The Phyllis Schlafly Report

Still No Accountability for Lawfare by DOJ

By John and Andy Schlafly

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Prosecutions by the Department of Justice (DOJ) continue relentlessly as they did under Biden, overfunded without any accountability. While a few particularly unjustified prosecutions were quickly dismissed after Trump took office and a few prosecutors were fired, the recent imprisonment of Sean "Diddy" Combs after his acquittal on all serious charges demonstrates that the federal police state remains fully in power.

Congressmen continue to be terrified of the DOJ and have failed to cut its budget. While there have been attempts at downsizing other federal agencies, which the Supreme Court greenlighted by an order on Tuesday, DOJ continues with full funding and 10,000 attorneys who are all dressed up with nowhere productive to go.

The biggest trial of this year was DOJ's recent prosecution of Diddy Combs, as initiated last year by the Biden Administration. DOJ recently spent seven weeks prosecuting Diddy at trial in a federal courtroom in Manhattan, calling 34 witnesses to testify.

The contrived basis for federal jurisdiction was the assertion that Diddy Combs, who has recorded 11 No. 1 songs while winning 3 Grammy Awards, was somehow a racketeer who violated the anti-racketeering federal law (RICO) designed for prosecuting the Mafia. DOJ's case against the music celebrity Diddy turned on his partying and sexual activities, which are plainly not mob-related racketeering.

Misuse of a racketeering statute was the same approach taken by Georgia Fulton County prosecutor Fani Willis to wrongly charge Trump and 18 others with imaginary crimes for objecting to the reported 2020 election results there. Those improper racketeering charges remain pending against our president, although Willis was removed from the case and is appealing her removal to the Georgia Supreme Court.

In the Diddy Combs trial, the jury deliberated carefully for more than two days and found the successful rapper not guilty on all of the racketeering-related charges. While awaiting the verdict on charges that carried a mandatory minimum sentence of 15 years in prison, the former altar boy and Catholic school-educated Diddy remarkably prayed with his many supporters in the courtroom.

The liberal media was furious at the not-guilty verdicts, illustrating that this was a political play against so-called toxic masculinity all along. The Biden-appointed judge then sent Diddy Combs back to prison despite his exoneration on the primary charges.

One of the jurors spoke to ABC News last week against the media blowback to the "not guilty" verdicts. The juror said the "decision was based solely on the evidence presented and how the law is stated," and that the criticism of the jury's decision is "highly insulting and belittling to the jury and the deliberation process."

New York lawyer Jeffrey Lichtman, who represented the famed mobster John Gotti Jr., said that Combs is "a guy that lived a questionable lifestyle and ran a music empire" and that "the RICO charges were so out of place here." Anna Cominsky, who runs New York Law School's Criminal Defense Clinic, observed that "it did seem like a stretch to charge Combs with the RICO statute."

When one legal critic of this prosecution exercised his right of free speech to point out on a podcast that the prosecutors consisted of a "six-pack of white women" against the Harlem-born black rapper, the Biden-appointed judge scolded the critic. The judge vowed to monitor the lawyer's future podcasts, to which the attorney retorted, "As long as you subscribe, I'm all for it."

Three times prior to the verdict the judge denied requests for bail by Combs, which is ordinarily allowed for a defendant not charged with any violence and even many who are. After Combs was mostly acquitted, the judge again denied releasing him on bail.

The same tyranny that was inflicted on many J6 defendants by imprisoning them for years in D.C. without justification is being inflicted by DOJ now against Diddy Combs, who offered to post a bond of $1 million. Diddy received a standing ovation upon his return to prison after the jury sided with him.

This imprisonment is hardly the American liberty we just celebrated on Independence Day, when a man continues to be jailed despite prevailing before a jury in federal court where almost no defendant ever wins. While some may be unsympathetic to Diddy based on allegations mostly rejected by the jury, a similar misuse of racketeering laws by prosecutors remains pending against President Trump and his supporters in Georgia.

The overbearing and overfunded DOJ that spent tens of millions of dollars trying to prosecute Trump has evidently not changed. While the J6 defendants have been pardoned for the imaginary "crime" of setting foot inside the Capitol, the tyranny by the DOJ continues.

There is no federal police power authorized by the U.S. Constitution. States, not the federal government, have authority over these issues, and the DOJ still needs to be reined in.

John and Andy Schlafly are sons of Phyllis Schlafly (1924-2016) and lead the continuing Phyllis Schlafly Eagles organizations with writing and policy work.