

Third Trump coup lawyer pleads guilty and agrees to testify in Georgia election case

Jacob Crosse
24 October 2023

On Tuesday, former Trump coup lawyer Jenna Ellis became the third lawyer to plead guilty in the ongoing Georgia criminal case led by Fulton County District Attorney Fani Willis. Ellis, Donald Trump and 17 others were indicted just over two months ago for their actions in attempting to overthrow the presidential election in Georgia following Trump's 2020 defeat.

As was the case with coup lawyers Kenneth Chesebro and Sidney Powell, Ellis has agreed to testify against her fellow co-defendants, which include her mentor, former New York City Mayor Rudy Giuliani.

Potentially facing a multi-year prison sentence, Ellis, 38, pleaded guilty to one charge of aiding and abetting false statements and writings, a felony. Ellis, like Chesebro and Powell, will not spend a single day in jail despite her leading role in conspiring for months with Trump and his inner circle to overturn the election and enable Trump to remain in power as de facto dictator. She was sentenced to five years of probation and ordered to pay \$5,000 in restitution to the state of Georgia and also perform 100 hours of community service. She was, moreover, ordered to submit a letter of apology to the state, which she has already written.

Like Chesebro and Powell, Ellis was facing a felony charge under Georgia's RICO (Racketeer Influenced and Corrupt Organizations) law. Ellis was also charged with solicitation of violation of oath by public officers. This charge is related to a December 3, 2020 Georgia Senate Judiciary Subcommittee meeting in which Ellis, Giuliani and Trump coup lawyer John Eastman argued that the state legislature could appoint its own slate of presidential electors.

In contrast to Powell and Chesebro, Ellis volunteered to give a statement to the court. Appealing to far-right

supporters who, prior to her agreeing to a plea deal, donated over \$200,000 to her legal defense on the Christian fundraising site "Give Send Go," Ellis said, "As an attorney who is also a Christian, I take my responsibilities as a lawyer very seriously, and I endeavor to be a person of sound moral and ethical character in all of my dealings."

While Ellis remains a loyal Republican operative, prior to her plea deal she went public with her anger over Trump's refusal to pay the mounting legal bills of his lawyer co-conspirators. This past August on Twitter/X, Ellis posted, "I was reliably informed Trump isn't funding any of us who are indicted."

Responding to Conservative Political Action Conference (CPAC) Chairman Matt Schlapp, Ellis added, "Would this change if he became the [Republican Party presidential] nominee? Why then, not now? I totally agree this has become a bigger principle than just one man. So why isn't MAGA, Inc. funding everyone's defense?"

In court on Tuesday, Ellis posed as a doe-eyed babe who was led astray by more senior lawyers "with many more years of experience than I." She said, "What I did not do, but should have done, your honor, was to make sure that the facts the other lawyers alleged to be true were, in fact, true. In the frenetic pace of attempting to raise challenges to the election in several states including Georgia, I failed to do my due diligence," Ellis confessed.

This, of course, is a fraud. Ellis, along with her fellow conspirators, including Trump and other top Republican officials, knew full well that their claims of widespread voting irregularities and a "stolen election" were false.

In an interview this past summer on *Newsmax*, Giuliani noted the close relationship he had with Ellis and the pivotal role she played in the failed coup. "She was my

number two,” he said. “She was excellent, and she was firmly convinced ... she was the one who recommended Professor Eastman.”

Giuliani added, “There is no one who was more zealous about the fact that this was a stolen election than Jenna Ellis, and I think that anyone on that team would testify to that.” Giuliani said he would find it “very, very hard to believe” that Ellis would ever flip on Trump.

As Giuliani’s “number two,” she traveled the country with him in November and December 2020, lobbying Republican politicians from Pennsylvania, Arizona, Michigan, Georgia, Nevada, Wisconsin and New Mexico, in-person and over the phone, to take matters into their own hands and appoint their own, illegitimate electors.

Ellis’s testimony before the House Select Committee on January 6 sheds further light on the close relationship she had with Trump’s inner circle. In addition to coordinating with the White House while operating out of the Willard Hotel, Ellis exchanged over 350 text messages with Trump’s last White House chief of staff, Mark Meadows, in the lead-up to the attempted coup of January 6, 2021.

Investigators for the now-defunct Select Committee questioned Ellis on her relationship with then-Pennsylvania State Senator Doug Mastriano, who, alongside Pennsylvania Republican Congressman Scott Perry, spearheaded the effort to overturn the Electoral College vote in Pennsylvania.

The committee questioned Ellis about several emails exchanged between her, Mastriano and several others Republican officials about “reaching out” to Dominion Voting Systems for “access” to machines and to acquire “ballot images.”

In over 66 pages of testimony, Ellis repeatedly invoked the Fifth Amendment to avoid self-incrimination and refused to answer a majority of the questions asked of her. This included whether or not she was asked to speak at Trump’s rally at the Ellipse on January 6, her emails with Mastriano and the nature of her activities at the Willard Hotel.

When the efforts of Giuliani and Ellis to lobby state legislatures failed, they turned their pressure campaign toward then-Vice President Mike Pence. On December

31, 2020, less than a week before the attack on Congress, Mark Meadows forwarded to Pence a memorandum authored by Ellis in which she outlined how Pence could overturn the election on January 6 by not accepting the Electoral College slates from six states that Trump had lost.

In a separate January 5 memorandum that was forwarded to Pence from the White House, Ellis argued that Pence could ignore certain provisions in the Electoral Count Act because they were allegedly “unconstitutional.” Ellis argued that Pence should simply halt the certification on January 6 as soon as he began counting Arizona’s Electoral College votes, at which point he would unilaterally declare that the state had failed to meet the legal standard for certifying electors.

Ellis now claims that her directives to Pence were nothing more than legal ruminations. But in an interview published on January 4, 2021, 48 hours before the attack on Congress, Ellis declared:

What Mike Pence could do, and what he should do, in fact, is to direct a question back to the state legislatures when there are two competing slates of delegates from these six states. He can ask that question to the states and say, “well, state legislators, you know, I have an oath to the Constitution to uphold the Constitution as written in Article II Section 1.2, which says the state legislatures direct the manner in which electoral delegates are selected.”

This is the exact same legal “reasoning” employed by far-right conspirator Virginia “Ginni” Thomas, wife of Supreme Court Justice Clarence Thomas, in her dozens of emails to Republican legislators in the same swing states, won by Joe Biden, where Ellis was imploring Pence to reject the legitimate Electoral College slates.



To contact the WSWs and the Socialist Equality Party visit:

wsws.org/contact