# Twitter Thread by Jack Goldsmith



**Jack Goldsmith**
@jacklgoldsmith

## Much to say about yesterday's pardons and commutations. Before getting to the updated chart, some general reflections.

Trump has upended the traditional criteria for clemency: https://t.co/HkOXJwY4G7. The traditional guiding principle: "a pardon is granted on the basis of the petitioner's demonstrated good conduct for a substantial period of time after conviction and service of sentence."

Request for pardon presumptively must wait 5 years after conviction or release. Traditional criteria include superlative post-conviction conduct & character; acceptance of responsibility & remorse; and hesitation to pardon serious offenses (violent crime, white collar fraud, etc)

V few of Trump's clemency decisions meet these criteria. His pardons usually based on insider contacts, & are for v serious crimes that often dont satisfy 5-year rule, usually for people who do not express remorse. They almost always serve Trump's personal or political interests.

As I told WP: "Other presidents have occasionally issued abusive, self-serving pardons based on insider connections. Almost all of Trump's pardons fit that pattern. What other presidents did exceptionally, Trump does as a matter of course." https://t.co/dF2NaHGK9S

The pardon power perfectly marries Trump's privatization of the presidency to serve his personal interests with his love of exercising hard unilateral presidential powers in ways that make his enemies heads explode.

It's the pardon power unleased to serve private gratification, score-settling, and eye-poking. And more transactional pardons are on the way. "Trump has told aides, advisers, allies, lawmakers and others to bring him names for consideration." https://t.co/0JEubGK931.

Trump is stingy w/ pardon power even as he abuses it. He's granted a significantly smaller percentage of pardon requests than other presidents. https://t.co/yaJl9YHpaS He has issued new pardons since this chart, but nbr of requests also higher now. Trump is historical outlier

Now for updated chart in light of yesterday's events. Some of these pardons were unusually tricky judgment calls based on incomplete and mixed evidence. We lay out the "evidence" in table below. Our best assessment of Trump's

pardons/commutations right now is as follows.

Total pardons/commutations by Trump: 94.

Breakdown:

1) Advance political agenda? 68/94
2) Personal Connection? 40/94
3) TV/TV Commentator? 13/94
4) Celebrity? 20/94

Personal or Political Connections (i.e. 1,2,3 or 4): 86/94 (91%)

https://t.co/gGHEUOuEGR

As best that we can tell (the data is obscure, we draw lots of inferences here), only 7/94 of Trump's pardons/commutations were recommended by the DOJ Pardon Attorney.

Thanks as always to @matthew_gluck for his work on the chart.

Let us know if we got anything wrong, please.