

## Congress Now Has Responsibility of Interpreting, Acting on Obstruction Evidence in Mueller Report - InsiderNJ

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I once read that a famous author when questioned about his enigmatic novel flippantly stated: “it means what it says.” To some extent, that is what Special Counsel Robert Mueller was doing today, but he then – in his overtly legalistic way – kindly chose to highlight for us the main points of his 410-page novel.

The sequence of his comments on his report is also revealing because it contains an inherent logic.

First, the Russian interference was real and there was a need to investigate. This undercuts Trump’s claim that it was a witch hunt.

It was not.

Second, he was constitutionally barred from indicting as interpreted by DOJ guidelines.

Third, unlike the Russian interference where he could assert there was insufficient evidence to charge Trump, he could not exonerate as to obstruction. In fact, he took pains to point out there was a factual basis for some of these charges. Because he could not indict, it was unfair to make a finding that a crime was committed by Trump because there was nowhere to defend.

Lastly, since charges cannot be brought against a sitting president, Mueller places the duty on Congress to deal with the crime of obstruction, if it is so inclined.

His overall message was to emphasize that he did not exonerate Trump on obstruction.

So the ultimate responsibility to deal with uncharged criminal conduct against the sitting president lies with the United States Congress.

It is *their* job to decide what the novel means, because there is sufficient evidence to find obstruction should they choose to examine the implications of the record and address the daunting political challenge the record creates.

Veteran defense attorney Joe Hayden is InsiderNJ's legal adviser.