt to interfere in our Presidential election.

As he routinely frees violent criminals to terrorize the public, he weaponized our sacred system of justice against President Donald Trump.

The American people will not...

— Kevin McCarthy (@SpeakerMcCarthy) [March 30, 2023](#)

Florida Governor Ron DeSantis said Florida [will not permit](#) Bragg’s hate-Trump Gestapo to extradite Trump, although extradition is highly unlikely. Trump will surrender voluntarily for his arraignment next week.

“When Trump turns himself in, he’ll be booked mostly like anyone else facing charges, mugshot and



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all,” the [Associated Press reported](#). “But he isn’t expected to be put in handcuffs, he’ll have Secret Service protection and will almost certainly be released that day.”



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