

Trump hush money trial enters third week with more details about payoffs and right-wing influence

Kevin Reed
30 April 2024

The New York criminal trial of Donald Trump for falsifying business records in connection with hush money payments to adult film star Stormy Daniels prior to the 2016 presidential election entered its third week on Tuesday.

Prosecutors called Keith Davidson, the attorney who represented both Stormy Daniels and former *Playboy* model Karen McDougal, two women who said they had sexual relationships with Trump and were paid to keep quiet about it.

Davidson had detailed knowledge of the negotiations over the \$150,000 payment made to McDougal and the \$130,000 payment to Daniels through Trump's fixer attorney, Michael Cohen. Both McDougal and Daniels allege they had affairs with Trump in 2006. Trump has denied the relationships and accused both women of lying.

During hours of testimony, Davidson reviewed the process by which the amounts of hush money were agreed to by Cohen on behalf of Trump, corroborating a central element of the prosecution's case. At one point, Davidson told the jury, "Michael Cohen didn't have the authority to actually spend money. My understanding was that Mr. Trump was the beneficiary of this contract."

Responding to the prosecution's presentation of text and email messages between the two lawyers during the negotiations, Davidson detailed the gangster-style tactics used by Cohen, which he called "a hostile barrage of insults."

The Stormy Daniels agreement was signed on October 14, 2016, but when it became apparent that Trump was seeking to stretch out the process past election day and renege, Davidson said he was walking

away from it. Cohen then wired the money to Daniels on October 26, just nine days before the 2016 presidential election.

In the instance of McDougal, Davidson reviewed the negotiations on the "catch-and-kill" scheme in which American Media, Inc.—owner of the *National Enquirer*—agreed to pay \$150,000 for the exclusive rights to her story, with the intention of not publishing it. Davidson reviewed his text exchanges with *National Enquirer* editor Dylan Howard in June 2016, in which he wrote, "I have a blockbuster Trump story."

The description by Davidson on the stand substantiated that of David Pecker, publisher of the *National Enquirer*, who testified last week that he, Trump and Cohen had reached an agreement to use the tabloid to bolster Trump's 2016 presidential campaign. Pecker said he had agreed to help Trump head off negative media reports like those of McDougal and Daniels.

Other witnesses who testified on Tuesday included Michael Cohen's former banker Gary Farro, who reviewed the financial process Cohen used to transfer the \$130,000 payment to Daniels, and Robert Browning, executive director of C-SPAN archives, who reviewed video clips of Trump's responses to the infamous "Access Hollywood" tape that was released one month before the election.

The testimony on Tuesday added more details to facts that have already been revealed about the seamy, behind-the-scenes machinations of Donald Trump, who was then the nominee and is now the presumptive Republican Party candidate for US president.

The hush money trial proceedings have also provided a glimpse of the extent to which payoffs and illegal

exchanges of money, along with the influence of extremely reactionary forces, are at work within the American political system.

Trump has been charged with 34 counts of falsifying business records related to reimbursing Cohen for the Daniels' payment. He has pleaded not guilty to all counts.

As explained previously here on the WSWs, of the numerous indictments against Trump, the hush-money case is the only one to come to trial. The presence of a former US president as the defendant in a criminal trial is historically unprecedented, the outcome of a decades-long and intensifying crisis of the political system of American capitalism. At the same time, the charges in the New York trial are not connected with Trump's conspiracy to overthrow the 2020 presidential election, which culminated in the fascist attack on the US Capitol on January 6, 2021.

As the WSWs Perspective column of April 19 explained:

The Biden administration and the Democratic Party have no interest in holding Trump to account criminally for his crimes against democratic rights because to do so would expose the broad—and continuing—support within substantial sections of the ruling class and the state apparatus for the attempted coup, further undermining the two-party political monopoly in the US.

Before the jury was called into the courtroom on Tuesday, Judge Juan Merchan fined Trump for nine violations of a gag order barring him from publicly discussing witnesses or the jury in the case. Judge Merchan, a justice of the New York State Supreme Court, acted in response to a motion filed by prosecutors that Trump be held in contempt over social media posts and public comments about Cohen, Daniels and the makeup of the jury pool. The fine was \$1,000 per violation.

Judge Merchan also ordered Trump to remove the posts by Tuesday afternoon, which the ex-president did. In his decision, the judge wrote that the court would not tolerate “willful violations of its lawful orders and that

if necessary and appropriate under the circumstances, it will impose an incarceratory punishment.”



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