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FBI raids Trump estate at Mar-a-Lago

More than two dozen FBI agents raided Donald Trump's estate in Mar-a-Lago Monday, executing a search warrant for evidence of a federal crime. The ex-president was away at his New York City apartment as the agents carted off many boxes of documents as well as the contents of his personal safe and a number of electronic devices such as computers and cellphones.



Police direct traffic outside an entrance to former President Donald Trump's Mar-a-Lago estate, Monday, Aug. 8, 2022, in Palm Beach, Fla. [AP Photo/Terry Renna]

The raid first became public when Trump issued a statement denouncing it, sent to the major television and cable networks, calling the action part of a witch-hunt by “Radical Left Democrats” and ludicrously comparing it to Watergate. He said the raid was unannounced until the agents arrived at his property. His son Eric, who was at Mar-a-Lago at the time, said that there were about 30 agents in the FBI group.

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No former president has ever been subject to such a raid. But then, no former president has been implicated in an attempt to overthrow the government, overturn his election defeat, and extend his term in office in violation of the law and the US Constitution.

The Biden White House claimed to have no advance word of the impending deployment of dozens of FBI agents against the home of the former president. If true, the raid becomes even more extraordinary.

Traditionally, the FBI operates under rules that bar any public investigative action related to a political figure, including subpoenas, raids or indictments, more than 60 or in some cases 90 days before an election.

In 2016, however, FBI Director James Comey broke this rule and helped tip the presidential election to Trump, announcing less than a week before the vote that the bureau was reopening its investigation into Democratic candidate Hillary Clinton for her use of a private server to route and store her emails while she was secretary of state in the Obama-Biden administration.

Now, 92 days before the 2022 midterm elections, the FBI publicly targets the leader of the Republican Party, under conditions where the Republicans are favored to win control at least of the House of Representatives, and possibly the Senate as well. This result would effectively turn Democrat Joe Biden into a lame duck two years before the next presidential election.

Treating Trump as a criminal is certainly justified, given his role as the instigator of the January 6, 2021 attack on Capitol Hill and a whole series of preceding efforts to overturn the 2020 election through illegal and unconstitutional methods. Reportedly, however, the raid on Mar-a-Lago is tied only indirectly to January 6, because it concerns the illegal removal of 15 boxes of presidential records from the White House as Trump was leaving office.

Whatever the evidence that was presented to a federal judge to obtain a search warrant, the sudden and unexpected FBI action may have been provoked by the desire to preempt some new violent strike for power by Trump and his supporters.

At the Conservative Political Action Conference Saturday night in Dallas—and increasingly in his campaign-style rallies and social media statements—Trump has employed the most incendiary language, telling his fascist supporters that they must ensure a Republican victory in the 2022 midterm elections or else face the destruction of “America as we know it.”

Trump has come close to announcing his own candidacy for president in the 2024 elections, despite pleas from the Republican Party establishment that he wait until after the 2022 midterms. Significantly, the charge implicit in Monday's FBI action, a charge of taking or destroying classified documents, carries as one of its penalties disqualification from holding federal office in the future.

In other words, if Trump were to be tried and convicted on such a charge, he would become ineligible to run for president in the next election.

The specific issues raised in the warrant, as far as can be gleaned from press reports, are that Trump may have violated the Presidential Records Act, which requires the preservation of all written and electronic records related to a president's official duties.

The Act was passed by Congress and signed into law in response to the conduct of President Richard Nixon during the Watergate crisis, in which he sought to cover up his role in approving the burglary of the offices of the Democratic National Committee, and then in authorizing hush payments to the former CIA operatives who carried out the failed break-in.

Watergate led to Nixon resigning from the presidency in order to avoid impeachment, an action he took the night of August 8, 1974—coincidentally, the same date as the FBI raid on Trump.

A second track of criminal investigation of Trump reportedly relates to the plan to illegally name electors from key states where Biden won by only a narrow margin, and send these names to Washington to provide a pretext for challenging Biden's election during the January 6 ceremony in which Congress counts the electoral votes.

The Justice Department has searched the home of former Assistant Attorney General Jeffrey Clark, whom Trump was prepared to name as attorney general because he was willing to send an official letter to six states saying there was evidence of fraud. It also seized the cellphone of John Eastman, the law professor and Trump attorney who was the principal advocate of the scheme to substitute phony electors for those chosen by the voters.

The investigation related to the removal and destruction of White House documents comes amid mounting evidence of widespread destruction of evidence throughout the Trump administration in the wake of January 6. Once it became clear that the coup had failed, and that Democrat Joe Biden would be inaugurated on January 20, top officials in the White House, the Department of Defense, the Department of Homeland Security and other agencies began a systematic purge of evidence of their roles in the coup.

Photos obtained by Axios and published Monday purport to show a White House toilet stuffed with documents that Trump was seeking to flush, some with his own handwriting visible on them. Hours of White House visitor logs and phone records have disappeared, as reported by the House Select Committee investigating the January 6 attack.

Secret Service, DHS and Pentagon cellphones have been wiped clean of text messages on January 6 and for some days earlier, vital evidence of the actions of Trump, Acting Secretary of Defense Christopher Miller, Acting Secretary of Homeland Security Chad Wolf, and other top officials during the attempted coup.

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