Twitter Thread by Seth Abramson



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Hey, fun fact, threatening an elections official with criminal prosecution unless he rigs an election in your favor is not just impeachable but a federal crime

1/ Many federal criminal statutes could come into play here, but here's one: 52 U.S.C § 20511 punishes by up to 5 years in prison "attempting to deprive or defraud the residents of a State of a fair and impartially conducted election process by the procurement or tabulation...

2/ "...of ballots that are known by the person to be materially false, fictitious, or fraudulent under the laws of the State in which the election is held." When the chief elections official of the State of Georgia tells you the votes you want him to "find" would be fictitious...

3/ ...and you persist in not just urging him but threatening him to "find" those "votes" and give them to you, federal law does not allow you to be *willfully ignorant* of the fact that you are urging fictitious votes to be added to the State of Georgia's legally certified tally.

4/ But it's even worse than this for Trump, as he explicitly tells the chief elections official for Georgia that he only "needs" enough votes to win—which is an acknowledgment that he doesn't have a specific actionable complaint but is merely trying to *rig* the election outcome.

UPDATE/ The Washington Post says that it is working on getting the full audio up. Right now key audio excerpts are in the WP article—see link in my feed. The only downside so far is that the interlocutors for the significance of the tape are non-lawyer journalists, not attorneys.

UPDATE2/ Here's what I'd explain to readers here: state/federal criminal statutes generally punish attempted crimes at the same level as completed crimes for the obvious reason that we don't want people to even attempt crimes. If you doubt whether Trump's actions were criminal...

UPDATE3/ ...consider the scenario in which Brad Raffensperger *assents* to what Trump is asking him to do, and fabricates a new vote tally that is just enough for Trump to win. Obviously that would be a crime, but so would the *solicitation* of the crime be. That's what we have.

UPDATE4/ And of course I say "solicitation" here, but what we really mean are *threats*. Trump says he is "notifying" Raffensperger formally that he's eligible for *criminal prosecution* if he doesn't do what Trump is demanding, which is "find" *just enough votes* for him to win.