

Judge Merchan Issues Last-Minute Jury Instruction Designed to Convict Trump, Even if Jurors Don't Agree

Opinion by Rachel M. Emmanuel



Seth Wenig / AP; Jabin Botsford - pool / AP © The Western Journal

The jury is now deliberating on the first-ever criminal trial in history of a former president of the United States.

And by every account, this case has displayed the most egregious use of lawfare against a political opponent the nation has ever seen.

Earlier, Judge Juan Merchan, who is overseeing the hush-money case against the former president in [Manhattan](#), disclosed that his daughter, Loren Merchan, is president of Authentic Campaigns, a digital consulting firm that has worked on the campaigns of President Joe Biden, Vice President Kamala Harris and other prominent Democrats, [according to CNN](#).

Two Democratic clients of Loren Merchan raised over \$90 million, partly by using Trump's case in their solicitation emails, according to the [New York Post](#).

However, Merchan refused to recuse himself from the case.

Not only that, but he has also continuously undermined Trump's defense with his rulings and instructions.

Renowned lawyer [Alan Dershowitz](#) wrote last week in the [New York Post](#), "In my 60 years as a lawyer and law professor, I have never seen a spectacle such as the one I observed sitting in the front row of the courthouse yesterday. The judge in Donald Trump's trial was an absolute tyrant, though he appeared to the jury to be a benevolent despot. He seemed automatically to be ruling against the defendant at every turn."

But the final instructions to the jury by [Merchan](#) take both the cake and the bakery and strip the proceedings of any facade of fairness -- not that there was much of that to begin with.

On Wednesday, Merchan determined that jurors will not need to unanimously agree on the underlying crime motivating the alleged falsification of business records Trump is accused of, [according to Politico](#).

Merchan rejected arguments from Trump's defense team that all 12 jurors should have to agree on what underlying crime Trump was trying to cover up through the alleged falsified records, which is a felony in [New York](#).

"He said that there's no need to agree on what has occurred," Fox News' [Harris Faulkner](#) read out as she received the breaking news. "They can disagree on what the crime was, among the three choices. Thus, this means that they could split 4-4-4 and the judge would still treat them unanimously."

Fox News: Judge Merchan Tells the Jury that They Do Not Need Unanimity to Convict and He Will Treat 4-4-4 as a Unanimous Verdict pic.twitter.com/G2Zeiozykt

— Sean Hannity us (@seanhannity) [May 29, 2024](#)

In other words, the jury doesn't even have to agree on why Trump committed the alleged crime of falsifying documents.

Motive, which is generally a huge part of any criminal trial, goes out the window.

"Intent means conscious or purpose to defraud. Intent does not require an intent to defraud any particular person or [entity], but a general intent to defraud," the judge told the jury, [according to Fox News](#).

Satirist Kyle Mann, who writes for the parody site The Babylon Bee, highlighted an eerie convergence of comedy and reality. Mann noted that the Bee had previously published a satirical comic that foreshadowed, almost prophetically, the scenario now unfolding. The judge's ruling that the jury doesn't have to find a crime to find Trump guilty shows just how ridiculous the ruling is.

Another one of our [@TheBabylonBee](#) prophecies fulfilled pic.twitter.com/CaWlbS8Kop

— Kyle Mann (@The_Kyle_Mann) [May 29, 2024](#)

Trump looked almost resigned as he walked out of the courtroom on Wednesday, noting, "Mother Teresa could not beat these charges. These charges are rigged. The whole thing is rigged," he said.

RIGGED. <https://t.co/qXdAICL7ck>

— RNC Research (@RNCResearch) [May 29, 2024](#)

Trump-endorsed Congressional candidate Jerrod Sessler wrote on social media platform X, "Of the 10 Amendments in the Bill of Rights, half have to do with the criminal justice system. That is because our Founders knew that tyrannical governments would use the justice system as a weapon against their enemies. Clearly they had not envisioned a government as vicious as the current administration."

"Legal scholar [Jonathan Turley](#) called this trial a 'canned hunt.' I agree." Sessler added.

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— Jerrod Sessler for Congress '24 us (@Sessler) [May 29, 2024](#)

By allowing the jurors to effectively choose from a menu of potential predicate crimes behind the alleged falsified business records, rather than requiring unanimity on a single offense, Judge Merchan has lowered the prosecutorial hurdle.

That, added to the fact that this is an unfriendly New York jury that is more than likely to be biased against Trump to begin with, leaves the former president facing an uphill battle to avoid conviction.

Perhaps the only glimmer of hope in all of this is that Judge Merchan's numerous unprecedented and unconstitutional decisions almost guarantee Trump an acquittal on appeal.

"It'll be talked about in the history books," Trump said during his statements outside the courtroom Wednesday. "It's a weaponized deal for the Democrats to hit their political opponents."

"This is all because of Joe Biden," Trump said. "And I don't even think it's him. I don't think he's smart enough to think about it."

"But it's the people that surround him in the office," he added. "They're smart. They're fascists, they're communists, but they're smart, and they're ruining our country."

Trump is right. History will record this as a time when the fairest justice system in the world turned into a kangaroo court to rig the election for a puppet ruler being controlled by devious and ruthless handlers.