

Legal threats to Donald Trump ‘more serious than ever before’, experts say

Prosecutors in New York, Georgia and Washington have inquiries that could yield further, serious charges against the ex-president



Trump at a rally in Sarasota, Florida earlier in July. Ex-justice department prosecutors say these inquiries and lawsuits increase legal pressures on him.

Peter Stone *in Washington*
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As a New York criminal investigation continues after bringing tax fraud charges against Donald Trump’s business and a top executive, other prosecutors in Georgia, Washington DC and New York have inquiries under way that could also yield serious charges against Trump and his company, according to former prosecutors and public records.

For example, a Georgia district attorney is leading a wide ranging criminal probe into Trump’s infamous call on 2 January to Georgia’s secretary of state beseeching him to “find 11,780 votes” to block Joe Biden’s presidential election win there.

Meanwhile, separate prosecutors in New York and Washington DC are scrutinizing whether Trump’s businesses benefited illegally during his 2017 inauguration. The Washington attorney general has sued the inaugural committee, the Trump International Hotel in DC and the Trump Organization alleging they schemed to make “exorbitant and unlawful” payments of over \$1 million to Trump’s DC hotel which hosted some inaugural events.

Further, Trump could be ensnared in a federal criminal investigation of his former personal lawyer, Rudy Giuliani, who Trump tapped to dig up dirt on Biden in Ukraine during the campaign. Giuliani is being investigated reportedly for possible violations of foreign lobbying laws that require registration, and for his role in Trump's firing of the US ambassador there in 2019.

On yet another legal front, Trump is facing several civil lawsuits, including one from writer E Jean Carroll, whose 2019 memoir alleged Trump once raped her. After Trump accused her of lying to sell books, Carroll filed a defamation lawsuit.

Former justice department prosecutors say these inquiries and lawsuits increase legal pressures on Trump, even as Manhattan district attorney Cyrus Vance and New York attorney general Letitia James investigates more allegations of illegal acts by Trump's business besides the June tax fraud charges against the Trump organization and its chief financial officer Allen Weisselberg, a scheme that allegedly gave him free cars, rent and other perks for years.

Trump denounced the New York charges as a political ploy by Democrats, and has attacked the others as witch-hunts. Weisselberg and the Trump Organization on July 1 both plead not guilty to the tax fraud charges.

But this cast of wide-ranging inquiries and lawsuits pose huge legal headaches for Trump and look far more serious than many others Trump has dodged over decades, say former prosecutors.

"The current threats are more numerous and more serious than ever before and it's hard to imagine that his good luck will continue," Michael Bromwich, an ex-prosecutor and former inspector general at the Justice Department, said in an interview.

Trump has never more desperately needed top legal talent, and that's not who he has representing him... Michael Bromwich

"Trump hates playing defense, which explains his baseless suit earlier this week against the major tech companies. We are very likely to see many more shoes dropping over the foreseeable future – and Trump knows it. He has never more desperately needed top legal talent, and that's not who he has representing him."

Other justice department veterans foresee multiple legal travails for Trump.

"Donald Trump is now facing more than a dozen separate civil lawsuits and criminal investigations, with more matters likely to follow," said Phillip Halpern, a former California prosecutor who spent three decades focused on corruption cases.

Halpern added that the criminal inquiries in Georgia, New York and Washington have the potential to "drastically impact Trump's historical legacy, and result in his – or various family members, associates, and attorneys – spending considerable time in jail."

Halpern stressed that the civil lawsuits and the New York investigation by Vance and James “carry the potential for sizable personal monetary penalties, and could subject Trump’s companies to massive penalties”.

These legal threats vary in risk to Trump, but the inquiry into Trump’s call pressuring Georgia secretary of state Brad Raffensperger to reverse Biden’s win, bears watching.

The district attorney leading that inquiry, Fani Willis, has written that prosecutors are examining “potential violations of Georgia law prohibiting the solicitation of election fraud, the making of false statements to state and local governmental bodies, conspiracy, racketeering, violation of oath of office and any involvement in violence or threats related to the election’s administration.”

Cathy Cox, a former Georgia secretary of state and Dean of Mercer University School of Law, said that the Fulton county inquiry is “nothing to take lightly”.



Allen Weisselberg exits after his arraignment hearing in court in Manhattan last week.

Cox stressed that Willis is “experienced with Georgia’s expansive Rico [Racketeer Influenced and Corrupt Organizations Act] law, she has a record of using it successfully in high-profile cases, and she’s engaged the state’s undisputed Rico expert, attorney John Floyd, to assist her. Those factors ramp this case up even further in terms of its potential for serious criminal charges.”

Moreover, Trump’s business faces legal jeopardy from inquiries into spending by his inaugural committee that were separately launched by federal prosecutors in New York and by Washington attorney general Karl Racine. Racine has deposed Donald Trump Jr and Ivanka Trump, which could create other problems for the Trump family if they didn’t answer truthfully.

In a court filing, Racine's office stated that Trump Jr's testimony "raised further questions about the nature" of an invoice related to the inauguration "and revealed evidence that defendants had not yet produced to the district".

More legal headaches for Trump may arise from the expanding inquiry into Giuliani, whose New York home and office were raided in April by federal agents who seized 10 electronic devices including cell phones and computers.

The inquiry is reportedly focused on Giuliani's role in Trump's firing of US ambassador to Ukraine Marie Yovanovitch in May 2019, a move pushed by Giuliani and two Soviet-born associates – indicted earlier on charges of campaign finance violations – and a central issue in Trump's first impeachment.

Giuliani is under investigation to determine if he broke the Foreign Agents Registration Act requiring those who lobby the US government on behalf of foreign officials to register with the DoJ.

Giuliani has denied doing anything unlawful.

Looking ahead, ex-DoJ officials say that the detailed charges now brought against the Trump Organization and its chief financial officer could presage more legal problems for Trump's business.

"The thoroughness and highly factual nature of the indictments give a lot of information about the deeply inappropriate practices of Trump's business," said Donald Ayer, a former deputy attorney general at the justice department in the George HW Bush administration. "There is no particular reason to think that such inappropriate practices were confined to dealings with Allen Weisselberg."

Yet some former prosecutors predict that as his legal problems mount, Trump and his supporters will milk the inquiries for political gain.

"Trump uses his legal problems to reinforce his image as an outsider (and) to fire up his base," said Barbara McQuade, a professor from practice at the University of Michigan Law School and ex-US attorney for the eastern district of Michigan.

She added: "But for those who care about the rule of law, it is important to hold accountable individuals who engage in illegal activity, even former presidents."