

EVEN BILL BARR (IN HIS CONFIRMATION HEARING) AGREED THAT TRUMP JUST COMMITTED A CRIME

Three different times during Bill Barr's confirmation to be Attorney General, he agreed that agreeing to pardon someone for false testimony – as Donald Trump just did for Mike Flynn – would be a crime.

Patrick Leahy, specifically invoking Barr's sanction of the Caspar Weinberger pardon that squelched the Iran-Contra investigation, asked Barr about pardons.

Leahy: Do you believe a president could lawfully issue a pardon in exchange for the recipient's promise to not incriminate him?

Barr: No, that would be a crime.

Then, in this exchange from Amy Klobuchar, it appeared to take Barr several questions before he realized she knew more about the evidence than he did, and started couching his answers.

Klobuchar: You wrote on page one that a President persuading a person to commit perjury would be obstruction. Is that right?

Barr: [Pause] Yes. Any person who persuades another –

Klobuchar: Okay. You also said that a President or any person convincing a witness to change testimony would be obstruction. Is that right?

Barr: Yes.

Klobuchar: And on page two, you said

that a President deliberately impairing the integrity or availability of evidence would be an obstruction. Is that correct?

Barr: Yes.

Klobuchar: OK. And so what if a President told a witness not to cooperate with an investigation or hinted at a pardon?

Barr: I'd have to know the specifics facts, I'd have to know the specific facts.

Klobuchar: OK. And you wrote on page one that if a President knowingly destroys or alters evidence, that would be obstruction?

Barr: Yes.

Klobuchar: OK. So what if a President drafted a misleading statement to conceal the purpose of a meeting. Would that be obstruction?

Barr: Again, I'd have to know the specifics.

Shortly after that exchange, Lindsey Graham tried to clarify the issue, asking the pardon question at a more basic level, coaching another not to testify, as Trump has done on Twitter repeatedly.

Lindsey: So if there was some reason to believe that the President tried to coach somebody not to testify or testify falsely, that could be obstruction of justice?

Barr: Yes, under that, under an obstruction statute, yes.

Lindsey: So if there's some evidence that the President tried to conceal evidence? That would be obstruction of justice, potentially?

■ Barr: [nods]

Admittedly, by the third exchange, both Lindsey and Barr were hedging far more carefully about the set of facts.

But on three different occasions during his confirmation hearing, Barr made some kind of statement that said floating pardons for false testimony would be a crime.

Thanks to records made available by Ric Grenell and Sidney Powell, we know that Trump was personally involved with Mike Flynn's negotiations with Russia about the UN statement on Israel. We also know that within two days after Flynn intervened to undermine Obama's sanctions, Trump knew of Flynn's conversation with Sergey Kislyak.

Flynn lied to cover that up with the FBI, and lied about his knowledge of Trump's involvement with Mueller.

According to Bill Barr's own testimony to Congress then, Trump's pardon of Mike Flynn is obstruction of justice.