

# [***4 big questions as Bob Menendez's corruption trial enters its second week***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6C2N-X8W1-JBSS-S0DH-00000-00&context=1516831)

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**Body**

(CNN) &#8212; First the fireworks, now the smoke.

Sen. Bob Menendez's corruption trial, which began with absorbing and vivid opening statements - both from federal prosecutors and from attorneys for the New Jersey Democrat and his co-defendants - is moving into a less spectacular phase as it enters its second week Monday.

Menendez, 70, [*has been charged*](https://www.cnn.com/2024/03/05/politics/bob-menendez-new-charges/index.html) with playing a pivotal role in a convoluted international bribery scheme involving his wife, Nadine; the governments of Egypt and Qatar; and several Garden State businessmen - including one who has already pleaded guilty and agreed to cooperate with the federal government. Menendez and his co-defendants have pleaded not guilty.

But for all the talk of graft and [*gold bars*](https://www.cnn.com/2024/05/12/politics/menendez-gold-cash-what-matters/index.html), prosecutors must now get down to the nitty-gritty, connecting a sprawling collection of evidence and testimony - much of it still to come - for a jury that is already repeatedly hearing from defense attorneys not only that their client is innocent, but that even if he did do much of what is alleged, it wouldn't amount to a crime.

Though the trial has been overshadowed by another [*sordid legal drama*](https://www.cnn.com/2024/04/13/politics/donald-trump-hush-money-trial-explained/index.html) playing out a short walk away in New York City's Manhattan Criminal Court, Menendez has already made some history of his own: He is the only US senator ever to be indicted in two separate criminal cases.

Last time around, Menendez walked after a deadlocked jury [*led the judge to declare a mistrial*](https://www.cnn.com/2017/11/16/politics/bob-menendez-trial/index.html). Now, though, prosecutors feel they have a stronger case. Menendez, who - along with co-defendants Wael Hana, an Egyptian American businessman, and Fred Daibes, a New Jersey real estate developer - has vigorously denied the charges, faces a lengthy prison sentence if convicted.

The political ramifications for Menendez, who arrived in the Senate from the House in 2006, have been dire. He is [*not seeking reelection*](https://www.cnn.com/2024/03/21/politics/bob-menendez-reelection-plans/index.html) in next month's Democratic primary; the party is coalescing around Rep. Andy Kim as his successor, likely ending a 50-year political career, the last three decades of which Menendez has spent on Capitol Hill.

Here are four big questions facing Menendez, his lawyers and federal prosecutors as the trial intensifies.

Can prosecutors connect all the many, far-flung dots?

They're doing their best to keep it tight.

In her opening statement, Lara Pomerantz, an assistant US attorney, described Menendez as a common crook with uncommon power.

"This was not ***politics*** as usual. This was ***politics*** for profit," the prosecutor said. "He was powerful. He was also corrupt. And what was his price? Gold bars."

Not long after, Pomerantz was handing out some of the gold bars Menendez is accused of receiving as bribes for jurors to touch and pass around. Getting a grip on the narrative scope of the allegations will be more difficult. Friday's slow-burn testimony took the court back more than five years, as James Bret Tate, then a diplomat based in Cairo with a focus on US agricultural interests, gave a cloak-and-dagger account - which will continue Monday - of how he came to realize Hana's threadbare company obtained a monopoly on the halal certification process for meats headed to Egypt.

According to the indictment, some of that profit ultimately made its way to Menendez in the form of bribes. Prosecutors also allege that the senator, in a call to a US Department of Agriculture official, sought to protect Hana's business amid concerns over its effect on the sprawling and lucrative American beef markets. (Menendez's lawyers are expected to counter by arguing that their client was simply providing boffo "constituent services" to Hana's New Jersey-based firm.)

Got that? It's up to the prosecution to make sure the jury does. This, too, is only the beginning. The trial is expected to stretch on for weeks.

How hard does the defense lean on Nadine Menendez?

Lawyers for the senator are so far indicating a two-pronged approach to defending their client. The first is to say that he received no bribes, did no work as a foreign agent and that, though outsiders might find some of his behavior distasteful, he did not corruptly abuse his power.

The other half of their telling, in short, is that Nadine Menendez was the one pulling the strings - and hiding it from her husband. (She is also charged and slated to go on trial this summer. She has pleaded not guilty.)

The senator's attorney, Avi Weitzman, told the jury in his opening statement that the couple mostly led "separate lives" and "had separate finances."

"They even had a separate cell phone plan," Weitzman said, a fact that was included in a PowerPoint presentation accompanying his remarks. Weitzman listed "financial concerns that (Nadine) kept from Bob," whom he described as being smitten by a "beautiful and tall, international woman."

Hana's lawyer, in his opening statement, also pointed the finger at Nadine Menendez.

To further complicate the dynamic, coming into view, the senator [*disclosed Thursday*](https://www.cnn.com/2024/05/16/politics/nadine-menendez-breast-cancer/index.html) that his wife is "suffering from Grade 3 breast cancer, which will require her to have mastectomy surgery." Though it was previously known that she faced a "serious medical condition," the specifics only emerged late last week - on the morning after the senator's attorney asserted that she was a driving force behind some of his client's alleged crimes.

What will the Menendez team admit and what will they contest?

"You might not like it, but it is not a crime."

Weitzman, in those opening remarks, acknowledged that the senator's alleged behavior might not live up to one's high ideals of good government. Menendez backed his constituents, the lawyer said, and some of those constituents were friends.

But playing favorites - one of the halal certification companies that got squeezed out of the market by Hana is also based in New Jersey - is not necessarily a felony offense. Nor, Weitzman suggested, is a phone call to an administrative official about a constituent's business anything unusual, much less criminal, and it certainly - he implied - doesn't rise to the level of an "official act."

More details about Menendez's conversation with a top Department of Agriculture official, in which he allegedly pushed for the agency to quit a process that could have threatened Hana's monopoly, will be discussed in the coming days. The particulars of their call remain unknown to the public, though the USDA official and perhaps others are expected to testify about the matter.

What those witnesses say, and how (and whether) the prosecution argues that Menendez, in this incident, broke the law - a bar increasingly difficult to clear, per recent US Supreme Court precedent relating to corruption - could make or break a key component of the case.

Will Republicans try to seize on this? At all?

Republicans have been surprisingly absent from the hoopla around the Menendez trial. In fairness, there hasn't been a whole lot of it, at least in comparison with what one might expect. Or might have expected if former [*President Donald Trump*](https://www.cnn.com/politics/president-donald-trump-45), on trial down the block, [*were not such a magnet*](https://www.cnn.com/2024/05/17/politics/trump-hill-allies-trial-litmus-test/index.html) for self-promoting - and self-preserving - GOP leaders.

Again, Menendez is a powerful longtime Democratic US senator accused of staggering corruption, including selling out national security information to a foreign government. New Jersey is a deep shade of blue, but its Democratic governor [*very nearly lost his reelection bid*](https://www.cnn.com/2021/11/03/politics/new-jersey-governor-race-results/index.html) in 2021, and this November is likely to feature an open-seat race to succeed Menendez. (The senator has said he would consider running as an independent if exonerated.)

But national Republicans have not sought to make hay out of the allegations or put a spotlight on the trial. Or tried, at the very least, to expand the battleground Senate campaign map and make Democrats play defense on what is - and yes, likely remains - their home turf.

This dynamic could change later this week or next when Trump's trial is expected to reach its denouement. But for now, Menendez and this trial seem destined to remain on the national political back burner.

By Gregory Krieg and Sabrina Souza, CNN

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