

FOUR WAYS BILL BARR FUCKED UP THE ROGER STONE COVER-UP

Let me say at the outset that I'm not imagining, with this post, that Bill Barr *won't* succeed in helping Trump to bury the Russian investigation. The power of the President is breathtaking, Trump will still be able to commute Roger Stone's sentence, and neither Barr nor Trump have any compunction about abusing power.

Still, Bill Barr really fucked up the cover-up for Roger Stone. He did so in at least four ways:

- He intervened after prosecutors advised a guidelines sentence (of 7-9 years) when Judge Amy Berman Jackson was never likely to impose that. She ultimately sentenced Stone to 40 months, solidly within the sentence Barr demanded after the fact. In other words, he intervened when he didn't have to, but by doing so he put *himself* on the record stating that 40 months was a just sentence.
- He personally intervened. At the sentencing hearing, ABJ asked John Crabb Jr, the prosecutors whose name was on the revised sentencing memo, what happened. He made it clear that US Attorney Timothy Shea had bought off

on the harsher sentence, and said the Attorney General was personally involved. Among other things, this led ABJ to note that it is “unprecedented” for DOJ not to request a guidelines sentence. Crabb also declined to say whether he wrote the revised sentencing memo or not, establishing cause to demand those details.

- After prosecutors withdrew in response to Barr’s intervention, he went on TV to try to contain the damage. In that appearance, he stated quite clearly that this was a “righteous” prosecution.

BARR: Well, as you know, the Stone case was prosecuted while I was attorney general. And I supported it. I think it was established, he was convicted of obstructing Congress and witness tampering. And I thought that was a righteous prosecution. And I was happy that he was convicted.

- The whole scandal probably led ABJ to tailor her comments to address it. On top of making clear how outrageous Stone’s obstruction was, she also alluded to the tweets of the President. She ended her

statements by saying, "He was not prosecuted, as some have claimed, for standing up for the president. He was prosecuted for covering up for the president." She backed that by noting Stone's comment to Randy Credico that he, Stone, couldn't take the Fifth because it would hurt the President. This establishes a legal record that Stone is going to prison to protect Trump – far stronger than what went in for Scooter Libby, who was also going to prison to protect his superiors.

Add that to Barr's statements during confirmation that pardoning someone because of their false testimony is obstruction, and when the eventual commutation does come, the record will already be developed that Trump is engaging in obstruction by doing so.

Again, this is not to say that Barr won't still succeed with this cover-up. But along the way, he did a number of things that will significantly raise the cost of it.