

Trump threatens Comey on eve of court hearing

By Patrick Martin
16 April 2018

The legal and political infighting within the US government is reaching a new point of explosion, as President Trump threatens former FBI Director James Comey with imprisonment, while his own personal attorney, Michael Cohen, is set to appear in court Monday to face an array of criminal allegations from the FBI.

In a series of tweets Sunday morning, Trump declared that Comey deserved jail time for allegedly leaking classified information and lying to Congress, less than 48 hours before Comey's memoir of his years in the Justice Department and FBI, including the barely 100 days in which he served in the Trump administration, hits the shelves in bookstores throughout the United States.

The combination of media promotion of Comey—a series of network and cable television interviews, including an hour-long session with George Stephanopoulos of ABC News on Sunday night—and the negative attention supplied by Trump, Fox News and the Republican Party, has pushed Comey's book, *A Higher Loyalty*, to the top of the best-seller list even before its publication.

Trump's tweets also contained increasingly incendiary charges against his Democratic Party opponents. He asked, "Why can't we all find out what happened on the tarmac in the back of the plane," in the June 2016 meeting between Bill Clinton and then-Attorney General Loretta Lynch, one month before the Justice Department cleared Hillary Clinton of criminal charges in the investigation into her use of a private email server while secretary of state. "Was she promised a Supreme Court seat, or AG [another term as Attorney General], in order to lay off Hillary."

The US president also returned to the raid conducted by the FBI against the home and offices of his personal attorney, Michael Cohen, declaring, "Attorney Client privilege is now a thing of the past. I have many (too many!) lawyers and they are probably wondering when

their offices, and even homes, are going to be raided with everything, including their phones and computers, taken. All lawyers are deflated and concerned!"

Cohen is set to appear in court Monday morning where he is required to present a list of his clients and his own lawyers to Federal District Judge Kimba Wood, so that she can evaluate his claims that the FBI seized materials during the raids last Monday that compromise attorney-client confidentiality.

Wood herself has a longstanding connection to the Clintons, as she was Bill Clinton's second choice for the position of US attorney general in 1993, after his initial selection, Zoe Baird, withdrew her nomination because she had hired an undocumented immigrant as a nanny and failed to withhold income taxes from the nanny's wages. Wood's nomination was torpedoed because she also had employed an undocumented nanny.

More information on the federal investigation into Cohen has been made public by prosecutors over the past week. The office of the US Attorney in New York City filed a 22-page document Friday declaring that the searches of Cohen's office and home were the result of a "months-long investigation into Cohen, and seek evidence of crimes, many of which have nothing to do with his work as an attorney, but rather relate to Cohen's own business dealings."

The filing was signed by acting US Attorney Robert Khuzami in the Southern District of New York, since the current US Attorney, Geoffrey Berman, has recused himself because he was recently appointed to the job by Trump. Berman is a longtime Trump supporter who was recommended for the post by former New York Mayor (and US Attorney) Rudy Giuliani.

Cohen's attorney Todd Harrison asked Judge Wood Friday to issue a temporary restraining order to allow Cohen's lawyers or a court-appointed special master review the materials seized by the FBI and exclude those

covered by attorney-client privilege. The judge did not dismiss this motion outright, as federal attorneys requested, instead demanding that Cohen appear in court “to substantiate that the relationship was an attorney-client relationship.”

Another private attorney representing President Trump appeared before Wood Friday, declaring that Trump had “utmost interest” in preserving attorney-client privilege, and noting that some of the materials seized by the FBI included communications between Cohen and Trump.

The *New York Times* reported Saturday, citing unnamed “people close to Mr. Trump,” that Trump’s advisers “have concluded that a wide-ranging corruption investigation into his personal lawyer poses a greater and more imminent threat to the president than even the special counsel’s investigation.” Trump also telephoned Cohen Friday, according to the *Times* report.

Mr. Trump called Mr. Cohen on Friday to “check in,” according to two people briefed on the call. Depending on what else was discussed, the call could be problematic, as lawyers typically advise their clients against discussing investigations.

Federal prosecutors revealed that they were investigating Cohen’s role in two separate payoffs made to women who have claimed sexual relationships with Trump dating back about a decade, porn actress Stormy Daniels and former Playboy centerfold Karen McDougal. Cohen wrote a \$130,000 check to Daniels in October 2016 to keep her from going to the press during the final stages of the presidential election campaign. He was also reportedly instrumental in getting American Media Inc., publisher of the *National Enquirer* tabloid, to buy the rights to McDougal’s account for \$150,000, and then suppress it.

Cohen also reportedly worked out a deal late last year in which a Republican contributor and deputy finance chairman of the Republican National Committee paid \$1.6 million to another Playboy model who became pregnant with his child as the result of an affair. The RNC official, Elliott Broidy, resigned his position Friday after the payment was made public.

There is no obvious criminality associated with any of these payments, which are merely the price of doing business for wealthy men who wish to keep their extramarital affairs secret. There have been suggestions that Cohen’s payment to Daniels could be construed as a campaign contribution and thus violate campaign finance laws, but no one has been successfully prosecuted on such charges before.

A further line of media attack on Cohen and Trump was opened up by McClatchy Newspapers Friday, when it published a report claiming that special counsel Robert Mueller, who is investigating unproven allegations of “meddling” by Russia in the 2016 elections, has evidence that Cohen was in Prague for a meeting with Russian emissaries in the late summer of 2016, at the height of the presidential election campaign.

This secret meeting was one of the principal allegations in the so-called Steele dossier, a document detailing alleged Trump business and political connections with Moscow that was produced on contract from the Democratic National Committee and the Clinton campaign. Cohen has publicly denied that he has ever been in Prague and even showed his passport to the press to prove it.

Meanwhile there are conflicting reports over whether Trump intends to fire either special counsel Mueller or his immediate supervisor, Deputy Attorney General Rod Rosenstein, who signed off on the criminal referral of Michael Cohen to the US Attorney’s office in Manhattan.

Two Republican and two Democratic senators introduced a bill to make it more difficult and time-consuming for Trump to fire Mueller, titled the “Special Counsel Independence and Integrity Act,” last week. In addition, some 245 former Justice Department officials in both Democratic and Republican administrations sent a letter to Congress urging it to “swiftly and forcefully respond” to any Trump action to fire Mueller.

To contact the WSWS and the
Socialist Equality Party visit:

<http://www.wsws.org>