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[www.washingtonpost.com/politics/2019/04/23/charges-mueller-suggests-trump-could-be-charged-with](http://www.washingtonpost.com/politics/2019/04/23/charges-mueller-suggests-trump-could-be-charged-with/)

The 5 crimes Mueller suggests Trump could be charged with

By [Aaron Blake](#), April 23, 2019

For many, the [Mueller report](#) is a frustrating document. Special counsel Robert S. Mueller III cleared President Trump of conspiring with Russia, but he decided it wasn't his place to accuse a sitting president of obstruction of justice. So even if Mueller, in his heart of hearts, believes Trump broke the law, he is leaving it for Congress and voters to decide. That means we all get to decipher a 448-page document.

It's a far cry from independent counsel Kenneth Starr's report on Bill Clinton two decades ago. In that document, Starr laid out [11 impeachable offenses](#) and directly accused Clinton of lying under oath (five offenses) and obstruction of justice (five offenses).

But if you look closely at Mueller's words, there's an argument to be made that he is effectively accusing Trump of at least four and possibly five obstruction of justice offenses. Or, to be more circumspect, you could say he detailed four to five acts that would meet the legal threshold to be charged as crimes — if Trump weren't president of the United States.

Let's explain.

Toward the top of Volume II of Mueller's report, Mueller notes the three criteria used to determine obstruction of justice:

1. "an obstructive act"
2. "a nexus between the obstructive act and an official proceeding, and ..."
3. "a corrupt intent"

Basically, it's not enough to just prove someone obstructed something; you also need to prove that the action could actually impact the legal process *and* that the person had such a nefarious intent.

The Mueller report details [10 areas in which Trump could be viewed as obstructing justice](#) and then analyzes each of them for these three criteria. It does not directly say whether each criterion has been satisfied, but it's possible to deduce from Mueller's words whether he believes the evidence supports that conclusion.

Some folks have decoded these sections and created charts laying out which of the 10 areas they see ticking all three boxes. Here's [Lawfare's Quinta Jurecic](#), who uses dark red for areas in which she sees Mueller saying the criteria have been satisfied with substantial evidence (so basically, the areas that have three dark red boxes would be the most chargeable offenses):

Here's the revised version! It's prettier <https://t.co/NVqzOPgNzF> [pic.twitter.com/DTM5anvXEL](https://pic.twitter.com/DTM5anvXEL)

— Quinta Jurecic (@qjurecic) [April 22, 2019](#)

And here's a similar chart from lawyer Richard Hoeg, who uses green to signify the criteria that have been satisfied:

As promised, here is my table of interpretations of the [#MuellerReport](#) obstruction descriptions (keeping in mind that it makes no conclusions on its own).

Please feel free to share around, as I feel there is a bit of misinformation out there. [pic.twitter.com/9U4ABYmT52](https://pic.twitter.com/9U4ABYmT52)

— Richard Hoeg (@HoegLaw) [April 19, 2019](#)

As you can see, there are some differences in the charts. Part of that is because Hoeg used a binary, "Yes"-or-"No" system, while Jurecic used a more nuanced one. Jurecic also separates out the last two areas, which are multifaceted and are also broken into pieces by Mueller's report.

Another reason for that is this is a subjective exercise. [Jurecic's analysis](#) is worth a read, but I decided to go through all 10 analysis sections to decide for myself. And I found that, in five of the 10 areas, Mueller seems to believe that all three criteria to charge a crime are supported by evidence.

Here's a breakdown:

## **1. Trump's conduct toward Paul Manafort's cooperation**

**Obstructive act:** "With respect to Manafort, there is evidence that the President's actions had the potential to influence Manafort's decision whether to cooperate with the government."

**Nexus:** "The President's conduct towards Manafort was directly connected to the official proceedings involving him."

**Corrupt intent:** "Evidence concerning the President's conduct towards Manafort indicates that the President intended to encourage Manafort to not cooperate with the government."

This section also includes (1) Trump's actions toward Michael Flynn and (2) Trump's actions toward Manafort when it comes to influencing his jury. On those two, Mueller determines that Trump's intent is not so clearly corrupt. But when it comes to Manafort's cooperation with the government, Mueller says all three criteria for obstruction are supported by evidence. Unlike some of the ones below, though, he doesn't call it "substantial evidence."

## **2. Efforts to have Donald McGahn deny that Trump tried to fire Mueller**

**Obstructive act:** “Evidence indicates that by the time of the Oval Office meeting the President was aware that McGahn did not think the story was false and did not want to issue a statement or create a written record denying facts that McGahn believed to be true. The President nevertheless persisted and asked McGahn to repudiate facts that McGahn had repeatedly said were accurate.”

**Nexus:** “The President’s efforts to have McGahn write a letter ‘for our records’ approximately ten days after the stories had come out — well past the typical time to issue a correction for a news story — indicates the President was not focused solely on a press strategy but instead likely contemplated the ongoing investigation and any proceedings arising from it.”

**Corrupt intent:** “Substantial evidence indicates that in repeatedly urging McGahn to dispute that he was ordered to have the Special Counsel terminated, the President acted for the purpose of influencing McGahn’s account in order to deflect or prevent further scrutiny of the President’s conduct towards the investigation.”

Mueller entertains the idea that Trump’s action here might not have met the second criterion of having a nexus to an official proceeding — that perhaps Trump was trying to combat a story he believed to be inaccurate rather than trying to impact an investigation. But then Mueller goes on to downplay that possibility and says firmly that there is “substantial evidence” he was trying to escape legal scrutiny.

### **3. Efforts to curtail the Mueller probe**

**Obstructive act:** “Taken together, the President’s directives indicate that [Attorney General Jeff] Sessions was being instructed to tell the Special Counsel to end the existing investigation into the President and his campaign with the Special Counsel being permitted to ‘move forward with investigating election meddling for future elections.’”

**Nexus:** “By the time of the President’s initial one-on-one meeting with [former campaign manager Corey] Lewandowski on June 19, 2017, the existence of a grand jury investigation supervised by the Special Counsel was public knowledge.”

**Corrupt intent:** “Substantial evidence indicates that the President’s effort to have Sessions limit the scope of the Special Counsel’s investigation to future election interference was intended to prevent further investigative scrutiny of the President’s and his campaign’s conduct.”

Mueller doesn’t specifically say there is evidence of a nexus, but Trump’s action was specifically about the investigation. So the nexus is pretty clear. And Mueller sees “substantial evidence” that Trump was doing this to prevent legal scrutiny of himself and his campaign.

### **4. Efforts to fire Mueller**

**Obstructive act:** “This evidence shows that the President was not just seeking an examination of whether conflicts existed but instead was looking to use asserted conflicts as a way to terminate the Special Counsel.”

**Nexus:** “Substantial evidence indicates that by June 17, 2017, the President knew his conduct was under investigation by a federal prosecutor who could present any evidence of federal crimes to a grand jury.”

**Corrupt intent:** “Substantial evidence indicates that the President’s attempts to remove the Special Counsel were linked to the Special Counsel’s oversight of investigations that involved the President’s conduct — and, most immediately, to reports that the President was being investigated *for* potential obstruction of justice. . . . [Trump’s] denials are contrary to the evidence and suggest the President’s awareness that the direction to McGahn could be seen as improper.”

Again, the keys words here are “substantial evidence.” Basically, Mueller doesn’t believe Trump’s claim that he was just trying to scrutinize Mueller’s conflicts and didn’t actually try to fire Mueller. He also notes Trump was advised to avoid actions that he later took — suggesting he knew they were problematic.

## 5. Conduct involving Michael Cohen

**Obstructive act:** “The evidence concerning this sequence of events could support an inference that the President used inducements in the form of positive messages in an effort to get Cohen not to cooperate, and then turned to attacks and intimidation to deter the provision of information or undermine Cohen’s credibility once Cohen began cooperating.”

**Nexus:** “The President’s relevant conduct towards Cohen occurred when the President knew the Special Counsel’s Office, Congress, and the U.S. Attorney’s Office for the Southern District of New York were investigating Cohen’s conduct.”

**Corrupt intent:** “In analyzing the President’s intent in his actions towards Cohen as a potential witness, there is evidence that could support the inference that the President intended to discourage Cohen from cooperating with the government because Cohen’s information would shed adverse light on the President’s campaign-period conduct and statements.”

This one might be the most tenuous of the five potentially chargeable offenses Mueller lays out. Mueller doesn’t say the “evidence supports” or that “substantial evidence” supports conclusions that Trump’s actions were criminal. He instead repeatedly refers to how the evidence “could support an inference” of an obstructive act and “could support the inference” of corrupt intent. But he doesn’t land firmly on whether those inferences are the most compelling explanations. At the same time, Mueller lays out a number of ways in which Trump could have had nefarious motives, including:

- Cohen’s false testimony could minimize connections between Trump and Russia — “a goal that was in the President’s interest, as reflected by the President’s own statements.”
- “The President may have been concerned about what Cohen told investigators about the Trump Tower Moscow project.”

- “The President’s concern about Cohen cooperating may have been directed at the Southern District of New York investigation into other aspects of the President’s dealings with Cohen rather than an investigation of Trump Tower Moscow.”
- "The timing of the statements supports an inference that they were intended at least in part to discourage Cohen from further cooperation.”

Whether any of these charges would be brought if Trump weren’t the sitting president is impossible to say. But on each of them, Mueller seems to believe that the three criteria to potentially charge and prove a crime have been satisfied. And on Nos. 2, 3 and 4, he seems to be pretty firm about it.

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## Lawfare

<https://www.lawfareblog.com/obstruction-justice-mueller-report-heat-map>

### Obstruction of Justice in the Mueller Report: A Heat Map

By [Quinta Jurecic](#)

Sunday, April 21, 2019, 2:32 PM

The [Mueller report](#) describes numerous instances in which President Trump may have obstructed justice. A few days ago, I threw together a [quick spreadsheet on Twitter](#) to assess how Special Counsel Robert Mueller seemed to assess the evidence. Unexpectedly, that spreadsheet got a fair amount of attention—so I thought I would delve back into the evidence to provide a revised visualization with a little more nuance, which will hopefully be helpful to people attempting to parse a legally and factually dense document.

The key question is how Robert Mueller and his team assessed the three elements “common to most of the relevant statutes” relating to obstruction of justice: an obstructive act, a nexus between the act and an official proceeding, and corrupt intent. As Mueller describes, the special counsel’s office “gathered evidence ... relevant to the elements of those crimes and analyzed them within an elements framework—while refraining from reaching ultimate conclusions about whether crimes were committed,” because of the Office of Legal Counsel (OLC)’s guidelines against the indictment of a sitting president.

The below heat map is an effort to simplify Mueller’s analysis of the evidence in relation to the three common elements of the obstruction statutes. Instances of possibly obstructive conduct are identified by their section marking in Volume II of the report. (Section A is a general overview of the Trump campaign’s response to public reporting on Russian support for Trump and does not contain an analysis.) Some sections contained varying analysis of multiple possibly obstructive acts, which are identified separately. More information about how the special counsel assessed each possible instance of obstruction is available below the chart itself, with page numbers corresponding to Volume II.

I should emphasize that the below is my interpretation of the evidence as Mueller seems to provide it—others may have different readings. (Richard Hoeg has provided a [slightly different take](#), also available on Twitter.) My assessment rests on an assumption that Mueller is correct in his legal analysis that a president may still obstruct justice even if the act in question is taken entirely under his Article II authority. Under Attorney General William Barr’s reading of Article II, this heat map would look very different. I’ve also accepted at face value Mueller’s statutory argument that [18 U.S.C. § 1512\(c\)\(2\)](#) “states a broad, independent, and unqualified prohibition on obstruction of justice,” rather than, as Trump’s personal counsel apparently argued to Mueller, covering only “acts that would impair the integrity and availability of evidence.”

		Obstructive act	Nexus	Intent
Conduct re: Flynn investigation	B	Red	Red	Orange
Conduct re: Comey announcement of Russia investigation	C	Light Blue	Red	Light Blue
Comey firing	D	Orange	Red	Orange
Efforts to fire Mueller	E	Red	Red	Red
Efforts to curtail Mueller	F	Red	Red	Red
Efforts to prevent disclosure of Trump Tower meeting	G	Blue	Blue	Blue
Efforts to have Sessions take over investigation	H	Orange	Orange	Orange
Order to McGahn to deny attempt to fire Mueller	I	Red	Red	Red
Conduct toward Flynn	J	Light Blue	Red	Light Blue
Conduct toward Manafort (cooperation)		Red	Red	Red
Conduct toward Manafort (influencing jury)		Red	Red	Light Blue
Conduct toward redacted individual (Stone?)		White	Red	White
Conduct toward Cohen (influencing testimony)	K	Light Blue	Red	Orange
Conduct toward Cohen (cooperation)		Orange	Red	Orange

■ "Substantial" evidence or similar  
■ "Evidence could support" or similar; Mueller provides alternate readings  
■ Unclear (Mueller’s assessment is difficult to parse; Mueller could not obtain evidence due to privilege issues)  
■ "Evidence does not establish"

## B. Conduct regarding the Flynn investigation

*Obstructive act (p. 43)*: Trump asked for Comey’s loyalty and pressured Comey to “let this go” regarding the FBI investigation into former National Security Adviser Michael Flynn. “In analyzing whether these statements constitute an obstructive act, a threshold question is whether Comey’s account of the interaction is accurate, and, if so, whether the President’s statements had the tendency to impede the administration of justice by shutting down an inquiry that could result in a grand jury investigation and criminal charge.” “[S]ubstantial evidence corroborates Comey’s account.”

*Nexus (p. 46)*: By the time Trump spoke to Comey, Trump had been informed that Flynn had been interviewed by the FBI and that his statements could violate [18 U.S.C. § 1001](#), the prohibition on lying to federal investigators. “[T]he President’s instruction to the FBI Director to ‘let[] Flynn go’ suggests his awareness that Flynn could face criminal exposure for his conduct and was at risk of prosecution.”

*Intent*: “[E]vidence is inconclusive” as to whether Trump was aware of Flynn’s calls with Kislyak when they occurred. But “[e]vidence does establish that the President connected the Flynn investigation to the FBI’s broader Russia investigation.”

Trump attempted to have Deputy National Security Adviser K.T. McFarland “draft an internal email” stating that Trump did not ask Flynn to discuss sanctions with Russian Ambassador Sergei Kislyak, which McFarland did not do because she was not sure if the statement would be accurate. Though “evidence does not establish” that Trump was trying to make McFarland lie, the incident “highlights the President’s concern about being associated with Flynn’s conduct,” and McFarland was disturbed by the request and felt it was “irregular.”

## C. Conduct regarding public confirmation of the Russia investigation

*Obstructive act (p. 60)*: Though “evidence shows” that Trump reached out to intelligence community leadership, that outreach was “not interpreted ... as directives to improperly interfere with the investigation.” Mueller notes that Trump’s outreach to NSA Director Mike Rogers was “significant enough that Rogers thought it important to document the encounter in a written memorandum.”

*Nexus (p. 60)*: The outreach took place following FBI Director James Comey’s announcement of the FBI’s counterintelligence and criminal investigation of Russian election interference.

*Intent (p. 60)*: “The evidence does not establish that the President asked or directed intelligence agency leaders to stop or interfere with the FBI’s Russia investigation[.]” However, “the President’s intent in trying to prevent Sessions’s recusal, and in reaching out the Coats, Pompeo, Rogers, and Comey following Comey’s public announcement of the FBI’s Russia investigation, is nevertheless relevant to understanding what motivated the President’s other actions towards the investigation.” In other words,

while Trump’s actions here do not indicate intent as to the specific potentially obstructive conduct at issue in this section, they are relevant to understanding his intent as to his broader pattern of conduct toward the investigation.

#### D. Firing of James Comey

*Obstructive act (p. 74)*: “Firing Comey **would qualify as an obstructive act** if it had the natural and probable effect of interfering with or impeding the investigation.” Trump’s handling of the Comey firing and his actions in the subsequent days “**had the potential to affect a successor director’s conduct of the investigation,**” though removing Comey “**would not necessarily ... prevent or impede the FBI from continuing its investigation.**”

*Nexus (p. 75)*: By the time of the Comey firing, Trump was aware of both the FBI investigation into Russian election interference and the investigation into Flynn.

*Intent (p. 75)*: “**Substantial evidence**” indicates that Trump fired Comey because of “Comey’s unwillingness to publicly state that the President was not personally under investigation.” Mueller notes that “[s]ome evidence indicates that the President believed that the erroneous perception he was under investigation harmed his ability to manage domestic and foreign affairs”—but “[o]ther evidence ... indicates that the President wanted to protect himself from an investigation into his campaign.” “The initial reliance on a pretextual justification [for Comey’s firing] **could support an inference** that the President had concerns about providing the real reason for the firing, although the evidence does not resolve whether those concerns were personal, personal, or both.”

#### E. Efforts to fire Mueller

*Obstructive act (p. 87)*: Former White House Counsel Don McGahn is a “**credible witness**” in providing evidence that Trump indeed attempted to fire Mueller. This “**would qualify as an obstructive act**” if the firing “would naturally obstruct the investigation and any grand jury proceedings that might flow from the inquiry.”

*Nexus (p. 89)*: “**Substantial evidence**” indicates that, at this point, Trump was aware that “his conduct was under investigation by a federal prosecutor who could present any evidence of federal crimes to a grand jury.”

*Intent (p. 89)*: “**Substantial evidence** indicates that the President’s attempts to remove the Special Counsel were linked to the Special Counsel’s oversight of investigations that involved the President’s conduct[.]”

#### F. Efforts to curtail Mueller

*Obstructive act (p. 97)*: Trump’s effort to force Sessions to confine the investigation to only investigating future election interference “**would qualify as an obstructive act** if it would naturally obstruct the investigation and any grand jury proceedings that might flow

from the inquiry.” **“Taken together, the President’s directives indicate** that Sessions was being instructed to tell the Special Counsel to end the existing investigation into the President and his campaign[.]”

*Nexus (p. 97)*: At the relevant point, “the existence of a grand jury investigation supervised by the Special Counsel was public knowledge.”

*Intent (p. 97)*: **“Substantial evidence”** indicates that Trump’s efforts were “intended to prevent further investigative scrutiny of the President’s and his campaign’s conduct.”

### **G. Efforts to prevent disclosure of Trump Tower emails**

*Obstructive act (p. 105)*: **“[T]he evidence does not establish”** that Trump sought to prevent information about the Trump Tower meeting from reaching Congress or the special counsel’s office. Rather, the obfuscation “occurred in the context of developing a press strategy.”

*Nexus (p. 105)*: “[T]he existence of a grand jury investigation supervised by the Special Counsel was public knowledge, and the President had been told that the emails were responsive to congressional inquiries.” But **“the evidence does not establish** that the President sought to prevent disclosure” to the grand jury or to congressional inquiries.

*Intent (p. 105)*: **“The evidence does not establish”** that Trump intended to prevent Mueller or Congress from obtaining the information.

### **H. Efforts to have Sessions take over the investigation**

*Obstructive act (p. 111)*: This question “would not turn on what Attorney General Sessions would actually do if unrecused, but on whether the efforts to reverse his recusal would naturally have had the effect of impeding the Russia investigation. . . . The duration of the President’s efforts . . . and the fact that the President repeatedly criticized Sessions in public and private for failing to tell the President that he would have to recuse is **relevant to assessing** whether the President’s efforts to have Sessions unrecuse could qualify as obstructive acts.”

*Nexus (p. 111)*: At the relevant point, “the existence of a grand jury investigation supervised by the Special Counsel was public knowledge,” as well as the existence of a second grand jury empaneled in July 2017. However, “[w]hether the conduct towards the Attorney General would have a foreseeable impact on proceedings turns much of the same evidence discussed with respect to the obstructive-act element.”

*Intent (p. 111)*: **“There is evidence** that at least one purpose of the President’s conduct toward Sessions was to have Sessions assume control over the Russia investigation and supervise it in a way that would restrict its scope.”

## I. Order to McGahn to deny Trump's order to fire Mueller

*Obstructive act (p. 118)*: This effort “**would qualify as an obstructive act** if it had the natural tendency to constrain McGahn from testifying truthfully or to undermine his credibility as a potential witness[.]” There is “**some evidence**” that Trump genuinely believed press reports that he had ordered McGahn to fire Mueller were wrong. However, “[o]ther evidence cuts against that understanding of the president’s conduct”—and the special counsel lists a great deal more evidence on this latter point.

*Nexus (p. 119)*: At this point “the Special Counsel’s use of a grand jury had been further confirmed by the return of several indictments.” Mueller’s office had indicated to Trump’s lawyers that it was investigating obstruction, and Trump knew that McGahn had already been interviewed by Mueller on the topic. “**That evidence indicates the President’s awareness**” that his efforts to fire Mueller were relevant to official proceedings. Trump “**likely contemplated the ongoing investigation and any proceedings arising from it**” in directing McGahn to create a false record of the earlier interaction.

*Intent (p. 120)*: “**Substantial evidence** indicates that ... the President acted for the purpose of influencing McGahn’s account in order to deflect or prevent further scrutiny” of Trump.

## J. Conduct toward Flynn, Manafort, and unknown individual (Stone?)

*Obstructive act (p. 131)*: “The President’s actions toward witnesses ... **would qualify as obstructive** if they had the natural tendency to prevent particular witnesses from testifying truthfully, or otherwise would have the probable effect of influencing, delaying, or preventing their testimony to law enforcement.” Though Trump’s lawyers exchange with Flynn’s lawyers “**could have had the potential to affect Flynn’s decision to cooperate,**” Mueller “**could not determine**” whether Trump had any knowledge of or involvement in the exchange. Regarding Manafort, “**there is evidence** that the President’s actions had the potential” to influence Manafort’s thinking on cooperation, and his public statements “**had the potential to influence the trial jury.**”

*Nexus (p. 132)*: Trump’s actions toward all three individuals “**appear to have been connected** to pending or anticipated official proceedings involving each individual.”

*Intent (p. 132)*: “Evidence concerning the President’s intent related to Flynn as a potential witness is **inconclusive.**” But “[e]vidence ... **indicates** that the President intended to encourage Manafort not to cooperate with the government,” though “**there are alternative explanations**” for Trump’s comments during the Manafort trial.

## K. Conduct toward Michael Cohen

*Obstructive act (p. 153)*: “[T]he evidence available to us does not establish that the President directed or aided Cohen’s false testimony.” But “**the evidence ... could**

**support an inference** that the President used inducements in the form of positive messages in an effort to get Cohen not to cooperate, and then turned to attacks and intimidation to deter the provision of information or to undermine Cohen’s credibility once Cohen began to cooperate.”

*Nexus (p. 154):* Trump was aware of investigations into Cohen by the Special Counsel’s Office, Congress, and the U.S. Attorney’s Office for the Southern District of New York.

*Intent (p. 155):* “**There is evidence that could support the inference** that the President intended to discourage Cohen from cooperating with the government. ... **The evidence could support an inference** that the President was aware of [Cohen’s efforts to continue the Moscow Project past January 2016] at the time of Cohen’s false statements to Congress. ... The President’s public remarks following Cohen’s guilty plea **also suggest** that the President may have been concerned about what Cohen told investigators about the Trump Tower Moscow project. ... The President’s concern about Cohen cooperating may have been directed at the Southern District of New York investigation into other aspects of the President’s dealings with Cohen rather than the investigation of Trump Tower Moscow. **There is also some evidence** that the President’s concern about Cohen cooperating was based on the President’s stated belief that Cohen would provide false testimony against the President in an attempt to obtain a lesser sentence for his unrelated criminal conduct. ... Finally, the President’s statements insinuating that members of Cohen’s family committed crimes after Cohen began cooperating with the government **could be viewed** as an effort to retaliate against Cohen and chill further testimony adverse to the President by Cohen or others.”

\* \* \*

<https://twitter.com/HoegLaw/status/1119359435766476804/photo/1>

**HoegLaw**

As promised, here is my table of interpretations of the [#MuellerReport](#) obstruction descriptions (keeping in mind that it makes no conclusions on its own). Please feel free to share around, as I feel there is a bit of misinformation out there.

On Presidential Obstruction Charge Considerations <sup>1</sup> (Mueller Report - Redacted Release April 18, 2019)				
Considered Charge	Obstructive Act? <sup>2</sup>	Nexus? <sup>3</sup>	Corrupt Intent? <sup>4</sup>	Possible Charge? <sup>5</sup>
Ask Comey to let the Flynn matter "go"	Yes	Yes	Maybe	Maybe
Response to Russia Investigation (Sessions Recusal and Intelligence Communications)	No	Yes	No	No
Firing Comey	Maybe	Yes	Maybe	Maybe
Proposed Firing of Special Counsel	Yes	Yes	Yes	Yes
Curtailing of Special Counsel (Proposed Sessions Message)	Yes	Yes	Yes	Yes
Prevention of June 2016 Mail Disclosure	No	Yes	No	No
Reverse Recusal of Attorney General	Maybe	Yes	Maybe	Maybe
Have WH Counsel Deny Attempt to fire Special Counsel	Yes	Yes	Yes	Yes
Actions regarding Flynn Case	No	Yes	No	No
Actions regarding Manafort Case <sup>6</sup>	Yes	Yes	Yes	Yes
Actions Regarding Cohen Case	Yes	Yes	Yes	Yes

<sup>1</sup> The Special Counsel did not wish to make a criminal determination where, under Department of Justice rules, an indictment could not proceed. As such, the Mueller Report does not reach legal conclusions, and this chart is based on personal interpretations of the strength of the evidence presented. **It is presented for informational purposes only and does not constitute legal advice.**

<sup>2</sup> An "Obstructive Act" is an action that prevents justice from being administered, and can refer to anything that blocks, makes difficult, or hinders such administration.

<sup>3</sup> "Nexus" requires a formal proceeding, the obstructive action being likely to impede it, and an actor that knows or has reason to know of the proceeding and acted with a likelihood of impeding that proceeding.

<sup>4</sup> Corrupt Intent requires a showing that the actor took such action with an intent to obtain an improper advantage inconsistent with their duties.

<sup>5</sup> A charge can only result from the presence of all three elements (act, nexus, intent).

<sup>6</sup> At least one other pending case is discussed in the report with full redaction.