

'I JUST WANT TO FIND 11,780 VOTES'

We're waiting for the state of Georgia to finish counting ballots for the Ossoff vs. Loeffler and the Warnock vs. Perdue U.S. Senate races. I'm sure The New York Times' needle monitor has been bombarded with traffic. A number of pollsters are calling the races but I'm not going to pay them heed yet.

I'm too afraid of getting my hopes up too high given how many attempts Team Trump and the GOP have made to subvert U.S. elections.

While waiting for the final tallies, I want to look at the transcript from the audio recording of the teleconference between Trump and Georgia Secretary of State Raffensperger, particularly this excerpt:

TRUMP: ... And why can't we have professionals do it instead of rank amateurs who will never find anything and don't want to find anything? They don't want to find, you know they don't want to find anything. Someday you'll tell me the reason why, because I don't understand your reasoning, but someday you'll tell me the reason why. But why don't you want to find?

I don't know about you but it sounds like Trump is implying with the right persons permitted access to the ballots, the votes Trump needs to win Georgia would be "found."

He's implied he wants a fixer team to resolve his "missing votes" problem since Raffensperger can't or won't – how mobster-like, how corrupt.

There's just so much raw, naked criminality in this one phone call, beyond numerous lies Trump made.

There's solicitation of a crime – he clearly says he wants to "find" 11,780 votes, a number

representing at least one more than the margin by which Joe Biden won Georgia. Trump's insistent on this point, using the word "find" 23 times over the course of the conversation compared to his Chief of Staff Mark Meadows who says "find" twice but in context of an agreement, and attorney Cleta Mitchell who says "find" once while asking about FBI and Georgia Bureau of Investigation findings.

There's extortion – a threat of prosecution and other less specific injury implied against Raffensperger and GA SOS counsel Ryan Germany if the desired votes aren't "found."

I'm not the lawyer here at emptywheel, but it looks to me like Trump may have violated federal voting and election law 52 U.S. Code 20511 with his interference in a federal election, depriving or defrauding the residents of a State of a fair and impartially conducted election process.

Trump may have violated Georgia election law 21-2-604, Criminal solicitation to commit election fraud; a presidential pardon won't weasel him out of this one if GA attorney general Chris Carr or Fulton County District Attorney Fani Willis find there's adequate reason to investigate and prosecute Trump.

Former federal prosecutor Renato Mariotti and Moms Demand Action activist Patti Vasquez discussed the tape with MSNBC Legal Analyst Joyce White Vance, former U.S. Attorney for the Northern District of Alabama in their On Topic podcast. Vance pointed out there was an effort to put "lipstick on the pig," dressing up the phone call as if there was a legitimate lawsuit about which Trump and his campaign were seeking a settlement with the state of Georgia. But Vance had found no active suit.

Why this effort, including the appearance of an attorney – Cleta Mitchell of lawfirm Foley & Lardner – who wasn't really Trump's attorney nor his campaign's attorney, but compromised enough by her presence during the phone call that her

employment was terminated on Monday by Foley & Lardner? This looks deceptive as heck.

Why was White House Chief of Staff Meadows involved at all, discussing an implied agreement in the offing? Yet another Hatch Act violation by a Trump staffer we're supposed to swallow like a TicTac?

What really bothers me is the practiced ease with which Trump just rolled through this call. We know he tried to pressure Ukraine's president into investigating Hunter Biden to produce evidence of malfeasance by both Hunter and his father Joe Biden while Biden was VP during the Obama administration. The approach was similar though Trump used bait in the form of aid rather than a threat of prosecution as he did with Raffensperger and Germany. We have yet to see a word-for-word transcript of the 2019 Ukraine call, having instead a memo providing most of the context. Would the full transcript buried in a classified file system sound more like the Trump-Raffensperger call?

How many other calls like this past Saturday's has Trump made? How many in-person visits making similar solicitation and extortive attempts as well?

Did he use the same technique during that one golf game with Lindsey Graham after which Graham suddenly did an about-face toward Trump, becoming his lap dog?

Let's not forget that same lap dog also called Raffensperger about finding votes for Trump. Did his call sound like Trump's except Graham didn't tweet about it afterward?

I hope we're going to hear from other states soon whether they, too, were pressured to "find" votes.

And I hope each state pursues an investigation and prosecution where appropriate.