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**On the Response to the Indictment of Donald J. Trump:
Threats of Violence and Intimidation Subvert the Rule of Law
Statement by New York City Bar Association President Susan J. Kohlmann**

The reports of the indictment of former President Donald J. Trump by a special grand jury sitting in New York County signal that our nation is facing an unprecedented and politically and socially fraught new chapter in its 240-year history. The reaction to this news has, understandably, evoked strong and highly divergent reactions, including from our public leaders, in our highly charged environment.

At this writing, neither the indictment nor the evidence underlying it has been made public. But the spate of death threats to prosecutors, judges, jurors, witnesses and court staff, based on speculation and misinformation, including evidence-free conspiracy theories being advanced for partisan political gains, presents a real danger, not only to those involved in the criminal justice process, but also to the constitutionally based rule of law. Individuals seeking to perform their obligations according to law should not have to fear for their own safety, or that of their family, merely for doing their jobs or fulfilling their civic duties. Likewise, there can be no place for incendiary racist or antisemitic rhetoric, which only increases the likelihood of violence.

The legal process based upon our constitutional principles has now commenced, and must be allowed to proceed free of threats and intimidation that could turn even uglier. No indication has yet emerged of any basis for any claim of unfairness or bias by prosecutors, grand jurors or the court. Instead, District Attorney Alvin Bragg has displayed independence and adherence to the requirements of the legal process. Nothing suggests that Mr. Trump will not receive a fair trial, nor that any violations of his legal rights have thus far occurred in the legal process. Any grounds for challenges to the proceedings may be raised by Mr. Trump during the course of those proceedings, where he will have the opportunity to assert the entire panoply of rights guaranteed to any individual charged with a crime under our laws and federal and state Constitutions. And, of course, he is presumed innocent of all of the charges against him.

There is no doubt that these unprecedented circumstances will present new challenges which will test our democracy. We are fortunate that our constitutional system, by requiring adherence to the rule of law in resolving the most contentious of controversies, is designed to withstand these challenges. Threats of violence and intimidation subvert the very foundations of our rules-based justice system. We are guaranteed freedom to express our views, but must do so peacefully. We must allow the judicial process to proceed. The future of our democracy depends on it.

About the Association

The mission of the New York City Bar Association, which was founded in 1870 and has over 23,000 members, is to equip and mobilize a diverse legal profession to practice with excellence, promote reform of the law, and uphold the rule of law and access to justice in support of a fair society and the public interest in our community, our nation, and throughout the world. www.nycbar.org