

# [***How a hush money scandal tied to a porn star led to Trump’s first criminal trial***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BSS-6171-JC5B-G356-00000-00&context=1516831)

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**Body**

NEW YORK — It was the kind of tawdry tale that [*Donald Trump*](https://apnews.com/hub/donald-trump) might have relished before ***politics***: a porn actor claiming they had had sex.

But on the eve of the 2016 presidential election, Trump feared the story, which he says is false, would cost him votes. So, prosecutors say, [*he arranged to pay Stormy Daniels*](https://apnews.com/article/trump-cohen-stormy-daniels-grand-jury-d48153fc2d3fe7a656e8a24ad1acd082) to keep quiet.

Now, after years of fits and starts before an indictment last year, Trump is set to stand trial Monday in New York on state charges [*related to the very sex scandal*](https://apnews.com/article/donald-trump-arraignment-hush-money-81225510ef7638494852816878f612f0) that he and his aides strove to hide.

Barring a last-minute delay, it will be the [*first of Trump’s four criminal cases*](https://apnews.com/article/trump-indictments-election-january-6-classified-documents-5cb04868bb1cdf91c19eafdb882af8c0) to go to trial. It will be an unprecedented event in U.S. history — the [*first*](https://apnews.com/article/trump-hush-money-criminal-trial-manhattan-1afaeefc09b1d4c152b0bf6e8242d72b) criminal trial of a former president.

It wasn’t always clear the hush money allegations would even lead to charges — let alone be the first to reach trial. It is arguably the least perilous of [*Trump’s indictments*](https://interactives.ap.org/jan-6-prosecutions/), with others involving government secrets and threats to democracy.

Yet it is almost certain to be the most salacious, with testimony expected about alleged marital infidelity, a supermarket tabloid's [*complicity in a cover-up*](https://apnews.com/hub/david-pecker), and payouts orchestrated by a [*former Trump loyalist*](https://apnews.com/hub/michael-cohen) who now counts himself among the ex-president's enemies.

Many details of the case have been public since 2018, when federal prosecutors charged Trump’s ex-lawyer Michael Cohen with campaign finance crimes in connection with a scheme to bury not only Daniels’ claims, but other potentially damaging stories from Trump’s playboy past.

They later implicated Trump as directing Cohen’s efforts, [*obliquely identifying him in court papers as “Individual-1.”*](https://apnews.com/article/27bb7773c8bc4d4292862057d89b5146) Justice Department policy forbids charging a sitting president with a crime, and nothing came of it.

In the ensuing years, the saga of sex, ***politics*** and coverups largely faded from the headlines, eclipsed by an investigation into [*Russian election interference*](https://apnews.com/article/north-america-donald-trump-ap-top-news-politics-russia-48f9d5132d7a4e2d823edad8fc407979), Trump’s [*two impeachments*](https://apnews.com/article/trump-impeachment-vote-capitol-siege-0a6f2a348a6e43f27d5e1dc486027860) and allegations that he plotted to [*overturn his 2020 election*](https://apnews.com/article/trump-indicted-jan-6-investigation-special-counsel-debb59bb7a4d9f93f7e2dace01feccdc) and [*hoarded classified documents*](https://apnews.com/article/trump-justice-department-indictment-classified-documents-miami-8315a5b23c18f27083ed64eef21efff3) after leaving office.

Former Manhattan District Attorney Cyrus Vance Jr. examined the circumstances of a $130,000 payout that Cohen made to Daniels and declined to take the politically explosive step of seeking Trump’s indictment.

The district attorney's office was so unsure about the hush money case that it became known among prosecutors as the “zombie case.” They would revisit it, then abandon it again as they pursued Trump on multiple fronts over the last five years, [*going to the Supreme Court twice*](https://apnews.com/article/us-supreme-court-donald-trump-business-john-roberts-congress-8ea516dace48875ad7c5dd472dd16dcf) to obtain his tax records and prosecuting his company and a top executive for tax fraud.

Vance's successor, Alvin Bragg, a Democrat who took office in January 2022, saw the hush money case differently.

The grand jury convened in January 2023. It heard from Cohen, now an outspoken critic of his ex-boss, and other witnesses, including the former publisher of the National Enquirer tabloid, which helped Trump by buying some negative stories and suppressing them in a practice known as “catch-and-kill."

The grand jury voted to indict on March 30, 2023, on charges that Trump had falsified his company’s internal records to obscure the true nature of payments made to Cohen to reimburse him for his work covering up potentially embarrassing stories. The charges are felonies punishable by up to four years in prison, though there is no guarantee that a conviction would result in prison time.

Trump denies the allegations, saying it is prosecutors who are engaging in “election interference” and a “witch hunt.” He has pleaded not guilty.

In a court filing, Bragg’s office framed the prosecution as another of Trump's election interference cases, accusing the Republican of orchestrating an “expansive and corrupt criminal scheme to conceal damaging information from the voting public” and “undermine the integrity of the 2016 presidential election.”

In the indictment paperwork, prosecutors told of a multipart scheme dating to the early days of Trump’s 2016 campaign to suppress stories alleging he had extramarital sexual encounters.

Before the Daniels payment, prosecutors said, Cohen arranged for the National Enquirer to [*pay $150,000*](https://apnews.com/united-states-presidential-election-general-news-3faf47db59054b3c9c8dd414b943c9ea) to former Playboy model Karen McDougal, who claimed she had a monthslong affair with Trump. The tabloid also paid $30,000 to a Trump Tower doorman who claimed to have a story about a child he alleged Trump had out of wedlock.

Trump, reeling from the October surprise of the [*never-before-seen 2005 “Access Hollywood” tape*](https://apnews.com/article/trump-access-hollywood-hush-money-new-york-2c52279a45ede2a111ff1fe447d2fdac) in which he boasted about grabbing women’s genitals, then directed Cohen to arrange the payment to Daniels, who was agitating to come forward with her claims that they had a sexual encounter at a 2006 celebrity golf outing in Lake Tahoe, California, according to the indictment.

Trump’s arraignment, five days after the indictment, was a spectacle attracting hordes of news media, supporters and protesters. His trial will take place in the same courtroom — and the same cauldron.

After Trump’s New York indictment, others followed in rapid succession.

Within 70 days, special counsel Jack Smith charged Trump in Florida with keeping classified documents at his Mar-a-Lago estate. Fifty-four days after that, Smith charged Trump in Washington with attempting to subvert the 2020 election in the lead-up to the Jan. 6, 2021, insurrection. Two weeks later, Fulton County District Attorney Fani Willis in Atlanta charged Trump with racketeering and other charges in a similar election subversion case.

While the New York case has progressed at a rapid clip, Trump's other criminal cases seem increasingly unlikely to come to trial before the November election.

The Atlanta case has been slowed by [*allegations of impropriety*](https://apnews.com/article/georgia-election-indictment-fani-willis-trump-60b7dd9642fc9ef7c03d75980692334c) against the top prosecutor, the Washington case by a [*Supreme Court appeal*](https://apnews.com/article/donald-trump-jack-smith-jan-6-supreme-court-f8bd5c4e7fb2251587e4443d9ded7178) on a legally untested immunity question and the Florida prosecution by a [*slew of unresolved motions.*](https://apnews.com/article/trump-classified-documents-delay-trial-election-83be6fb5362e7bb2b7aaf6371a9acabf)

“Partly it’s just that there are fewer of those practical obstacles to making the case move along, and maybe in some degree, this is a simpler case,” said Alex Reinert, a professor at the Benjamin N. Cardozo School of Law in New York City.

Trump has tried repeatedly to get the New York trial delayed as well. His lawyers were rejected three times this week in trying to get a state appeals court to put off the case.

In its allegations of hefty payments to stifle an election-year sex story, the case bears some cautionary parallels to the Justice Department’s unsuccessful prosecution of former North Carolina Sen. John Edwards. He was charged with campaign finance crimes in connection with nearly $1 million secretly provided by two wealthy donors who helped hide his pregnant mistress during the 2008 Democratic presidential primary.

Defense lawyers argued that the money was meant to conceal the affair from his wife, not to boost his election chances. Edwards was ultimately acquitted on one charge while a jury deadlocked on five other counts.

Jeremy Saland, a former Manhattan assistant district attorney who now works as a criminal defense lawyer, said that because of the magnitude of the case, Bragg must believe he has a more winnable case against Trump.

“He has to be going into the courtroom believing that he has the goods,” Saland said. “Otherwise, for the psyche of America, it could be catastrophic — that a former president is prosecuted in a case that ends up falling flat on its face, and even if not true, appearing like a sham.”

But he said that if the allegations are proved, it would still amount to “significant misconduct of somebody who was vying to be at the time the leader of the free world.” For those who say, “Come on, it’s just hush money,” he said he believed “that we hold our elected officials to a higher standard and we subject them to more scrutiny, and rightfully so.”

\_\_ Tucker reported from Washington.

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