

REPUBLICANS OUTRAGED THAT NATIONAL SECURITY THREAT WAS TREATED LIKE NATIONAL SECURITY THREAT

I'm in the middle of a very deep dive into the Roger Stone files – which show parts of the investigation remain ongoing – so I'm just going to note two developments that will ensure that two of Trump's criminals avoid prison.

First, Stone has filed for an appeal of Amy Berman Jackson's order denying him a new trial. Normally, his appeal would be so weak that he'd be required to report while the appeal is heard. But even in normal circumstances, the Bureau of Prison takes a while to assign new prisoners. And in the case of a non-violent 67-year old like Stone, I imagine BOP will wait to make an assignment until their COVID problem abates. They have enough problems with all the vulnerable prisoners in their COVID death traps now, they aren't in a big rush to put more in there. [Update: Per Ali Dukakis, BOP has indeed told Stone he won't have to report right away.]

Meanwhile, Sidney Powell has succeeded wildly with her ploy to undermine the prosecution of Mike Flynn in the press, getting both the NYT and WaPo to present her case with little context. Last week and yesterday she got a released a bunch of documents that the government turned over as part of Jeffrey Jensen's second-guessing of the prosecution. Those files show:

- There was a discussion about halting an ongoing investigation into Mike Flynn Jr after his dad pled

guilty, but there were no promises made (if there had been, it would add two more lies to the sworn lies Mike Flynn told). The emails make it clear that Covington believed the threat of investigation was real.

- In advance of the interview of Mike Flynn, the FBI discussed how to handle an investigation into why the National Security Advisor had called up Russia and told them not to worry about the punishment for their interference in our election. They brainstormed how to respond to a bunch of questions he didn't end up asking. They had been planning to give him a warning about false statements; they did not give that warning. They had discussed showing him the transcript that showed he lied; they did not do that.

Neither of those things are very interesting. The first shows the opposite of what Sidney Powell has claimed (that is, no promises about Jr were made). The second shows that they discussed how to handle a sensitive interview before it happened; we knew that. In addition, because those discussions ultimately didn't govern the investigation, they would not have been pertinent to the interview.

The thing the frothy right is excited about is

that Bill Pristap took notes reflecting a discussion what would happen given all the evidence that the National Security Advisor had called up Russia and told them not to worry about the punishment for their interference. The question was whether they wanted to get him to admit his wrongdoing, in which case (they assumed) he'd be fired, or whether he would lie in which case they might have to prosecute him.

The frothy right believes this is proof that Flynn was ambushed in a perjury [false statements] trap, which I guess means they now agree Flynn lied his ass off.

Somewhere, the circumstances have gotten missed. Not only did the FBI discover that Mike Flynn had called up a hostile foreign government and told them not to worry about being punished for tampering in our election. But it was *also* already public that Mike Flynn may have been secretly working for Turkey while he was claiming to represent Trump's national security interests. Flynn would go on to testify, under oath and before a grand jury, that indeed, he had been knowingly pursuing a secret deal with Turkey at the time he sat in on Trump's first national security briefing. The entire time, he testified, he knew that he was really working for Turkey even though he and his firm went to some efforts to hide that fact.

The FBI might be excused for believing that Flynn would be treated according to one of two ways: firing or prosecution. Because they had Flynn on tape calling up a country that had just attacked our own and told them not to worry about being punished. And they had good reason to believe he was still hiding details about having worked for a frenemy government during a period he retained security clearance. In a sane world, when there's clear evidence the National Security Advisor has done those things, firing or prosecution are the most obvious options.

In Trump's world – in the world of the entire Republican party, it seems – those aren't the only two options. In Trump's world, it is

totally natural to keep someone in charge of the entire country's national security even after he had called up a country that had just attacked us and said no big deal while actively hiding his relationship with another foreign country.

And that is why Mike Flynn likely won't ever go to prison: because in Trump's world, the guy who helps out the country that just attacked us is a hero, not a national security threat.

Update: Here's the next installment of stuff that Powell claims is damning but which proves her conspiracy theories wrong. It shows that on January 4, 2017, FBI was literally in the process of closing the investigation into Flynn (proving they didn't set him up and assessed him accurately) when they discovered that he had called up Russia and undermined sanctions.