

Judge Orders Paul Manafort Jailed Before Trial, Citing New Obstruction Charges



Paul Manafort, President Trump's former campaign chairman, arrived for a hearing in federal court in Washington on Friday. Credit Erin Schaff for The New York Times

WASHINGTON — A federal judge revoked Paul Manafort's bail and sent him to jail on Friday to await trial, citing new charges that Mr. Manafort had tried to influence the testimony of two government witnesses after he had been granted a temporary release.

Mr. Manafort, President Trump's former campaign chairman, had posted a \$10 million bond and was under house arrest while awaiting his September trial on a host of charges, including money laundering and making false statements.

But Mr. Manafort cannot remain free, even under stricter conditions, in the face of new felony charges that he had engaged in witness tampering while out on bail, said Judge Amy Berman Jackson of United States District Court for the

District of Columbia. "This is not middle school," she said during a 90-minute court hearing. "I can't take away his cellphone."

The judge's order was the latest in eight months of legal setbacks for Mr. Manafort, as prosecutors have steadily added new charges since he was first indicted in October. Mr. Trump and members of his team lashed out against the judge's move, an attack that renewed talk about whether the president might issue pardons to curb a prosecutorial process in the special counsel's Russia inquiry that he describes as stacked against him.

"Wow, what a tough sentence for Paul Manafort, who has represented Ronald Reagan, Bob Dole and many other top political people and campaigns," Mr. Trump wrote on Twitter on Friday in which he appeared to confuse the judge's action with a sentence handed down after conviction. "Didn't know Manafort was the head of the Mob. What about Comey and Crooked Hillary and all of the others? Very unfair!"

Rudolph W. Giuliani, who serves as the president's personal lawyer, said that the judge had gone too far. He also said in an interview that Mr. Trump should not pardon anyone while the special counsel inquiry is still going on, but "when the investigation is concluded, he's kind of on his own, right?"

Judge Jackson's decision that Mr. Manafort could not be trusted to abide by the law unless he was behind bars makes it harder for the White House to dismiss the case against him as the work of overzealous prosecutors. The situation is particularly fraught for Mr. Trump because he is under investigation by the special counsel, Robert S. Mueller III, for one of the same offenses for which prosecutors have accused Mr. Manafort: obstruction of justice.

The judge went out of her way to dismiss the suggestion that Mr. Manafort was a victim of anything but his own actions. "This hearing is not about politics," she said. "It is not about the conduct of the special counsel. It is about the defendant's conduct."

In a superseding indictment filed last week, the prosecutors working for Mr. Mueller claimed that Mr. Manafort and a close associate had contacted two witnesses this year, hoping to persuade them to testify that Mr. Manafort had never lobbied in the United States for Viktor F. Yanukovich, the pro-Russia president of Ukraine until 2014.

The government says that Mr. Manafort violated the law by failing to report his domestic lobbying efforts to the Justice Department and by lying to the federal authorities about his activities.

The day after he was indicted in February in connection with those offenses, prosecutors claim, Mr. Manafort began trying to influence the accounts of two members of a public relations team who had worked with him. The prosecutors said that he had reached out to the two by phone, through encrypted messages and through Konstantin V. Kilimnik, a close associate in Russia.

Greg D. Andres, a prosecutor on Mr. Mueller's team, said Mr. Manafort's efforts were "not random outreaches," but part of "a sustained campaign over a five-week period" aimed at getting the witnesses to back up a false story that he had lobbied only in Europe.

Judge Jackson said she was particularly disturbed that some of the contacts occurred after Mr. Manafort had been specifically ordered by another federal judge to avoid all contacts with witnesses involved in Mr. Mueller's investigation or the prosecution of him. That judge is overseeing a separate case in Northern Virginia, where Mr. Manafort faces additional charges of tax evasion, bank fraud and failure to report foreign bank accounts.

"I have no appetite for this," Judge Jackson told Mr. Manafort shortly before he was led out of the courtroom to be transported to jail. "I have struggled with this decision."

But she said that even if she explicitly ordered Mr. Manafort never to contact any of the government's 56 witnesses, she could not be certain he would comply. "Will he call the 57th?" she asked.

She noted that she had previously warned Mr. Manafort about his conduct while on house arrest after prosecutors complained that he had broken the rules against contacts with the news media.

"I'm concerned you seem to treat these proceedings as another marketing exercise," she said. She implied that she was running out of patience with him, saying the case "continues to be to this minute extraordinary."

Mr. Manafort's lawyers suggested that he had reached out innocently to his

former colleagues, not knowing whether they had been contacted by Mr. Mueller's team. But Mr. Andres said Mr. Manafort was simply deceiving the court, just as he had deceived law enforcement agencies and tax authorities over the years.

"It's inconceivable that he did not know they were potential witnesses," he said.

Mr. Trump has sought to distance himself from Mr. Manafort, who worked for his campaign for nearly five months, including three months as campaign chairman, before he was ousted in August 2016 amid controversy over his Ukraine work. "Mr. Manafort worked for me for a very short period of time," the president said on Friday morning.

"He worked for me, what, for 49 days or something?" he added. "I feel badly for some people because they have gone back 12 years to find things" — an apparent reference to the allegations against Mr. Manafort.

Asked if he was considering pardons, Mr. Trump said: "I don't want to talk about that. No, I don't want to talk about that. But look, I do want to see people treated fairly."

Besides violating laws that require the disclosure of lobbying on behalf of foreign interests, the government alleges, Mr. Manafort laundered more than \$30 million in income he received over nine years of lobbying for Mr. Yanukovych and his political parties or allies.

As evidence that Mr. Manafort lobbied in the United States, prosecutors submitted a four-page memo that Mr. Manafort wrote to Mr. Yanukovych detailing his campaign to convince members of Congress, the State Department and the Western news media that Mr. Yanukovych was a champion of democratic reforms.

The government claims that the offenses are part of a complex financial conspiracy led by Mr. Manafort and aided by Rick Gates, Mr. Trump's deputy campaign chairman, and Mr. Manafort's right-hand man, Mr. Kilimnik, who has been linked to Russian intelligence.

Mr. Manafort's first trial, in Northern Virginia, is scheduled for next month.

Maggie Haberman contributed reporting.

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