Geoff Shepard: Pelosi, House Democrats' legal strategy at Trump impeachment trial is straight out of a sitcom

Of the many differences between the House impeachment efforts to remove Richard Nixon and Donald Trump, there is a huge omission not appreciated by today's commentators: Watergate Democrats had aggressive, active prosecutors involved in building their case against Nixon, whereas today the Democrats are relying on longtime politicians to concoct their charges against Trump.

Unlike now, the highly partisan members of the Watergate Special Prosecution Force (WSPF) were heavily involved in staffing the House Judiciary Committee (HJC) during its deliberations. Special Prosecutor Leon Jaworski even bragged to the Washington Post's Bob Woodward in a December 5, 1974 interview that:

"Most important 'focus' in his [Jaworski's] view was working out arrangement to get the material to House Judiciary…HJC was 'very slow' getting started, he sez, and would never have gotten off the ground without the info provided by the SPO [Special Prosecutor's Office]. It was a 'road map' he stressed more than a few times. Sez HJC 'had a very difficult time getting underway,' that Doar admitted to him. Doar 'an excellent man there. Still, he had nothing to catch hold of; he was engulfed by the Watergate Committee material' but it was badly organized and not nearly definitive enough. 'What we did — the first real step — was to cast the die.'"

TRUMP IMPEACHMENT TRIAL BEGINS WITH BITTER DISPUTE OVER RULES

Regardless of whether it was lawful and appropriate for technical members of the executive branch to staff an impeachment effort by the legislative branch, WSPF prosecutors supplied the precise and detailed testimony and other evidence from grand jury deliberations that enabled the HJC to properly frame its charges.

If Pelosi's legal strategy seems to be out of a sitcom that's because it is being

guided by politicians who are eager to play the role of prosecutor during a TV trial.

In contrast, when the Mueller investigation came up empty, House Speaker Nancy Pelosi and her crew rushed to find an alternative – anything to get rid of Trump.

Racing against a self-imposed political clock, they skipped the idea of a criminal investigation into Trump's Ukraine call because legitimate inquiries take time. Instead, they opted for what seemed like an attractive shortcut: impeachment.

That choice resulted in a politician-led kangaroo court during the House hearings. The American public was treated to brief and inconsistent questioning by alternating committee members – switching back and forth at five-minute intervals like a slow-motion Wimbledon tennis match – with each member grandstanding for their moment in the spotlight. This sloppy process resulted in a predetermined partisan success but now Democrats find themselves in a Senate trial without persuasive evidence whatsoever.

CLICK HERE TO SIGN UP FOR OUR OPINION NEWSLETTER

In Watergate, the Ervin Committee let counsel first question the witnesses, with members able to chime in afterward. The result was a far more cogent picture. Of course, chief counsel Samuel Dash later admitted that he had prepared and distributed suggested questions to committee members to avoid duplication or lapses in the preferred storyline.

Pelosi has now compounded her error by naming impeachment managers who badly mangled the House process. If her legal strategy seems to be out of a sitcom that's because it is being guided by politicians who are eager to play the role of prosecutor during a TV trial. Sure, they may have had legal experience earlier in their careers, but they are blinded by personal Trump hatred now.

We are in for a real treat: The Democrats are now being led by the bruised and disgraced Jerry Nadler and Adam Schiff. They are going up against Trump's handpicked dream team of practicing lawyers and nationally prominent legal scholars.

CLICK HERE FOR THE FOX NEWS APP

Yes, the House managers get to put their case on first, with all of America watching, but they also have bad facts: talk about trying to make a silk purse out of a sow's ear.

The two impeachment articles lack any real substance – there is no actual crime – so managers have little to work with in the first place. This will have become obvious by the time the Trump team is finished – and most Democrats will go into the November elections with less than anything to show for pursuing their impeachment fantasy.

CLICK HERE TO READ MORE FROM GEOFF SHEPARD

Geoff Shepard holds a law degree from Harvard and served as deputy counsel to President Nixon during the unfolding of the Watergate scandal. He is the author of "The Real Watergate Scandal, Collusion, Conspiracy, and the Plot that Brought Nixon Down" (Regnery, 2015). See more at www.geoffshepard.com.

Source:
https://www.foxnews.com/opinion/pelosi-house-democrats-legal-strategy-trump-impeachment-trial-geoff-shepard

[Disclaimer]