



News

David S. Weinstein Talks to SkyNews about POTUS Legal Challenges to the Vote Count

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Updated, November 9, 2020.

Hinshaw partner David S. Weinstein – a former federal prosecutor – was interviewed by Adam Boulton of *SkyNews* about the prospects for a series of legal challenges that President Donald Trump and his campaign have filed in several states challenging the counting of election ballots. Weinstein also discussed the prospect of the President potentially facing criminal prosecution should he leave office in January, as well as the likelihood of a Presidential self-pardon.

Weinstein said the lawsuits should probably be understood as more of a PR campaign than about the legal issues. He also said that a Presidential self-pardon would have no legal effect, because of the way the pardon power is written in the U.S. Constitution.

Watch Weinstein's interview in its entirety here: <https://news.yahoo.com/amhtml/election-challenges-more-pr-law-141200759.html>

Weinstein also talked to Fox affiliate KTVU about the President's election lawsuits. He said that the strategy seemed mostly to be about "throwing as much up against the wall and see what sticks."

Watch a clip of Weinstein's interview with KTVU here: <https://www.ktvu.com/news/trump-campaign-strategy-shifts-from-getting-votes-to-filing-lawsuits>

Over the weekend, Weinstein also discussed with *USA Today* the number of lawsuits and investigations that await President Trump once he returns to private life. In particular, he discussed the long standing Justice Department policy that a sitting President cannot be prosecuted for criminal offenses: "[t]he short answer is that once [Trump] leaves the office, his cloak of immunity, actual or implied by (Justice Department guidelines), will disappear."

Read the *USA Today* story: <https://www.usatoday.com/story/news/politics/2020/11/07/trump-vulnerable-he-faces-lawsuits-without-presidential-immunity/6056288002/>

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