

PAM BONDI OFFERS A PLATFORM TO EXPOSE THE CONSEQUENCES OF TRUMP'S PAST CORRUPTION

Greg Sargent had a column proposing ways for Democrats to really challenge Pam Bondi at her confirmation hearing. He describes it as an opportunity to expose how badly she'll be willing to politicize rule of law.

Democrats should start thinking right now about the opportunity presented by Bondi's Senate confirmation hearings next year. This will be a major occasion to unmask just how far she'll gladly go in corrupting the rule of law and unleashing the state on all the "vermin" he has threatened to persecute.

"The attorney general will be the weaponizer-in-chief of the legal system for Trump," Representative Jamie Raskin, Democrat of Maryland, told me.

While I agree with Sargent's premise – Democrats should treat Bondi's confirmation hearing as an opportunity – I disagree with his proposed approach (and that espoused by Jamie Raskin, whom he quotes at length).

Sargent's focus is on how Bondi would act under predictable eventualities.

Trump has threatened to prosecute enemies without cause. How will Bondi respond when he demands such prosecutions? He has vowed to yank broadcasting rights to punish media companies that displease him and send the military into blue areas for indeterminate pacification missions. His

advisers are reportedly exploring whether military officers involved in the Afghanistan mission can be court-martialed. Raskin says Bondi should be confronted on all of this: “Ask whether she thinks the First Amendment and due process are any impediment to what Trump has called for.”

But this is precisely the approach that failed with Bill Barr, who months after a contentious confirmation hearing, kicked off the process of politicizing DOJ.

Most tellingly, Barr was asked questions about the kind of foreseeable eventualities that Sargent describes (such as, pardons for January 6ers), and it did no good. Patrick Leahy, Amy Klobuchar, and Lindsey Graham all asked Barr whether pardoning someone for false testimony would amount to obstruction. Every time, Barr at least conceded the potential applicability of obstruction in that case. And then, just months after that hearing, when Barr wrote a declination memo for Robert Mueller’s obstruction charge, he simply ignored the pardons. He didn’t mention them at all. While it took years for us to learn *how* he had reneged on his own stated views (by simply ignoring them), those setting these expectations never found a way to hold him accountable for the dodge.

That said, January 6 Committee staffer Thomas Joscelyn, whom Sargent also quotes, gets a bit closer to the approach I’d recommend. Don’t ask Bondi whether she would do something; make sure you lay out her responsibility for inevitable consequences when things she’s likely to do have untoward effects.

“What happens if Trump pardons the Proud Boys leaders who were convicted for seditious conspiracy and instigating the violence?” said Tom Joscelyn, a lead author of the Jan. 6 Committee report, in suggesting lines of questioning for Bondi. “What about the dozens of

defendants convicted of assaulting cops?"

Joscelyn adds that pardons for them would provide a major boost to violent far right extremist groups in this country and would "legitimize their cause." Dems should confront Bondi with all of that. Make her own every last bit of it.

Where I'd add to what Joscelyn suggests is with Trump's past history.

Rather than asking Bondi about something we know will happen going forward (political violence from freed militia members), ask her how she'll avoid the negative consequences Trump's *past actions already had*. Rather than asking Bondi whether she'll be responsible for Proud Boy violence when Trump pardons them, instead note that Bill Barr treated threats the Proud Boys and Roger Stone made against Amy Berman Jackson as a technicality, only to have them plan an insurrection 18 months later. "Bill Barr's coddling of Trump's far right extremists led to a predictable increased threat, an attack on the Capitol. How will you avoid the same mistake?" It uses the confirmation hearing to lay out the consequences of past corruption.

You can use this approach with pardons more generally. "Because Trump didn't properly vet his pardons the first time around, at least seven of them quickly returned to crime, with many of them beating their spouses. How will you ensure that Trump's bypassing of normal pardon protocol don't put violent men back on the streets?" You can pick some of the January 6ers – like hardened criminal Shane Jenkins, who almost had a fundraiser at Bedminster, or NeoNazi Timothy Hale-Cusanelli, who did – to ask Bondi how coddling such criminals is consistent with the law-and-order promises she makes.

The difference, so far, is subtle: Using the hearing to show *past* consequences for Barr or

Trump's own failures, rather than generically predicting future woes.

But that difference becomes more important when adopting a more important focus for the hearing.

Like the legitimization of far right extremists that Joscelyn predicts, we can predict a number of other inevitable outcomes from Trump's second term. The most important is that as billionaires like Elon Musk loot the government, government service will decline precipitously, only exacerbating the alienation of many of the people who voted for Trump. And when those same billionaires get impunity from Trump's DOJ, consumers will have their lives ruined. But Trump will work hard to blame scapegoats: liberals, trans people, and unions, rather than the billionaires Trump chose to give direct control over the looting process.

Democrats need to build in accountability for the corruption from the beginning. They need to explain that a crash in life quality is the inevitable consequence of Trump's corruption and – just as important because committed MAGAs are more likely to turn on others before they turn on Trump – his billionaire appointees and protected buddies.

And Pam Bondi offers a spectacular way to lay that out, because she has been involved in protecting the villains who harmed Trump supporters in the past.

"Ms. Bondi, these ardent Trump supporters who signed up for Trump University racked up debt but got nothing from their degrees. How will you avoid such abuse of consumers going forward?"

"Ms. Bondi, after you fired the attorneys who were investigating banks foreclosing based on dodgy paperwork, millions of Floridians lost their homes. How will you protect Americans from similar business fraud going forward?"

"Ms. Bondi, after you and Rudy Giuliani made false claims about the vote in Pennsylvania, many of them threw their lives away by attacking

the Capitol. How will you ensure that such lies don't harm Trump supporters going forward?"

There are similar questions she can be asked that will anticipate other actions she's likely to take – like shutting down investigations into Elon Musk's various stock manipulations and false claims. "Ms. Bondi, how will you protect consumers who purchased cars falsely sold as self-driving?"

There are other questions that might get at Bondi's past complicity. "Ms. Bondi, why did you and Trump's other impeachment defense attorneys claim Trump's demand for an investigation into Burisma was a pursuit of corruption, when Trump's own DOJ had just shut down a 3-year investigation into Mykola Zlochevsky's corruption?"

But the most important questions can and should be framed in terms of the Trump supporters whom her past corruption has harmed.

Democrats are not going to prevent Bondi's confirmation. They're also not going to get reassurances that Bondi will protect the integrity of the Department; Bill Barr's prevarications prove that's futile.

But they can use the high profile confirmation process as a way to lay out what should be a relentless message going forward: corruption hurts the little guy. Trump's past corruption has hurt his supporters. Bondi's past corruption has hurt his supporters.

That's what the Republicans who will confirm her should have to own: the inevitable consequences of her protection of Trump's corruption and that of the other billionaires who will be swarming his administration.