

Trump pleads not guilty to 34 felony counts of falsifying business records linked to 2016 hush-money payments

Judge did not impose gag order

Former President Donald Trump pleaded not guilty in a New York City court Tuesday after being charged with 34 felony counts of falsifying business records in the first degree.

The charges, which are related to hush-money payments made during the 2016 presidential campaign, came out of Manhattan District Attorney Alvin Bragg's years-long investigation.

Bragg alleged that Trump "repeatedly and fraudulently falsified New York business records to conceal criminal conduct that hid damaging information from the voting public during the 2016 presidential election."

In 2019, federal prosecutors in the Southern District of New York opted out of charging Trump related to the payments made to adult film actress Stormy Daniels and former Playboy model Karen McDougal. The Federal Election Commission also tossed its investigation into the matter in 2021.

Trump surrendered to the Manhattan District Attorney's Office and was arraigned in court Tuesday afternoon after being indicted by a Manhattan grand jury last week.

The indictment was unsealed in court during Trump's arraignment Tuesday before presiding trial Judge Juan Merchan. Trump was charged in a New York Supreme Court indictment with 34 counts of falsifying business records in the first degree.

Bragg is alleging that Trump falsified New York business records in order to "conceal damaging information and unlawful activity from American voters before and after the 2016 election."

"During the election, TRUMP and others employed a 'catch and kill' scheme to identify, purchase, and bury negative information about him and boost his electoral prospects," Bragg alleged. "TRUMP then went to great lengths to hide this conduct, causing dozens of false entries in business records to conceal criminal activity, including attempts to violate state and federal election laws."

According to New York state law, a charge of falsifying business records in the first degree alleges that the defendant committed a crime of falsifying business records with the intent to defraud. The intent to defraud would be an intent to commit another crime.

Trump pleaded not guilty. The judge did not impose a gag order.

The judge said he would like to move ahead as expeditiously as possible with the case. The next hearing in the case is Dec. 4, 2023, in the same Lower Manhattan court.

The prosecution wants a trial in January 2024 – the height of the GOP presidential primary season. Trump's defense wants to delay that as long as possible.

According to the indictment, Bragg alleged that Trump, from August 2015 to December 2017, "orchestrated a 'catch and kill' scheme through a series of payments that he then concealed through months of false business entries."

Bragg alleges that American Media Inc., the parent company of the National Enquirer, paid \$30,000 to a former Trump Tower doorman who claimed to have a story about a child Trump had out of wedlock.

Bragg also alleges American Media Inc. paid \$150,000 to a woman who alleged a sexual relationship with Trump. It appears Bragg is referring to former Playboy model Karen McDougal.

Trump "explicitly directed a lawyer," an apparent reference to his former attorney, Michael Cohen, to "reimburse" American Media Inc. in cash, Bragg charged.

He alleged that Cohen, "12 days before the presidential general election," wired \$130,000 to an attorney for an adult film actress – an apparent reference to Stormy Daniels.

Cohen pleaded guilty and was sentenced to three years in prison for violating campaign finance laws related to the payments, among other federal charges. Cohen pleaded guilty to arranging the payments but maintains that Trump directed them.

Bragg alleged that after the election, Trump reimbursed Cohen through a series of monthly checks "first from the Donald J. Trump Revocable Trust – created in New York to hold the Trump Organization's assets during TRUMP's presidency – and later from TRUMP's bank account. In total, 11 checks were issued for a phony purpose."

"Nine of those checks were signed by TRUMP," Bragg charged. "Each check was processed by the Trump Organization and illegally disguised as a payment for legal services rendered pursuant to a non-existent retainer agreement."

"In total, 34 false entries were made in New York business records to conceal the initial covert \$130,000 payment. ... Further, participants in the scheme took steps that mischaracterized, for tax purposes, the true nature of the reimbursements."

The former president of the United States, who is also the leading Republican presidential candidate for 2024, was indicted by a Manhattan grand jury last Thursday after a years-long investigation by the Manhattan District Attorney's Office, which began in 2019.

Trump was not handcuffed, as some are during an arraignment, after making arrangements with the DA's office. Detectives within the office handled the arrest of the former president.

The payments to Daniels and McDougal had been investigated by the U.S. Attorney's Office in the Southern District of New York and by the Federal Election Commission.

The charges against the former president come after federal prosecutors in the Southern District of New York opted out of charging Trump related to the Daniels payment in 2019.

Also, the Federal Election Commission in 2021 dropped its case on the same issue – examining whether Trump violated election law with the \$130,000 payment made to Stormy Daniels – after it "failed by a vote of 2-2 to...find reason to believe that Donald J. Trump knowingly and willfully violated" federal election law.

"The People of the State of New York allege that Donald J. Trump repeatedly and fraudulently falsified New York business records to conceal crimes that hid damaging information from the voting public during the 2016 presidential election," Bragg said in a statement after the arraignment.

"As the Statement of Facts describes, the trail of money and lies exposes a pattern that, the People allege, violates one of New York's basic and fundamental business laws," Bragg said. "As this office has done time and time again, we today uphold our solemn responsibility to ensure that everyone stands equal before the law."

Trump has slammed the DA's investigation and the indictment as "Political Persecution and Election Interference at the highest level in history."