



□□□□□□□□  
@LuluLemew

Thread Reader App  
17 tweets - 28 Mar 2019

[LuluLemew/status/1111334494571778053](https://twitter.com/LuluLemew/status/1111334494571778053)

Trump has seized on Barr's letter as an exoneration of himself ...

"There was no collusion," he's said on countless occasions and, after Barr's letter came, out, said that Mueller himself agreed.

None of the 38 words below, is "collusion."

**Washington Post: Breaking News, World, US, DC News & Analysis**

Breaking news and analysis on politics, business, world national news, entertainment more. In-depth DC, Virginia, Maryland news coverage including traffic, weather, crime, education, restaurant review...

<https://www.washingtonpost.com/politics/2019/03/28/fight-over-collusion-is-still-more-complicated-than-it-might-seem/>

<https://www.washingtonpost.com/politics/2019/03/28/fight-over-collusion-is-still-more-complicated-than-it-might-seem/>

[utm\\_term=.f7d6d8d1955d&noredirect=on#click=https://t.co/Ldcoagm9PK](https://www.washingtonpost.com/politics/2019/03/28/fight-over-collusion-is-still-more-complicated-than-it-might-seem/?utm_term=.f7d6d8d1955d&noredirect=on#click=https://t.co/Ldcoagm9PK)

The Special Counsel's investigation did not find that the Trump campaign or anyone associated with it conspired or coordinated with Russia in its efforts to influence the 2016 U.S. presidential election. As the report states: "[T]he investigation did not establish that members of the Trump Campaign conspired or coordinated with the Russian government in its election interference activities."

The sentence then refers to a footnote.

In assessing potential conspiracy charges, the Special Counsel also considered whether members of the Trump campaign "coordinated" with Russian election interference activities. The Special Counsel defined "coordination" as an "agreement—tacit or express—between the Trump Campaign and the Russian government on election interference."

<https://pbs.twimg.com/media/D2xA05XWkAEjizv.jpg>

INTERFERENCE:

Per Mueller indictments & as outlined in Barr's letter, included:

- stealing material from Trump's political opponents that was later published by WikiLeaks
- a broad effort to sow discontent and boost Trump on social media.

"[A]s quoted by Barr, Mueller used the words 'conspired' and 'coordinated.' Unlike the colloquial term 'colluded,' these terms have legal significance," Litt writes.

"'Coordination' with a foreign government would be a basis for a finding of criminal liability under the election laws"

"'conspiracy' would be a criminal agreement to violate those laws."

"This...suggests...Mueller's report viewed the conduct through the lens of a criminal investigative process...whether the evidence met the DOJ standard for prosecution, including the ability to prove beyond a reasonable doubt that there was intent to violate the law."

In the letter appointing Mueller in May 2017, Rosenstein gave him a mandate to conduct an investigation looking at "any links and/or coordination between the Russian government & individuals associated with the campaign of...Trump."

The investigation, as Mueller's own words suggest, "did not establish that members of the Trump Campaign conspired or coordinated with the Russian government in its election interference activities."

"Collusion" isn't mentioned.

"Coordination" is — and the bar wasn't met.

The fact that "collusion" wasn't included in Barr's letter matters a lot.

From the outset of the Mueller probe (and really, well before it), we've used this POORLY DEFINED TERM to describe what Trump and his allies were alleged to have done.

WaPo readers were asked what their definition of collusion was:  
The MOST COMMON RESPONSE:

Trump knowing about Russia's interference efforts but not doing anything about them

Strong Trump supporters had a much narrower definition of "collusion" than did Trump opponents.

We asked readers about this in an informal survey last month. What, to them, would constitute “collusion” between Trump’s team and Russia? The most common response was that Trump knowing about Russia’s interference efforts but not doing anything about them would count. That’s not the standard that Mueller was applying to the question he was asked to answer, certainly, but it demonstrates that for the *public*, the bar wasn’t necessarily one of criminal culpability.

It’s worth noting, too, how open to interpretation that quote from Mueller actually is. Writing at Lawfare, former ODNI general counsel Robert Litt points at the language that Mueller used.

<https://pbs.twimg.com/media/D2xA2JnX4AE7c.jpg>

In the wake of the release of Barr’s letter, Trump and his supporters embraced or promoted THEIR definition of “collusion”:

No indictment means no collusion.

DOJ used the word COLLUSION only once when RR gave more detail on Mueller mandate.

→



**The Department of Justice Thinks That Collusion Is a Crime**

Jeffrey Toobin writes that the special counsel, Robert Mueller, now has the authority, and the legal theory, to bring criminal charges for collusion.

🔗 <https://www.newyorker.com/news/daily-comment/the-department-of-justice-thinks-that-collusion-is-a-crime>

<https://www.newyorker.com/news/daily-comment/the-department-of-justice-thinks-that-collusion-is-a-crime>



In RR's phrasing (screenshot):

- collusion could amount to a criminal act
- but RR does not define what counts as "collusion"

There was one public mention made of collusion by the Department of Justice. That came in a document from Rosenstein offering more details on Mueller's mandate. Mueller was authorized to investigate allegations that Trump's former campaign chairman Paul Manafort "[c]ommitted a crime or crimes by colluding with Russian government officials with respect to the Russian government's efforts to interfere with the 2016 election for President of the United States, in violation of United States law." In this phrasing, collusion could amount to a criminal act — but what counts as "collusion" is not defined.

<https://pbs.twimg.com/media/D2xA26hXQAEjLPW.jpg>

.@RepAdamSchiff has come under fire from Republicans who've pointed to his repeated insistence that there was collusion.

Schiff has specifically delineated a difference between collusion and criminality.

Note: as usual, they cherry-pick his words:

Rep. Adam B. Schiff (D-Calif.) has come under fire from Republicans who've pointed to his repeated insistence that there was collusion — including a claim made after Barr's letter came out. On CBS's "Face the Nation" this month (before Mueller's investigation ended) Schiff specifically delineated a difference between collusion and criminality.

"[W]hile there is abundant evidence of collusion," he said, "the issue from a criminal point of view is whether there is proof beyond a reasonable doubt of a criminal conspiracy." He cited the meeting at Trump Tower in June 2016 as evidence of collusion.

<https://pbs.twimg.com/media/D2xA3oeX4AEcgU8.jpg>

Schiff's definition of collusion is not Trump's definition of collusion. It's probably not Barr's definition of collusion.

The 38 words we've seen from Mueller make NO CLAIM about what "collusion" means.

And that's the problem

Legality & political propriety & partisan politics are all blended together in the public's assessment of what happened.

For which "collusion" is a perfect word: Legal-sounding but not legal, defined loosely enough that it could mean anything.

Mueller's investigation resulted in no criminal indictments of Trump allies DIRECTLY RELATED to the MAIN RUSSIAN INTERFERENCE EFFORT.

We don't yet know how much evidence there might have been that coordination might have taken place, if any.

Mueller may have found evidence of possible coordination but couldn't establish that to such an extent to indict.

The Mueller quote also leaves open the question of whether Trump or his campaign coordinated w those CONNECTED to the RU govt, like WikiLeaks.