

TRUMP'S FAMILY IS NOT IN HIS PROSECUTION

Chris Hayes made a salient observation yesterday: None of Trump's family members have accompanied him to attend one after another arraignment.

It's notable that he's alone. There's no posse and there's no retinue and there's no family. I would hope if I were to go through the ordeal that this man is currently facing, in my darkest hours, my wife and my kids, my loved ones and my friends, that I would have a crew, people that were standing with me. There's – his wife is not there, I can't see any of his kids, his daughter, who worked for him. No one! The guy is alone!

With two of those arraignments book-ending a persistent campaign from the far right, boosted by an AI story in the NYT, politicizing Joe Biden's decision to not to recognize Hunter's illegitimate child until after the contentious paternity suit was settled, Hayes may be the first person in the press to note that Trump's family has failed to attend his court hearings.

Sure, Eric and Don Jr are making speeches to rile up the base.

But why won't Melania support her spouse as he faces three – and soon to be four – criminal prosecutions?

Are Ivanka and Jared too busy gulping down Saudi blood money to support their former boss?

Has Boris Epshteyn, who attended at least two of three arraignments and who is one of two likely candidates to be co-conspirator 6 in the January 6 indictment, become Trump's symbolic son?

The failure of a single family member to accompany Trump to an arraignment – and the

general silence on it – matches another detail of this latest prosecution.

A female Trump family member makes a cameo appearance in his stolen documents indictment, instructing Walt Nauta that there's no space in the plane headed to Bedminster for all of Trump's boxes.

On May 30, 2022, at 12:33 p.m., a Trump family member texted NAUTA:

Good afternoon Walt,

Happy Memorial Day!

I saw you put boxes to Potus room. Just FYI and I will tell him as well:

Not sure how many he wants to take on Friday on the plane. We will NOT have a room for them. Plane will be full with luggage. Thank you!

NAUTA replied:

Good Afternoon Ma'am [Smiley Face Emoji]

Thank you so much.

I think he wanted to pick from them. I don't imagine him wanting to take the boxes.

He told me to put them in the room and that he was going to talk to you about them.

Whichever female family member this was will not have to testify. Nauta's own words will be admissible at trial. And they're in the indictment primarily to situate *where* the documents were: in "Potus room."

But, unless I'm missing it, the January 6 indictment doesn't include references to family members – not Don Jr or Eric, who both gave speeches, not Jared, who was involved in some

campaign-related events.

And especially not Ivanka.

There are two key parts of the indictment where Ivanka should show up.

First, the indictment describes the call Trump made to Pence the morning of January 6, while hanging around the Oval Office with his family, Eric Herschmann, and Keith Kellogg, this way.

102. At 11: 15 a.m., the Defendant called the Vice President and again pressured him to fraudulently reject or return Biden's legitimate electoral votes. The Vice President again refused. Immediately after the call, the Defendant decided to single out the Vice President in public remarks he would make within the hour, reinserting language that he had personally drafted earlier that morning-falsely claiming that the Vice President had authority to send electoral votes to the states-but that advisors had previously successfully advocated be removed.

The January 6 Committee spent a great deal of investigative focus obtaining witnesses who heard Trump's side of the call. Keith Kellogg and Eric Herschmann (the latter of whose presence in the "family" meeting raises such interesting questions) both told part of the story. One of the most useful, it turns out, was Ivanka's Chief of Staff, Julie Radford, who told the committee how Ivanka returned from that meeting deeply upset because Trump had called Mike Pence something like a "pussy."

In fact, in their referrals section, the J6C Report specifically noted that Ivanka's version of this story was so much less credible than Radford's.

But in this telling, the indictment relies – appropriately, from an evidentiary standpoint – solely on Mike Pence, the only person, besides

Trump, involved in both sides of the conversation.

There's another passage where Ivanka was far more directly involved: in the efforts to get Trump to call off the rioters.

This passage describes that "his most senior advisors," including Pat Cipollone, Pat Philbin, Mark Meadows, probably Dan Scavino, and almost certainly Eric Herschmann, tried to get Trump to write a tweet directing the mob to vacate the building.

114. The Defendant repeatedly refused to approve a message directing rioters to leave the Capitol, as urged by his most senior advisors-including the White House Counsel, a Deputy White House Counsel, the Chief of Staff, a Deputy Chief of Staff, and a Senior Advisor. Instead, the Defendant issued two Tweets that did not ask rioters to leave the Capitol but instead falsely suggested that the crowd at the Capitol was being peaceful, including:

a. At 2:38 p.m., "Please support our Capitol Police and Law Enforcement. They are truly on the side of our Country. Stay peaceful!"

b. At 3:13 p.m., "I am asking for everyone at the U.S. Capitol to remain peaceful. No violence! Remember, WE are the Party of Law & Order – respect the Law and our great men and women in Blue. Thank you!" [my emphasis]

These statements are another thing on which J6C focused a lot of attention, particularly the first. And they obtained a good deal of evidence about how Herschmann had come to Ivanka's office and brought her to the Dining Room to get her help in convincing Trump to release the 2:38PM tweet.

Indeed, Sarah Matthews was quite certain that

the language about “staying peaceful” – the language the indictment includes among Trump’s many false claims – came from Ivanka.

Yet even though Ivanka was, in the Trump White House, every bit as important an advisor to Trump as Pat Cipollone, Pat Philbin, Mark Meadows, Dan Scavino, and Eric Herschmann, she’s not mentioned, neither as “his daughter,” nor as “Assistant to the President,” her formal title.

Just 15 minutes after the “stay peaceful” tweet, Don Jr also attempted to get Dad to call off the mob, but there’s no mention of that in this indictment either.

But the silence about Ivanka’s even more central role in all this is really telling given the recent NYT report – posted just over two weeks before the grand jury voted out this indictment – that she had never been asked to testify to the grand jury (technically this does not exclude an interview).

The New York Times reported in February that Mr. Smith’s office had subpoenaed Mr. Kushner and his wife, Ivanka Trump, to testify before the grand jury. The special counsel’s office has yet to question her before the grand jury. Ms. Trump testified before the House committee last year.

Trump is alone at the defendant’s table, with none of his family members.

But even more striking, Trump is alone in his indictment, without any of the key roles played, including by his daughter and most trusted advisor, laid out in the overt acts.