



Donald Trump's Political Enemies Receive Devastating News About Mar-a-Lago Raid Documents

Description

USA: Donald Trump's political enemies who believe the "walls are closing in" on the former president received some devastating news on Wednesday. The Department of Justice is unlikely to bring criminal charges against Donald Trump before the midterm elections, according to a Bloomberg report citing sources familiar with the Mar-a-Lago documents investigation.

"Federal prosecutors are likely to wait until after the November election to announce any charges against Donald Trump, if they determine he broke laws, according to people familiar," the report stated.

"The unprecedented prospect of bringing charges against a former US president is creating intense scrutiny of the Justice Department in the aftermath of its search of his home at Mar-a-Lago," the report added. "A separate DOJ probe is focused on his effort to overturn the 2020 election, which he lost to President Joe Biden."

"Under long-standing department policy, prosecutors are barred from taking investigative steps or filing charges for the purpose of affecting an election or helping a candidate or party, traditionally 60 days before an election," the report adds. "This year, that would be by Sept. 10, which makes it unlikely anything would be announced until after Nov. 8, said people who asked to remain anonymous speaking about potential Justice Department actions."

The Bloomberg report notes that it is unclear if any of the ongoing investigations could reach charging stage by November, according to the sources.

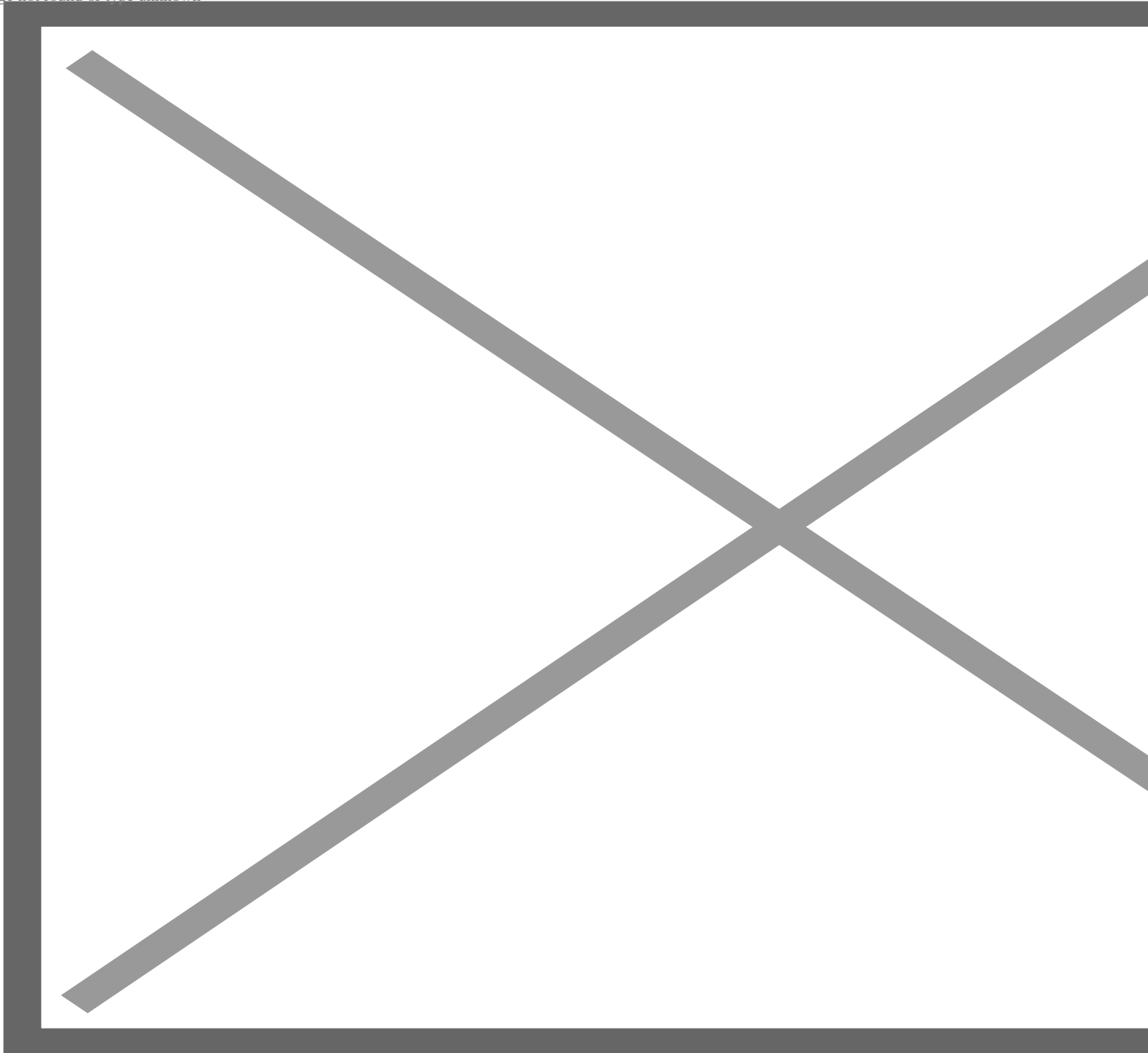
"This time around, the impact of any criminal case against Trump would likely be significant," the report notes. "While he isn't on the ballot in November, Trump has endorsed candidates who are, and he leads a fierce political movement. He recently demanded that he be reinstated as president or a new election held. Trump also might declare he's running for president prior to November, which would make him the instant frontrunner for the Republican nomination."

“It’s not clear if any of the investigations into Trump will have reached the point by November that a decision on charging him could be made, according to two of the people who asked to remain anonymous,’ Bloomberg goes on. “And the department isn’t facing any urgent charging deadlines that must be met before November, they said.”

“However, nothing stops investigators from taking non-public actions in their investigations, which could include obtaining indictments under seal,” the report adds.

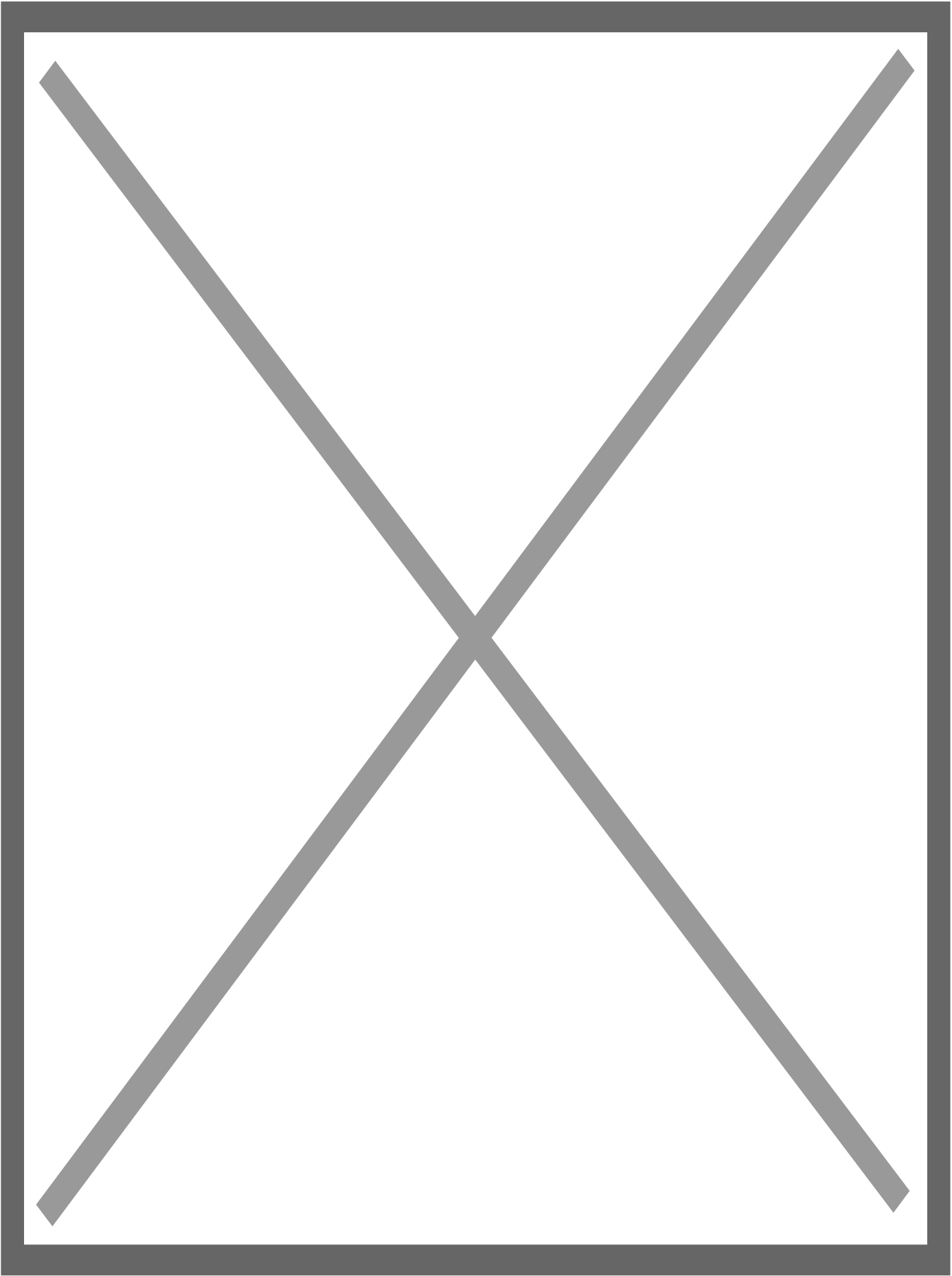
It also doesn’t stop FBI agents from overtly political actions prior to the midterm elections, such as staging a photograph of “top secret” documents to include in a court briefing, as it did late on Tuesday night.

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The staged photograph also shows a Time magazine cover that one might interpret as a veiled threat. The magazine cover, seen on the righthand side of the above photo, is from the March 4, 2019 issue.

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The Time cover provoked a political response that one could argue constitutes 2022 election interference.

“A photo released by the Department of Justice showing the documents found during the FBI’s Mar-a-Lago raid has also unveiled a curious discovery — a framed image of an unflattering TIME magazine cover featuring former President Donald Trump,” Business Insider reported.

“The cover, which appeared to be placed in a gold frame, was from a March 4, 2019 edition of the publication,” the report noted. “It showed 15 of Trump’s Democratic challengers at the time — including President Joe Biden and Vice President Kamala Harris — peering into the Oval Office at a nervous-looking Trump who is seated in his chair.”

However, the New York Times appears to concede that the classification status of the documents may not be a legal issue, according to the search warrant affidavit.

No documentation has come to light confirming that Mr. Trump declassified the material, and the potential crimes cited by the Justice Department in seeking the search warrant for Mar-a-Lago would not hinge on the classification status of the documents.

The Wall Street Journal, in a recent editorial on the matter, corroborates the New York Times’ tacit concession that there is no ‘there, there’ in terms of Donald Trump having allegedly committed a crime affecting national security.

Nothing in the PRA suggests that the former president’s physical custody of his records can be considered unlawful under the statutes on which the Mar-a-Lago warrant is based. Yet the statute’s text makes clear that Congress considered how certain criminal-law provisions would interact with the PRA: It provides that the archivist is not to make materials available to the former president’s designated representative “if that individual has been convicted of a crime relating to the review, retention, removal, or destruction of records of the Archives.”

Nothing is said about the former president himself, but applying these general criminal statutes to him based on his mere possession of records would vitiate the entire carefully balanced PRA statutory scheme. Thus if the Justice Department’s sole complaint is that Mr. Trump had in his possession presidential records he took with him from the White House, he should be in the clear, even if some of those records are classified.

The Supreme Court has strongly backed presidential classification authority, such as in [Department of Navy vs. Egan](#). The President has ultimate declassification authority, which is not contingent on Congressional or Judiciary decision.

Thus, it appears likely that this is all a desperate politically timed operation meant to distract Americans from the horrible performance of the disastrous Biden administration. And at the end of it all, Donald Trump will still be a free man, and will still be eligible to run for President of the United States in 2024.

by Kyle Becker

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