



Dershowitz Says New York Prosecutors Are Violating Voters' Rights With Trump Trial

Description

UK : Retired Harvard law professor Alan Dershowitz accused the office of New York District Attorney Alvin Bragg of violating voters' rights by prosecuting former President Donald Trump, with the legal scholar arguing that the case amounts to a criminal conspiracy to influence elections.

Mr. Dershowitz made the remarks in an interview on Newsmax on April 22, which marked the first day of President Trump's criminal trial in Manhattan.

The former president has been charged with 34 counts of falsifying business records to hide non-disclosure payments—which has been popularly termed “hush money”—in a deal made to prevent the other party seeking publication of damaging but unproven claims, which prosecutors allege [amounted to a “criminal” conspiracy](#) to influence the 2016 presidential election.

In opening arguments, Assistant District Attorney Matthew Colangelo portrayed the payments as part of a “planned, coordinated, long-running conspiracy to influence the 2016 election, to help Donald Trump get elected through illegal expenditures to silence people who had something bad to say about his behavior.”

“It was election fraud, pure and simple,” Mr. Colangelo alleged, claiming that “the case is about a criminal conspiracy and a cover-up.”

In his interview on Newsmax, Mr. Dershowitz challenged the New York prosecutors' claims when asked for his take on their allegations that President Trump [orchestrated a criminal](#) conspiracy to influence the 2016 election.

He insisted that the case amounts to an abuse of the law for “partisan political purposes and to constitute election interference.”

“It’s the state that’s violating the right of all of us as voters to vote for a candidate based on the pros and cons of his candidacy, not on some made-up, fake criminal charges,” he said.

The former Harvard law professor then criticized the Manhattan DA for elevating the charges against President Trump from misdemeanors to felonies on what he argued was an invalid legal premise because Mr. Bragg invoked federal statutes over which New York has no jurisdiction.

Mr. Dershowitz then said, like he has in the past, that in his 60 years of practicing and teaching criminal law, he had never seen a case premised on such a flimsy legal foundation.

President Trump told reporters when entering the courthouse on Monday that he views the case as an act of “very unfair” election interference as he could be out campaigning but instead must waste time sitting in court.

His attorney, Todd Blanche, expressed a similar statement, saying in an opening statement that his client is innocent and that Mr. Bragg should never have brought the case.

The New York prosecution has taken on added importance because it may be the only one of the four cases against President Trump to go to trial before the Nov. 5 presidential election.

Mr. Bragg’s office did not respond to a request for comment on Mr. Dershowitz’ allegations.

Harvey Kushner, another legal expert and chair of the criminal justice department at Long Island University in Brookville, New York, told The Epoch Times in an earlier interview that he sees the case as an effort on the part of a “weaponized” district attorney with serious political ambitions of his own to undermine President Trump’s campaign.

Mr. Bragg indicted President Trump on 34 counts of allegedly falsifying business records in order to conceal \$130,000 in payments to adult film actress Stormy Daniels in exchange for keeping quiet about her allegations of an affair.

Under New York state law, falsifying business records is a misdemeanor. However, if the records fraud was used to cover up or commit another crime, the charge could be elevated to a felony, though a number of legal experts (including Mr. Dershowitz) have challenged the way it has been done in this case.

“In order to turn the state statute into a felony, you have to borrow a federal statute,” Mr. Dershowitz told The Epoch Times in an interview in March 2023. He said that this combining of laws “seems to raise real serious legal questions.”

“In Bragg’s case, what they’re trying to do is add one and one, and come up with 11,” Mr. Dershowitz said. “No rational person would look at these two statutes and say that Trump violated them.”

Former Trump attorney Michael Cohen said he made the \$130,000 in a number of separate payments to Ms. Daniels via a shell company that was then reimbursed by President Trump’s company, the

Trump Organization, and recorded as legal expenses.

In court on Monday, prosecutors alleged that Mr. Cohen, along with President Trump and his friend David Pecker (the CEO of a media company) jointly came up with the criminal scheme to influence the 2016 election to conceal negative information about then-candidate Trump to help him get elected.

President Trump has denied the allegations, while claiming that the payments to Mr. Cohen were for a legal retainer.

Prosecutors have alleged that this was a lie.

Alina Habba, an attorney that represents President Trump in a separate civil case in New York, told reporters on Monday that, like Mr. Dershowitz, she sees the case as boiling down to election meddling.

“The fact that we have two courts, not one, criminal and civil, being used against one man because they cannot beat him in the polls is a disgrace to the American judicial system,” she said, while describing the case as “the epitome of a witch hunt.”

Meanwhile, a new Rasmussen poll shows that a majority of Americans (51 percent) believe it’s unlikely that President Trump will get a fair trial in New York, including 31 percent who say a fair trial is “not at all likely.”

By Tom Ozimek

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