

Presidential "Pardons"

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The power to pardon felons is vested in the Constitution. It is the one inheritance from the history of monarchy that we have, but unlike kings with unlimited rights to pardon, presidents have this power only for federal offences. Pardoning is enmeshed in norms. It has been understood that a president should not pardon someone for his own political motives. Compassion or policy motives were the usual reasons that a president pardoned a convict.

President Obama, for example, addressed the disproportionately severe imprisonments of non-violent drug users, mostly people of color.

President Clinton, who offered a last-minute pardon to a friend who committed monetary fraud, was criticized for this action. President Ford pardoned President Nixon, who would have faced prosecution for his corruption. Ford's motive was concern for the country, still raw from the impeachment process. He meant well, but it cost him his own presidency.

But President Trump, who is devoted to shattering all norms that constrain his notion of presidential power, has used his pardoning power to insult all his predecessors. He ignores the process of vetting that has been in place for decades. There actually is an Office of the Pardon Attorney in the Justice Department for investigation and review. The beneficiary of a pardon must acknowledge the crime and show regret. His beneficiaries do neither.

The pattern of his pardons illustrates his contempt for law and order, and his admiration for a range of felonies, including fraud, contempt of court, perjury, obstruction of justice, and even one of White Slave Traffic. Several of his clemencies were addressed to military criminals found guilty through military justice. Below is the chronological list of his Pardons and Clemency recipients.

Sherriff Joe Arpaio, Arizona's serial violator of court restraints on his abuse of prisoners.

Kristian Mark Saucier, a Connecticut Prosecutor who hid defense information.

I. Lewis Libby (Scooter) who obstructed justice, and committed perjury.

John Arthur Johnson, violation of the White Slave Traffic Act.

Dinesh D'Souza, campaign contribution fraud.

Dwight Lincoln Hammond: Arson to destroy US property.

Michael Chase Behenna, unpremeditated murder, assault (U.S. Army).

Patrick James Nolan, running a corporation through racketeering.

Conrad Moffat Black, mail fraud and obstruction of justice.

Michael Anthony Tedesco, drug conspiracies.

Roy Wayne McKeever, used telephone in distributing marijuana.

John Richard Bubala, illegal conversion of government property.

Chalmer Lee Williams, conspiracy to steal firearms in interstate shipments.

Rodney M. Takumi, illegal gambling business.

Zay Jeffries, conspiracy to violate the Sherman Act.

Mathew Golsteyn, premeditated murder, pardoned before Army trial.

Clint A. Lorance, attempted murder, murder, threats, perjury, obstructing justice (Army).

Angela Ronae Stanton, 17 counts of conspiracy to transport stolen vehicles.

Ariel Manuel Friedler, conspiracy to access a protected computer without authorization.

David Hossein Safavian, obstruction, false statements.

Michael Rober Milken, conspiracy, major securities fraud, tax fraud, violating net capital requirements.

Paul Harvey Pogue, false tax return.

Berhard Baily Kerik, obstructing Internal Revenue Laws, false statements on a loan application, false statements.

Edward J. DeBartolo Jr., misprision of a felony.

Rod Blagojevich, mail and wire fraud, attempts to extort money.

The predominant motives in President Trump's pardons appear to be paving the way to pardoning or commuting felons involved with his election and those whose crimes are similar to those under investigation against himself. Many involve monetary fraud, tax fraud, and conspiracies to conduct business in violation of laws. Trump sees nothing wrong in corruption; to him, crimes are only those committed by poor and minorities.

Another category is aimed at Military Justice, dismissing the Military Code by

pardoning or commuting sentences for very violent military men.

A third category are those pleas from personal friends or major contributors to his campaigns. A very few are sentimental, addressed to justice for women felons who have turned their lives around.

Only one is posthumous: Prize Fighter Jack Johnson, imprisoned for traveling interstate with his white girlfriend.

The recent frenzy of pardons and commutations look to some investigative journalists like promises of rewards to those loyal to him (pardons) and punishment (prosecutions) of his enemies. One more set of norms crashes to the ground.

678 words.

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