

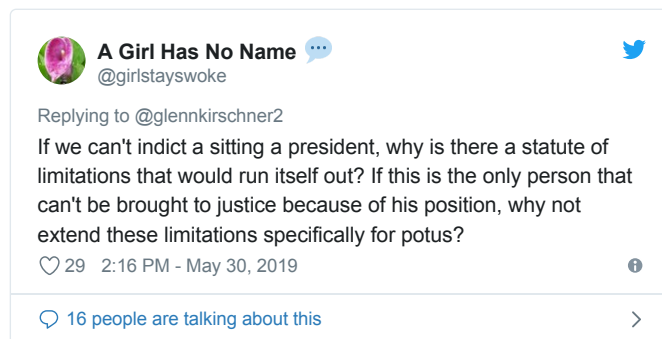


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30 May 19 · 5 tweets · [glennkirschner2/status/1134247817848020994](https://twitter.com/glennkirschner2/status/1134247817848020994)



1. This is a great point. Here's my take (& it's not one that will make justice-seekers happy): let's assume federal prosecutors indict the president after he leaves office for crimes that were committed more than 5 years before the indictment is handed down . . .



2. The statute of limitations says that you must charge someone within 5 years of the crime being committed. The prosecutors argue to the judge that because the DOJ/OLC policy says we can't indict a sitting president, the judge should deem that the statute of limitations . . .

3. was tolled (paused) during the time Trump was in office. The judge could rightfully say to the prosecutor, "Show me the LAW that says you can't indict a president while he's in office." The prosecutor would have to answer, "there is no law, just a DOJ/OLC opinion . . .

4. saying that's the way some DOJ lawyers interpret the Constitution." The Judge could (and likely would, IMO) say, "You're wrong, given that there is no such law, there is NOTHING preventing a criminal president from being indicted for crimes he commits while in office . . .

5. Accordingly, the statute of limitations was not tolled (paused) & because you did not bring charges within 5 years of the date of the offense, you cannot charge him at all." In other words, Trump gets away with it. This is more that just possible. I believe it's likely.

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