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# The Legal Perils That Michael Cohen's Guilty Plea Poses for Donald Trump

By Jeffrey Toobin  
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The timing of the guilty plea from Donald Trump's former personal lawyer, Michael Cohen, is extremely significant.

*Photograph by Drew Angerer / Getty*

The question at the heart of the Russia investigation has always been one of motive. Why has Donald Trump, both as a candidate and as the President, been so solicitous of Russia and of its leader, Vladimir Putin? Why did Trump praise Putin so obsequiously during the campaign? Why did the Trump campaign steer the Republican Party platform in a more pro-Russia direction? Why does Trump still refuse to criticize Putin and Russian actions around the world?

The guilty plea that Michael Cohen, Trump's former personal attorney, entered on Thursday morning, at a federal-court hearing in Manhattan, goes a long way toward answering those questions. Once again, with Trump, it seems, the answers come down to money. In September of last year, in testimony before the Senate Select Committee on Intelligence, Cohen said that he made efforts on Trump's behalf to negotiate the building of a Trump Tower in Moscow but that those efforts had ended in failure, in January of 2016, and were rarely discussed again. But, on Thursday, Cohen admitted that this had been a lie; he acknowledged that he had continued to negotiate on Trump's behalf well into 2016, until at least June, when Trump was already the presumptive Republican Presidential nominee. In other words, while Trump was running for President, his company was simultaneously (and secretly) negotiating with Russia to build a tower. Since Putin and his government effectively control all such developments in Russia, they held the fate of the project in their hands. As I wrote in the magazine in February, Trump had dreamed of building in Moscow for decades, and had travelled to the Russian capital as far back as the nineteen-eighties to try to make it happen. (Not incidentally, when I spoke to Cohen for the February story, he told me the same lies about the project that he had told the Senate.)

The timing of Cohen's guilty plea is significant. It seems that the prosecution team, led by Robert Mueller, the special counsel, delayed Cohen's admission of guilt until after Trump and his legal team had submitted the President's written answers to Mueller's questions, which he did earlier this month. Mueller surely asked Trump about the Moscow negotiation, and the President's answers were likely locked in before he and his lawyers could factor in Cohen's admissions. If those answers were to conflict with Cohen's latest version of events, it would potentially be a matter of great peril for the President. Mueller's prosecutors made it clear in court on Thursday that they believe that Cohen is now telling the truth. The charging document from the guilty plea, prepared by the Mueller office, shows that Cohen's account is corroborated by multiple contemporaneous e-mails between him and an "Individual 2," who is likely Felix Sater, a frequent Trump business associate. (Sater is not named in the document.)

On Thursday morning, as Trump was leaving the White House for the Group of 20 summit, in Buenos Aires, he both minimized Cohen's new version of the facts and

asserted that the new version is false. (“Michael Cohen is lying and he’s trying to get a reduced sentence for things that have nothing to do with me.”) Trump said that his Moscow deal was widely known when he was running for President (it wasn’t), and that, as a private developer, he was entitled to make such deals. He then cancelled a previously announced meeting with Putin at the G-20, allegedly because of Russia’s current dispute with Ukraine.

It’s true that Trump had the right to do business in Russia during the time when he was a candidate, but the public also had a right to know where his true financial interests lay. It would have been highly relevant to the public to learn that Trump was negotiating a business deal with Russia at the same time that he was proposing to change American policy toward that country. Not only was the public deprived of this information but Cohen’s guilty plea indicates that voters were actively misled about Trump’s interests. That is what is so important about Thursday morning’s news—it says that while Trump was running for President, he was doing his private business, not the public’s business. Trump may believe that his interest is the national interest, but it wasn’t true then, and it’s not true now.

*Jeffrey Toobin has been a staff writer at The New Yorker since 1993 and the senior legal analyst for CNN since 2002. He is the author of, most recently, “American Heiress: The Wild Saga of the Kidnapping, Crimes and Trial of Patty Hearst.”*

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