

Indicted: What does the federal indictment of former President Trump mean?

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Former President Donald Trump is now facing a federal indictment over his alleged efforts to subvert the 2020 election after Election Day.

Trump's alleged efforts lead up to events on Jan. 6, 2021, when a mob of his supporters marched from a rally he held near the White House to attack the U.S. Capitol building.

The former president is charged with the following crimes:

- One count of conspiracy to defraud the United States.
- One count each of obstruction of, and attempt to obstruct, an official proceeding
- One count of conspiracy against rights.

According to media reports, the Trump campaign responded to the indictment calling it “the continued pathetic attempt by the Biden Crime Family and their weaponized Department of Justice to interfere with the 2024 Presidential Election.”

The Triplicate reached out to Jim Moore an Associate Professor and Director of Political Outreach at the Tom McCall Center for Civic Engagement and a Pacific University professor for insight about what the indictment means and what’s next in the process.

The Triplicate: From your vantage point, what is the significance of this indictment against a former President of the United States, and what should we understand about this indictment?

Jim Moore: This is the first time that a president of the United States has been charged with seeking to prevent constitutional actions. That will be what the history books will focus on. These charges are nearing the treason charges against former president of the Confederacy, Jefferson Davis. Interestingly, those charges were dropped amid the political pressures of the post-Civil War years.

The indictment makes clear that nobody, even the President of the United States, is above the law. These particular laws have been used against KKK members and others who interfered with constitutional rights. Note that voting is not part of the indictment—it is about encouraging people to stop Congress and the Vice President from carrying out the certification process of the 2020 presidential election. The key part is that the indictment asserts that Trump knew his claims to be false but continued to push them. By pushing these falsehoods to the crowd, Trump crossed a line between freedom of speech and turned to something akin to incitement.

The Triplicate: Do you believe that this indictment will actually boost former President Trump's overall public ratings and give him an edge in his effort to be re-elected President? If so, how will that play out?

Moore: I don’t think it will make much difference to public ratings of Trump. We have seen some small movement among Republican voters that indicates that the indictments as a whole are reducing support for Trump. But since there are no other real alternatives to Trump out there right now (in terms of strong public support), I fully expect those Republicans who are more wary of Trump to stick with him when they cast their ballots. The odds are very much against any of them voting for Joe Biden. At most, there will be an enthusiasm gap that hits Republican voters and fewer of them will turn out than would be expected. Fourteen months before the November 2024 elections, it is impossible to predict what that impact might be.

Remember, attacks on Trump are seen by his supporters as more reason to rally behind him. They are simply evidence that the government of the United States is out of control and needs to be reined in by a strong president. This is the same overall argument that many of our presidents in the past fifty years have made—the outsider is needed to bring the government back to what it ought to be doing: Carter, Reagan, Clinton, GW Bush, Obama, Trump.

The Triplicate: What should we expect as this indictment plays out? Is it possible that former President Trump will be sent to prison?

Moore: Yes, it is entirely possible that Trump could go to prison. Others who have been convicted of similar crimes have served time. More likely, however, is a long drawn out process that results in fines and maybe some home confinement. History will probably not play that big a role in determining what happens if Trump is convicted, but Jefferson Davis was imprisoned in 1865 and became a symbol of opposition to much of Reconstruction. It could be argued that the political cost of holding Davis outweighed the legal benefit of trying him for treason. That was certainly the case by 1869 when treason charges were dropped.

Read the full indictment [here](#).

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