

# [***BACKER: How A Blackmailing Prostitute And A Crooked Prosecutor Could Steal The 2024 Election***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6C1K-3VP1-JBFB-H015-00000-00&context=1516831)

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**Body**

[*Link to Image*](https://cdn01.dailycaller.com/wp-content/uploads/2024/05/2018-04-17T152042Z_1224054809_RC19CB804950_RTRMADP_3_USA-TRUMP-DANIELS-scaled-e1715716140850.jpg)

[*Defiant*](https://twitter.com/DeborahDenno/status/1788601047121838441). [*Courageous*](https://www.rollingstone.com/culture/culture-features/stormy-daniels-donald-trump-documentary-1234987876/). [*Brave*](https://chills.substack.com/p/the-bravery-of-stormy-daniels).

When Americans use those words, we tend to think of real heroes - soldiers fighting for our freedoms or first responders protecting our communities. But when The New York Times uses those words, the hero is apparently someone who has sex for money. A word they don't use - though it would be far more accurate - is prostitute.

For the liberal media, the “Orange Man Bad” heroine de jour is Stormy Daniels, the infamous porn actress who is enjoying her time in the sun again. “Stormy” even got a documentary - and the [*feature stories that follow*](https://nymag.com/intelligencer/article/stormy-daniels-donald-trump-criminal-trial.html) - painting her as the heroine waging war against an evil, orange boogeyman. It's amazing how the NYT narrative isn't much better than the plot of a “PAW Patrol” episode.

How far America's once premier news outlet - and, in some ways, our entire society - have fallen.

New election, same old sham. It conveniently took Democrats four years to once again dredge up Daniels to undermine Donald Trump. Despite the liberal media's fawning praise, there is nothing noble about the lawfare being waged against Trump. It is just petty, puerile ***politics*** that further erodes Americans' faith in our cheapened, abused institutions. And, just as Democrats intended, it is unlikely we'll be done with this farce before Election Day.

And for what great sin? Because of an alleged sexual encounter with a blackmailing prostitute that (maybe) occurred nearly two decades ago, one the former president denies as the extortionist accuser's story [*keeps changing*](https://nypost.com/2024/05/09/media/megyn-kelly-on-stormy-daniels-revisionism-of-donald-trump-sex-romp/). Based on that weak sauce, New York State Supreme Court Justice Juan Merchan - a [*Democrat donor*](https://www.cnn.com/2023/04/06/politics/judge-merchan-trump-biden-contribution/index.html) whose daughter has [*raised nearly $100 million*](https://nypost.com/2024/03/30/us-news/dem-clients-of-daughter-of-judge-in-trump-trial-raised-90m-off-case/) for left-wingers - has worked overtime to derail Trump's 2024 campaign while actively [*silencing*](https://www.politico.com/news/2024/03/28/trump-attacks-daughter-of-judge-hush-money-case-00149656) the former president. Merchan has even [*threatened*](https://www.foxnews.com/politics/trump-responds-judge-threatened-toss-him-jail-gag-give-liberty-give-death) Trump with jail time for defending his name and campaigning against the left's banana republic tactics.

At the root of it all is Alvin Bragg: a hostile local prosecutor who has allowed real crime to destroy his once-great city, while complaining in essence that he doesn't like how a business records its expenses. Apparently, there is a right way to account for payoffs to blackmailing hookers, and if you do it wrong, the blackmailer won't be prosecuted but her victims will.

This is not even that uncommon a transaction. The NYT itself once [*reported*](https://www.nytimes.com/2015/06/07/upshot/if-hastert-was-extorted-he-could-deduct-some-losses-from-his-taxes.html) that payoffs for extortion count as taxable income for the blackmailer and a business loss as “theft” for the victim. The notion that it also benefits a campaign is irrelevant. As Trump has consistently argued since 2018, when Daniels first made headlines, his “hush money” payments had nothing to do with ***politics*** and everything to do with brand management. [*In Trump's words*](https://www.cnn.com/2018/08/22/politics/donald-trump-michael-cohen-paul-manafort/index.html): “They didn't come out of the campaign; they came from me.” And this is not illegal.

Let's be clear ([*again*](https://www.foxnews.com/opinion/trump-did-not-violate-campaign-finance-law-despite-what-prosecutors-say)): however you describe Trump's payment, it certainly isn't an obscure campaign finance matter. This may be the Left's narrative, but it isn't the actual charge. If a successful businessman would rather buy off a blackmailer, they can. It is not a crime to be a crime victim, though New York is certainly trying to make it one.

Yes, it is illegal to pay off a blackmailing prostitute from campaign funds, but Trump didn't use campaign funds, and the state of New York is now prosecuting him for **not** using campaign funds - based on a [*bizarre legal theory*](https://www.pbs.org/newshour/politics/trump-tried-to-corrupt-the-2016-election-hush-money-prosecutor-alleges-in-opening-statement) about “corrupting” the 2016 election. (Joe and Hunter Biden [*must be on high alert*](https://judiciary.house.gov/media/press-releases/new-testimony-reveals-secretary-blinken-and-biden-campaign-behind-infamous) then.)

More importantly, the Trump name is a brand - an icon of American business. And Donald Trump, the businessman, is free to pay off any blackmailing hooker he deems fit, with his personal money or that of his business, to protect that brand.

Even if the Daniels allegations are actually true and the hush money payments are magically re-characterized as campaign-related, Trump's alleged “violation” amounts to underreporting relatively insignificant contributions from a candidate to his own campaign. And that does not constitute a criminal charge. It would (at most) amount to a trivial FEC reporting fine.

In “defense of democracy,” Joe Biden and other Democrats have [*changed the rules*](https://www.carolinajournal.com/two-federal-lawsuits-challenge-new-nc-elections-law-on-the-same-day-its-approved/) to suit them, [*prosecuted*](https://www.foxnews.com/politics/dccc-marc-elias-firm-accused-apparent-civil-violations-federal-election-law) their political enemies, and sought to [*deny Americans the right to vote*](https://www.bbc.com/news/world-us-canada-68432465) for the candidate they want. The Stormy Daniels sham prosecution is just more of the same - one more desperate attempt to save a failed presidency.

*Dan Backer is a veteran campaign counsel, having served more than 100 candidates and political action committees, overseeing more than $150 million in political spending over the past decade. He practices law as a member of Chalmers, Adams, Backer & Kaufman LLC.*

*The views and opinions expressed in this commentary are those of the author and do not reflect the official position of the Daily Caller.*

**Graphic**

Adult-film actress Stephanie Clifford, also known as Stormy Daniels, arrives at ABC studios to appear on The View talk show in New York City, New York, U.S. April 17, 2018. REUTERS/Mike Segar

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