

Georgia special grand jury recommended charging 39 top Republicans, including Sen. Lindsey Graham, lawyer Cleta Mitchell and retired Gen. Michael Flynn

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A special purpose grand jury impaneled in Georgia last year to investigate interference in the 2020 election recommended charging 39 Republican politicians, operatives and lawyers with serious crimes related to former President Donald Trump's dictatorial efforts to overturn the vote. The number of criminals identified by the special grand jury is significantly greater than the 19 people charged last month by a Fulton County (Atlanta) grand jury overseen by Democratic District Attorney Fani Willis.

The report rebuts the central claim of the now-defunct House Select Committee on January 6, i.e., that the January 6 attack on the Capitol and the efforts to overturn the 2020 election were the work of Trump alone and a few enablers. After six months of witness testimony and careful deliberations, a majority of the 26 Fulton County residents who comprised the panel recommend charging dozens of Republicans politicians with felonies.

The 26-page report was released on Friday on the order of Fulton County Superior Court Judge Robert C.I. McBurney, who issued a redacted version of the report in February that did not include any names. McBurney waited to release the full report until after District Attorney Willis released her indictment last month.

The special grand jury met from June 2022 through December 2022 and heard testimony from 75 witnesses. Unlike the regular grand jury that was impaneled earlier this year, the special purpose grand jury did not have authority under Georgia law to issue indictments, only recommendations. Charges recommended by the special grand jury included a variety of felonies—from criminal solicitation to conspiracy to commit a crime, Racketeer Influenced and Corrupt Organization (RICO) violations, forgery, filing false documents, perjury and influencing witnesses.

Eighteen of the 19 people indicted last month by the regular grand jury were recommend for charges in the special grand jury final report, including Trump, his coup lawyers John Eastman, Kenneth Chesebro and Jenna Ellis, and former US assistant attorney general Jeffrey Clark.

Those listed in the special purpose report, but not indicted last month, could still be charged with crimes related to attempting to overturn the election. That over half of them have yet to be charged with a crime, nearly three years after many of them began engaging in criminal activity, is a testament to the ongoing cover-up of Trump's failed coup, which had, and retains, immense support not only in the Republican Party, but also in major government institutions and in the ruling class.

In its report, the special grand jury recommend charges against Trump related to his January 2, 2021 phone call to Georgia Secretary of State Brad Raffensperger in which Trump implored Raffensperger to "find" the 11,780 votes he needed to overcome Biden's margin of victory in the state. The report also focused on crimes related to other efforts to pressure Georgia officials, false statements given before the Georgia state legislature, harassment of election workers, the breach of voting equipment in Coffee County, Georgia, and the gathering of fake electors.

While the final report does not include witness statements or jurors' notes, it does include a breakdown of the statutes and the votes of each juror as to whether individuals should be criminally charged. Jurors could vote "yea" "nay" or "abstain." In the case of Trump, jurors overwhelmingly recommended charges for RICO violations, witness tampering, filing false documents, criminal solicitation and intentional interference in an election.

The jury likewise recommend that the same charges be filed

against top Republican lawyer Cleta Mitchell. Mitchell was on the January 2 phone call with Trump, Mark Meadows and Raffensperger. The *New York Times* previously reported that on the call, Mitchell pressured Raffensperger to turn over confidential voter data to be used by the Trump campaign to advance its stolen election lie.

Mitchell is a self-declared “very dear friend” of Virginia Thomas, the wife of arch-reactionary and notoriously corrupt Supreme Court Justice Clarence Thomas. Prior to the November 2020 election and in the lead-up to the coup, Mitchell served as a direct conduit between “Ginni” and Clarence Thomas and Trump’s coup lawyers, including former Thomas law clerk John Eastman. As previously explained by the WSWS, the anti-democratic legal theory that state legislatures, not voters, choose presidential electors emanated not from Trump, but from Clarence Thomas and the Supreme Court.

It is highly revealing that Mitchell was not charged by the regular grand jury last month, despite the special grand jury overwhelmingly voting to charge her with the same crimes as those committed by Trump. The most likely explanation for this is the consistent attempt by the Democratic Party to conceal the fact that Trump’s coup was not the product of one deranged fascist and a few enablers, but a wide-ranging plot that had the backing of virtually the entire Republican Party and high-level elements in the US state, including the Supreme Court. In failing to charge Mitchell, the Democrats are protecting the Thomases and the Supreme Court as an institution of class rule.

The special grand jury investigated the broader conspiracy, beyond Georgia, to overturn Biden victories in other highly contested swing states. Its report refers to “the national effort to overturn the 2020 presidential election, focused on efforts in Georgia, Arizona, Wisconsin, Michigan, Pennsylvania, and the District of Columbia.” In this connection, a majority of the special grand jury voted in favor of charging, under the Georgia RICO statute, former senators Kelly Loeffler and David Perdue of Georgia and current South Carolina Senator Lindsey Graham.

Racketeering charges were also recommended against former Trump national security advisor and retired General Michael Flynn, as well as Cleta Mitchell and the current lieutenant governor of Georgia, William “Burt” Jones.

Flynn, a prominent supporter of the fascist QAnon conspiracy cult, is an important link to forces within the military command who played a critical role in enabling Trump’s mob to lay siege to the US Capitol in order to delay the official counting of the Electoral College vote on January 6. His brother, Gen. Charles Flynn, was among the Pentagon Brass who conspired to block the dispatch of D.C. National Guard troops to clear the insurrectionists from the Capitol. Since the failed coup, Gen.

Charles Flynn has been promoted to the post of US Army Pacific commanding general. The Democrats’ failure to indict Michael Flynn is part of their cover-up of the role of the military in the January 6 coup attempt.

Then-senators Loeffler and Perdue were very public in their support for Trump’s efforts to overturn the vote in Georgia. On November 9, 2020, two days after most media organizations declared Joe Biden the winner of the presidential election, Senators Loeffler and Perdue released a joint statement calling on Raffensperger to resign due to unspecified “failures” in regard to the election. Seeking Trump’s support in their January 5 run-off elections, which they both lost, Perdue and Loeffler echoed Trump’s lie that masses of “illegal” votes had been cast.

Less than a week later, Raffensperger publicly accused Senator Graham of calling his office and hinting that he should discard mail-in ballots from certain counties. Raffensperger said he was “stunned” that Graham, who at the time was chair of Senate Judiciary Committee, appeared to be suggesting that Raffensperger find a way to toss out legally cast votes.

On the same day that Graham called Raffensperger, Trump-aligned lawyer Lin Wood—also recommended for RICO charges by the special grand jury—filed a lawsuit seeking to block the certification of the election until every single mail-in ballot envelope had been inspected.

Responding to being named in the special grand jury report, Senator Graham obliquely threatened his political opponents should charges be filed against him. “I’m very worried about the country right now,” he said. “Fulton County is one of the most liberal jurisdictions in the country. I fear this will spread.”

Graham also reiterated his support for Trump, saying, “I proudly stand with him.” He denounced the special grand jury report as another effort by the Democrats to “weaponize the law.”

For his part, Trump claimed on his social media platform that the special grand jury report had “ZERO credibility” and was the work of an “out of control ‘prosecutor.’”



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