



## **Background and Context for Mueller Indictment from ACS-CREW Presidential Investigation Education Project**

October 30, 2017 -- The American Constitution Society (ACS) and Citizens for Responsibility and Ethics in Washington (CREW) are partnering to promote informed public evaluation of the investigations by Special Counsel Robert Mueller and others into Russian interference in the 2016 election and related matters. The joint effort will be called the **ACS-CREW Presidential Investigation Education Project**. It will include developing and disseminating legal analysis of key issues that emerge as the inquiries unfold. The project also will connect the press and members of the public with ACS and CREW experts and other legal scholars who are writing on these matters.

In light of the reported impending indictment by the Special Counsel, ACS and CREW have put together the links below to recent writing by those associated with our two organizations concerning the investigations. If you have questions about any of these materials or would like to consult with our experts on unfolding events, please contact Katherine Shek, [kshak@acslaw.org](mailto:kshak@acslaw.org) or Jordan Libowitz, [jlibowitz@citizensforethics.org](mailto:jlibowitz@citizensforethics.org).

### **Special Counsel Investigative Authority, Procedures, and Precedent**

#### **Need for a Legal Counsel**

- Politico: [Time for a Special Counsel in the Russiagate Scandal](#)

#### **Fallout From the Comey Dismissal**

- ACS Briefing Call: [The Fallout From the Comey Dismissal](#)
- ACSblog: [First Tragedy, Now Farce](#)

### **Why a Special Prosecutor is Essential?**

- ACSblog: [A Special Prosecutor is Essential, But How?](#)

### **Options if Violations Found**

- ACSblog: [Mueller Will Face Tough Choices If He Finds Trump Broke the Law](#)

### **Sessions Recusal Issues**

- ACSblog: [Senators Could Bring Clarity to Attorney General Sessions' Strangely-Worded Recusal](#)

## **Impediments to Trump Firing the Special Counsel**

### **Analysis of Different Approaches to Firing Mueller**

- ACSblog: [If the Rumors are True: President Trump and the Firing of Bob Mueller](#)

### **Rebuttal to Mueller Conflict-of-Interest Arguments**

- The Washington Post: [The White House May Claim Mueller Has Conflicts of Interest. Oh, the Irony](#)

### **Rebuttal to Arguments Mueller Exceeding Mandate**

- ACSblog: [Irresponsible to Attack Mueller for Exceeding His Mandate?](#)

### **Options in the Event Mueller is Fired**

- ACSblog: [Plan A and Plan B If Donald Trump Fires Special Counsel Bob Mueller](#)

## **Implications of Potentially Removing Sessions**

- ACS Briefing Call: [All the President's Men? Sessions, Mueller and the Rule of Law](#)

## **Saturday Night Massacre**

- ACSblog: [Another Saturday Night Massacre?](#)

## **Questions for FBI Director Nominee Wray**

- ACSblog: [Top 2 Questions for FBI Chief Nominee Christopher Wray: Did He Set Any Conditions Before Getting the Nod? Did Trump?](#)

## **Pardon Power**

### **Granting Pardons Could Aid Prosecution**

- ACSblog: [The President's Pardons Paradox: Granting Them Could Aid the Prosecution](#)

### **Implications of Arpaio Pardon**

- ACSblog: [A Presidential Pardon for Joe Arpaio?](#)

### **Self-Pardon**

- ACSblog: [A Self-Pardon?](#)

## **Possible Federal Crimes**

### **Obstruction of Justice**

- The Brookings Institution Report: [Presidential Obstruction of Justice: The Case of Donald J. Trump](#)
- The Brookings Institution blog: [Did President Trump Obstruct Justice?](#)
- ACSblog: [Obstruction of Justice Case Against Trump Only Scratches the Surface](#)
- ACSblog: [Did President Trump Obstruct Justice?](#)
- ACSblog: [Comey's Answers to the Right Questions Could Take Us Into Impeachment Territory](#)
- USA Today: [After Comey Firing, Congress Must Stand Up to Trump](#)
- The New York Times: [The Criminal President?](#)
- The New York Times: [Comey's Case for Obstruction of Justice](#)

### **Money Laundering**

- ACSblog: [The Reach of the Money Laundering Laws and the Curious Settlement Involving Prevezon Holdings](#)

### **Donald Trump Jr.**

- The New York Times: [Did Donald Trump Jr. Break the Law?](#)

### **Tweets Pose Legal Risks**

- USA Today: [President Trump's Twitter Habit Puts Him Keystrokes Away From Breaking Laws](#)

## **Congressional Investigations and Precedents**

### **Argument for Immunity for Flynn**

- The New York Times: [Trump Is Right: Give Michael Flynn Immunity](#)

## **Need for Congressional Oversight**

- ACSblog: [We Can't Count on Robert Mueller to Tell Us What We Need to Know](#)
- USA Today: [After Comey Firing, Congress Must Stand Up to Trump](#)

## **How Congress and the Special Counsel Work in Parallel**

- ACSblog: [Inside the Russia Investigations: How Congress and the Special Counsel Work in Parallel](#)

## **Funding for Congressional Investigations**

- ACSblog: [Following the Money on Senate Russian Investigations](#)

## **Guide to the Different Russia Investigations**

- ACSblog: [A Consumer's Guide to the Trump-Russia Investigations](#)

## **Ethics Issues**

### **Trump Shouldn't Pay Legal Fees**

- USA Today: [Trump offer to Pay Russia Probe Legal Bills for Aides is a Terrible Idea](#)

### **Ethics Issues Loom in Russia Investigation and Other Areas**

- USA Today: [Contempt for Ethics Hobbles Trump: Painter and Eisen](#)