

MAGGIE HABERMAN: HEADS IT'S ONLY OBSTRUCTION, TAILS IT'S NOT OBSTRUCTION

Maggie Haberman had a column last week that pissed a lot of people off, in which she wrote 1,600 words presenting what she claimed were "the main possibilities" for why oh why Trump might have stolen Presidential documents.

The only reasons she could come up with were:

- He gets his rocks off looking at important documents
- He thinks he's Louis XIV
- He has a compulsion to rip up paper
- He was collecting information about friends and foes

It was facile analysis and in two respects probably erroneous.

But it pissed me off less than it did others (at least at first) because I think it is important to remember that Trump's narcissism explains a significant part of his theft.

Maggie's an expert of Trump's narcissism.

Still, at one level the document is a remarkable confession on Maggie's part of her own inconsistencies as a Trump enabler (and as I said, in two ways, it may be factually wrong).

That's because Maggie, who has covered this search for the same two weeks I have, doesn't even mention the possibility laid out explicitly in search warrant: Obstruction.

To obtain this warrant, the government showed

probable cause that Trump ripped up, flushed, and hid documents *to obstruct investigations*. But having (presumably) read that warrant, Maggie instead claims that Trump rips up documents just for shits and giggles.

Ripping up paper

Although Trump White House officials were warned about the proper handling of sensitive material, aides said Mr. Trump had little interest in the security of government documents or protocols to keep them protected.

Early on, Mr. Trump became known among his staff as a hoarder who threw all manner of paper – sensitive material, news clips and various other items – into cardboard boxes that a valet or other personal aide would cart around with him wherever he went.

Mr. Trump repeatedly had material sent up to the White House residence, and it was not always clear what happened to it. He sometimes asked to keep material after his intelligence briefings, but aides said he was so uninterested in the paperwork during the briefings themselves that they never understood what he wanted it for.

He also had a habit of ripping up paper, from routine documents to classified material, and leaving the pieces strewn around the floor or in a trash can. Officials would have to rummage through the shreds and tape them back together to recreate the documents in order to store them as required under the Presidential Records Act.

On some occasions, Mr. Trump would rip up documents – some with his handwriting on them – and throw the pieces in a toilet, which occasionally clogged the pipes in the White House. He did the same thing on at least two foreign

trips, former officials said.

The government has told us all that they have shown probable cause that some of this ripping, flushing, and hiding was designed to withhold evidence from a, or multiple, investigations. But Maggie, apparently, either doesn't understand that or decided without seeing the evidence that the government simply misunderstands Trump's quirky ripping, flushing, and hiding fetish.

Where this column struck me as particularly ridiculous, however, is the way it's a perfect mirror for Maggie's Mueller investigation coverage.

With Mike Schmidt, after all, Maggie largely set the narrative that Mueller was only investigating *Trump* for obstructing the investigation. In July 2018 they reported as breaking news that Mueller was just investigating Trump for tweets, not what they called "collusion." In August 2018, they kept repeating that word – obstruct obstruct obstruct obstruct obstruct obstruct obstruct obstruct obstruct obstruct – as if the only thing being investigated was obstruction. In February 2019, Maggie (with Peter Baker that time) spun Trump describing a bribe and *not* answering questions about the Stone indictment as the opposite. Last October, when Maggie complained about my piece quoting Roger Stone and Rick Gates describing how they used her and Ken Vogel, she claimed I had predicted Mueller would go further than he had – when the reality is that she has still uncorrected errors about the Manafort investigation, never reported on the investigation into whether Stone conspired with Russia that continued even after Mueller finished, and missed the bribery prong of the investigation. I'm also not aware that she ever matched the WaPo's reporting that Mueller told Trump's lawyers that the President was at risk, himself, of prosecution in the CFAA conspiracy with Russia, the same part of the Stone

investigation she missed.

During the Mueller investigation, Maggie spent years reporting – falsely, the records unsealed since prove – that an investigation into whether Trump conspired with Russia was really just an obstruction investigation.

This time around the government told us – explicitly!! – that Trump is under investigation for obstructing investigation(s) by ripping and flushing and hiding documents, and Maggie’s “analysis” concludes that all that ripping and flushing and hiding is instead just a quirk.

Which brings me to her second possible error, on top of ignoring the obstruction investigation: here’s how Maggie explains the mention of a French President in the warrant receipt.

Other advisers wondered if Mr. Trump kept some documents because they contained details about people he knew.

Among the items that presidents are given on overseas trips are biographies of foreign leaders, a former administration official said. One version is unclassified and fairly routine. But the other is classified and can contain numerous personal details.

One of the files the F.B.I. seized at Mar-a-Lago was marked “info re: President of France,” about Emmanuel Macron.

It’s hard to tell whether Maggie is reporting here – confirming what most of us have assumed, that the reference to a French President was most likely a reference to Macron. To substantiate that, she cites only the same warrant that mentions the obstruction investigation she somehow missed. If she *has* confirmed that’s about Macron, this error may be all the more remarkable.

But for the reasons I laid out here, the most obvious reading of that reference is that the

information about a French President is linked in some way to Executive Clemency for Maggie's old BFF, Roger Stone.

1 - Executive Grant of Clemency re: Roger Jason Stone, Jr.

1A - Info re: President of France

The reference to a French President – Maggie tells us it is Macron – may well be contained in an Executive Grant of Clemency for Stone.

If that's the case, then it's in Trump's files not because he saw a scrap of gossip about Macron and stuck it in a box or hoarded a classified pre-trip biography from years ago, which Maggie says are the best explanations, but because he wrote something down about Macron (or whichever President), quite possibly in conjunction with clemency for his rat-fucker.

To be sure, Maggie is not the only reporter covering this search who has entirely ignored the obstruction prong of the investigation. Many reporters have. But for a reporter publishing the book on Trump's ripping, flushing, and hiding that seems to be at the core of that investigation, it seems a significant oversight.

Update: In an article Saturday that appears, in significant part, to be an attempt to underbus Mark Meadows, Maggie and others included this remarkable paragraph about an investigation into both Espionage Act violations and obstruction.

Where all of that material ended up is not clear. What is plain, though, is that Mr. Trump's haphazard handling of government documents – a chronic problem – contributed to the chaos he created after he refused to accept his loss in November, unleashed a mob on Congress and set the stage for his second impeachment. His unwillingness to let go of power, including refusing to return government documents collected while he was in office, has led to a potentially damaging, and entirely avoidable, legal battle that threatens to engulf the

former president and some of his aides.

This is another story that treats this all as one big misunderstanding and not an investigation into willful conduct designed to obstruct one or more investigations.

Maggie seems quite happy that this claim has been picked up.



The single source it relies on, described as “a person with knowledge of the situation,” speaks of their belief, not their certainty. And aside from people inside the investigation, there is no single person competent to make that claim, in part because only the family are reported to have known of the leather box in which Trump kept the Top Secret/SCI documents seized, and none of the family would know the full inventories of the boxes that were seized from storage closets.

emptywheel Trump Espionage coverage

Maggie Haberman: Heads It's Only Obstruction, Tails It's Not Obstruction

The French President May Be Contained Inside the Roger Stone Clemency

Which of the Many Investigations Trump Has

Obstructed Is DOJ Investigating?

The Known and Likely Content of Trump's Search Warrant

The ABCs (and Provisions e, f, and g) of the Espionage Act

Trump's Latest Tirade Proves Any Temporary Restraining Order May Come Too Late

How Trump's Search Worked, with Nifty Graphic

Pat Philbin Knows Why the Bodies Are Buried

Trump's Timid (Non-Legal) Complaints about Attorney-Client Privilege

18 USC 793e in the Time of Shadow Brokers and Donald Trump

[from Rayne] Other Possible Classified Materials in Trump's Safe

Trump's Stolen Documents

John Solomon and Kash Patel May Be Implicated in the FBI's Trump-Related Espionage Act Investigation

[from Peterr] Merrick Garland Preaches to an Overseas Audience

Three Ways Merrick Garland and DOJ Spoke of Trump as if He Might Be Indicted

The Legal and Political Significance of Nuclear Document[s] Trump Is Suspected to Have Stolen

Merrick Garland Calls Trump's Bluff

Trump Keeps Using the Word "Cooperate." I Do Not Think That Word Means What Trump Wants the Press To Think It Means

[from Rayne] Expected Response is Expected: Trump and Right-Wing DARVO

DOJ's June Mar-a-Lago Trip Helps Prove 18 USC 793e

The Likely Content of a Trump Search Affidavit

All Republican Gang of Eight Members Condone

Large-Scale Theft of Classified Information,
Press Yawns

Some Likely Exacerbating Factors that Would
Contribute to a Trump Search

FBI Executes a Search Warrant at 1100 S Ocean
Blvd, Palm Beach, FL 33480