

A People's Criminologist in an Age of Trumpian Populism: On the Praxis of Newsmaking and Monetizing

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ABSTRACT

This self-ethnography is about a radical or people's criminologist in an age of Trumpian populism. It offers a case study on the theory and practice of newsmaking criminology and of monetization of the Trump book industry. After establishing what newsmaking criminology is as the originator of the concept and providing an overview of 35 years of newsmaking, I pivot to an examination of three elements—commentaries, publicity, and digital content—that are associated with “socially mediated newsmaking” and the monetizing of Trump, criminology, and criminologists. This is followed by a discussion and evaluation of the merits of newsmaking criminology in general and of this newsmaking excursion into social media. Finally, I call for more criminologists to become newsmakers to take on the “crimes of omission” by the 4th Estate.

Keywords: Crime news, infotainment, mass media, newsmaking criminology, news media engagement, politics of engagement, public criminology, self-ethnography, social media

INTRODUCTION

In 2021 for the first time in its history, the United States was added to the Stockholm-based International Institute for Democracy and Electoral Assistance's list of “backsliding democracies” alongside other nations like Hungary and Poland.ⁱ In response to the “local deserts” of American journalism and what has become a global democratic crisis in relation to rising authoritarianism, McChesney and Nichols wrote the essay, To Protect and Extend Democracy, Recreate Local News Media:

The essence of the information crisis facing America is not the emergence and dominance of propaganda, baseless claims, and cynical conspiracy theorizing from unidentified and lavishly funded sources. The tsunami of misinformation, and the extent to which it now permeates our politics, results from the much larger problem, which is the collapse of local journalism as a viable institution in cities, villages and towns across the nation.ⁱⁱ

They further opined that an “accurate explanation for the rise of American authoritarianism has many elements. Any campaign to purge fascism from the mainstream of American politics will, necessarily, require multiple interventions.”ⁱⁱⁱ

Newsmaking criminology is one of the interventions that takes on false narratives or understandings of crime and justice which unwittingly mediate mass discourses used to socially construct representations of crime and punishment. These are especially pernicious in relation to the absence of any kind of useful narratives on white-collar, corporate, and state

crime. Or, in their aggregate, with the exemplification of the invisible narratives on the catastrophic climate crimes committed by carbon criminals.^{iv} Accordingly, one way to engage with the total absence of any capitalist narratives on the crimes of the powerful was to write a criminal biography on Donald Trump's lifetime of lawlessness and impunity. And, at the same time to locate his criminal enterprise within the political economy of corporate and state crime so as to disseminate a narrative reflective of that reality through mass and social media.

NEWSMAKING CRIMINOLOGY, DEMOCRATIC CRISIS, AND *CRIMINOLOGY ON TRUMP*

From the point of view of newsmaking, lawlessness, and equitable justice much of the popular discourse surrounding Trump has to do with dueling apocalyptic narratives: one has been about witch hunts, hoaxes, fake news, global elites, and the Deep State^v; the other about saving America Democracy from kleptocratic authoritarianism, rule by chicanery, and the damage, chaos, and trauma of Trump.^{vi} While these two narratives may capture the cultural conflict, the diverse groups of people, and rival movements of incompatible interests, desires, and visions, they are both silent on the structural conditions of capitalism and those political economies that fuel the divisiveness.

While my tactics for examining Trump's business, political, and criminal activities have been objectively clinical and historical, my criminological reactions to Donald Trump and his allies, supporters, and dissenters' lawless behavior are subjectively political. My calculated rejoinders based on scientific understandings of social behavior, political legality, and cultural deviancy are, at the same time, grounded in political activism and philosophical convictions that revolve around conflict theories of social change.^{vii} This criminological praxis is often enacted through newsmaking criminology.^{viii} My abstract for *Newsmaking Criminology* in *The Routledge Companion to Criminological Theory and Concepts* published in 2017 reads as follows:

Newsmaking criminology is fundamentally about criminologists actively engaging in the narrative framing and reframing of ideas about crime and justice. The roots of newsmaking criminology may be traced back to what Alvin Gouldner described as doing 'newsmaking sociology' or participating in the public sphere. From a constitutive approach to crime and justice, Stuart Henry views newsmaking criminology as a habitual practice of 'replacement discourse' and newsmaking criminologists as 'actively challenging silences, identifying omission, and resurrecting the eliminated through participating in the making of news stories about crime'. The practice of newsmaking criminology requires both the empirical examination of crime and justice discursive representations through newsmaking and/or entertaining processes, as well as engagement in producing and distributing alternative representations of crime and justice. ix Newsmaking criminology is also sensitive to the discipline's absence of widespread or serious study of the crimes of the powerful.

In addition to reporting evidence-based expert findings to the academy, to recommending best practices to the body politic, and to participating in the development of social policy and legislative reform, newsmaking criminologists use our expertise to inform mediated representations of the law, to demystify crime and punishment, and to shape public discourses, as a means of reconstituting crime, victimization, and social justice for the common good rather than for the bourgeois legal order and corporate state.

Newsmaking criminology directly engages with historically mediated and circulating discourses on crime, punishment, and justice. From the perspective of a people's criminology, this entails disarming the hegemonic and preferred mediated discourses for criminalization and victimization. As a people's criminologist, I am a product of the "radical" Berkeley School of Criminology, circa 1967-1973. Meaning that I have always been affiliated with "the guardians of human rights" rather than with "the defenders of law and order."^x This radical criminological stance is antithetical to state technocratic forms of criminology as well as repressive forms of law enforcement and criminal justice.

Historical case on point. Four years before the former Governor of California Ronald Reagan became the first MAGA U.S. president in 1980, his administration after struggling to do so for several years ended admissions in 1976 to the Berkeley School of Criminology. This academic censorship killed in its infancy what was becoming in North America, a short-lived "people's criminology." Reagan claimed he was doing so on the grounds of defending law and order from the "anti-police," "anti-American," and anti-war Berkeley criminologists. The truth was that the Governor shut the school down in retaliation for its backing of the Community Control of the Police initiative in Berkeley. He also did so because the Dean of the School refused to sanction Reagan's 1969 declaration of a state of emergency, his deployment of 2,700 National Guard members and thousands of police to occupy People's Park and the city of Berkeley for two weeks, and with evening curfews enforced against the unanimous will of the City Council members.^{xi}

Reagan's view of "law and order" education was naturally threatened by the "new" or "critical" or "radical" or "humanistic" or "people's" criminology that took a position against the U.S. invasion of North Vietnam and sided with Ho Chi Minh's revolution. For the same reasons, a minority of radical criminology professors and their huge student following of 1000s were preoccupied with advancing social justice and resisting the crimes against humanity. Those crimes not only then, but now, refer to the structural crimes of capitalist accumulation, as well as to the substantive crimes of ecocide, imperialism, neocolonialism, genocide, racism, sexism, and classism. Over time, these various forms of institutionalized harm and injury, or of patriarchal-capitalist abuse and mistreatment may not be illegal. Like in the recent overturning of *Roe v. Wade* and its denial of the right to reproductive freedom. Not unlike the "new" or older crimes of abortion in the U.S., many other crimes related to power, privilege, and inequality are also underenforced, or ignored altogether, depending on the status of the perpetrators and the functionality of those crimes in relation to capitalist reproduction.^{xii}

As a child who grew up in West Los Angeles in the 1950s in an affluent "Leave it to Beaver" neighborhood, as a teenager who came of age in the San Francisco Bay Area in the late sixties, as an adult who has traveled globally, lived and worked in Germany, Sicily, and Brazil, and, last but not least, as a trained behavioral and social scientist as well as an historian, I have a keen sense of the bifurcated America with its red (Republican), blue (Democrat), and purple states, as well as the white-washed mystifications of U.S. history. As a revisionist historian of crime and the administration of justice,^{xiii} I am familiar with our nation's legacies of nativism, nationalism, and racism rooted in our historical practices of colonialism, genocide, and slavery, dating as far back as the selling of more than 20 enslaved Africans to the colonists in 1619.^{xiv} Likewise, as a criminologist who has practiced one form or another of newsmaking and/or entertainment criminology for nearly five decades, I have done so from the territorial vantage

points of Las Vegas, Nevada (purple), Chicago, Illinois (blue), Montgomery, Alabama (red), and Ann Arbor, Michigan (purple). Presently, thanks to *Criminology on Trump*, I have finally stepped-up my game as a newsmaking criminologist to employ digital communication and social media.

I GET VERY LITTLE SATISFACTION FROM THE MASS MEDIA

My dialectical opposition to Donald Trump's insurrectionary "law and order" politics as well as to his fraudulent, chauvinistic, and anti-democratic populism in 2022 resonated nicely with the politically progressive and other like-minded newsmaking distributors. My political standpoint, "global ecocide or universal human rights and sustainable capitalism for all," however, continues to be too radical even during these anarchistic times to gain mass media traction from the dominant strands of left-liberalism and right-conservativism.^{xv}

Since the early eighties I have been interviewed about my research and scholarship as well as about my contemporary views of crime and justice issues for commercial, local, community, and public radio as well as television. In the 1990s, I also provided radio commentary for 107 FM radio in Ann Arbor, Michigan twice weekly during the nine months long, gavel to gavel coverage, of the O.J. Simpson criminal trial. Where the former football star, broadcaster, and actor was acquitted for the murders of his ex-wife Nicole Brown Simpson and her friend Ronald Goldman in a Los Angeles courthouse. Globally, I have also been invited to countries to discuss the "nuts and bolts" as well as the similarities and dissimilarities between newsmaking criminology and investigative criminal journalism. We also enjoyed more esoteric conversations about mediating the culturally hegemonic narratives of crime and social control as these intersect with the crimes of the powerful, class privilege, gender disparity, racial inequality, law enforcement, government regulation, and the administrations of both civil and criminal justice.

Moreover, a series of collaborative research publications on the CSI Effect went viral after our first article was made available on March 6, 2007. That was the same day as the guilty verdicts of Lewis "Scooter" Libby on four counts of perjury and one count of obstruction of justice for leaking information of the name of a CIA agent married at the time to a critic of the Bush administration. For some inexplicable reason our findings of juror expectations about the use of science in criminal trials was connected to the Libby verdicts by the *Empirical Legal Studies Blog*. Shortly thereafter, the research methodology and findings were posted for an extended period at the U.S. Department of Justice's website. Subsequently, our ongoing research was featured at a DOJ annual conference. The Justice Department did so primarily as a means of discrediting the false beliefs and assumptions held by criminal prosecutors, defense attorneys, and judges on the alleged impact that television's highest rated shows, CSI Miami and CSI New York, were having on jurors' expectations about the use of scientific evidence.^{xvi}

As our research demonstrated, jurors in both suburban and metropolitan judicial districts could distinguish between real world and televised science, even though attorneys, for example, could not and were even altering their opening and closing statements based not on jurors' expectations, but on their own.^{xvii} Five years later, the lead investigator of our study, Circuit Judge Don Shelton for the Judicial District in Washtenaw County, Michigan, and a former master's and then dissertation writing doctoral student of mine, was featured on the PBS show *Frontline* for a special episode devoted to The Real CSI Effect, April 17, 2012.

My body of scholarly work has always been well received within academic and professional circles, even more so outside the United States as evidenced by the translated publications of mine into Spanish, Portuguese, German, Taiwanese, and Serbian. Nonetheless, it rarely catches the attention of mainstream media in the USA. Three of my newsmaking studies covering hot news items have been award winners. These include: *Gimme Shelter: A Social History of Homelessness in Contemporary America* (1991); *Theft of a Nation: Wall Street Looting and Federal Regulatory Colluding* (2012); and *Unchecked Corporate Power: Why the Crimes of Multinational Corporations are Routinized Away and What We Can Do About It* (2017). These books were published by academic presses though they were written for general audiences. Each of these titles received radio coverage, mostly local, and resulted in many speaking invitations both inside and outside the U.S. Nevertheless, these hot topic books were not reviewed in The New York Times or in similar newspaper venues, nor did they ever draw any attention from daytime or primetime television.

On the other hand, back when I wrote *Gimme Shelter* I was well connected locally and nationally with the movements against domestic violence and homelessness in the U.S. I had also written an obituary for my activist-friend Mitch Snyder when he committed suicide in July 1990, which became the preface for *Gimme Shelter* seventh months later. In addition, when Andrew M. Cuomo came to HUD as an Assistant Secretary in 1993 and one of his charges was affordable housing, GS became required reading. As a result, this book on the crimes of homelessness had a much larger audience than did my two books on the financial crimes of the powerful.

In any case, when I decided to write my book on Trump's lawlessness and his impunity in 2016, I was concerned that my critically important research would be ignored by the mainstream news media. Although I have been aware of the false duality between the personal and the political dating back to the student movement and second-wave feminism in the 1960s, I still always find myself asking the same old newsmaking question: Is this mainstream media blackout biographical, criminological or a combination of the two? I pose the question this way because of the mutual lack of attention paid to white-collar and corporate crime by both the mass media and the field of criminology.

Some media-savvy people have said it has to do with my ideological stance as a people's criminologist and a scholar-activist reporting on and resisting the crimes of the powerful. Some say it has to do with my critique of the nation-state, governmental policies, and the mass media coverage of high-profile and low-profile cases of crime and punishment.^{xviii} Others suggest it has more to do with my criticisms of the media's coverage of police abuse of power, black-on-black crime, mass incarceration, or high-stakes financial frauds and the related abdications of the SEC and DOJ.^{xix} These crimes of the powerful omissions have always been the case,^{xx} but have only worsened since the Wall Street implosion of 2008. Those WS securities violators, for example, were all given passes by the Justice Department. Not one of the ten thousand Wall Street looters or derivatives fraudsters were ever charged for a criminal offense.^{xxi} Despite the gargantuan harm and injury caused by these financial fraudsters to millions of people, these crimes of the financially powerful were first rationalized and then routinized away as though they never occurred. These "techniques of neutralization" or justifications like monopoly capitalists may be harming consumers or multinational corporations may be destroying the environment, but these unsustainable crimes of capital make the world go around.

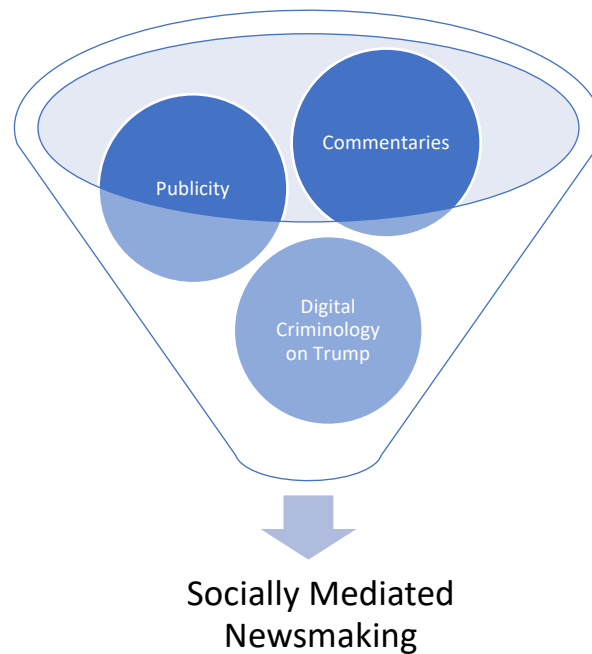
What is a criminologist to do in a mediated world to paraphrase the late comedian, Rodney Dangerfield, where criminologists “get no respect” especially compared to the reverence given to public-speaking and interest-oriented lawyers, journalists, historians, politicians, and others who know far less about crime, criminality, and norm-breaking than criminologists do?

NEWSMAKING CRIMINOLOGY AND MONETIZING THE TRUMP INDUSTRY OF BOOKS

To monetize refers to the processes of turning a non-revenue generating item into cash, such as a manuscript into a book. Yet, the objective of monetizing or consuming *Criminology on Trump* as with other hot topics of mine, such as homelessness in the early 1990s or the Wall Street implosion in 2008, have not primarily been about making money. Other objectives have been to monetize the value of criminologists and to engage in the public and private narratives that are circulating endlessly around these crimes, their victims, and the workings of justice.

In the case of the Trump industry of books with several submarkets (e.g., biography, coffee table, investigative journalism, Trump's favorites), more than 7000 titles published, and 10 new releases monthly, the question became how could a newsmaking criminologist use social media to monetize Trump? Instrumentally, the answer became, in part, that I would monetize the capitalist treatment of book royalty transactions in relation to business startup expenses and the filing of a Schedule C tax form.^{xxii}

In the logic of social media interactions, networked societies, and global communication, the diffusion of new information—*Criminology on Trump*—is mediated by the dynamic relations of three elements: offline events, mass media production, and online social media. The objective of newsmaking online, therefore, is to connect these elements by employing the usage of commentaries, publicity, and digital content as depicted in the model, Socially Mediated Newsmaking. In the rest of this section are four examples of my **commentaries** on the House Select Committee hearings that were posted between July 5 and July 22, 2022, for the online publications of *Salon* and *The Crime Report*. Next is **publicity** with an introduction to my publicist and a scaled down version of our pitch to several dozens of mass media outlets. Lastly, I provide an overview of the research company and the **digital content** that we created as well as a hyperlink to the video trailer, podcast, and graphic textual material that became *Criminology on Trump: America's outlaw and racketeer-in-chief*.



Commentaries:

Salon

Indictments are coming: At long last, criminal justice will catch up with Donald Trump

After Cassidy Hutchinson, there's not much doubt Federal charges will happen – but Georgia may get there first

By Gregg Barak, July 5, 2022

Putting a former president on trial for alleged criminal behavior would be the first prosecution of its kind in American history. It would also do much toward restoring the myth that no person or corporation is above the law. As James Doyle has explained, putting Trump on trial "redeems American justice."

Looking both backward and forward, I would argue that putting the former racketeer in chief and his accomplices on trial for *sedition conspiracy* to overthrow the U.S. government — arguably the ultimate constitutional crime — is more tangible than the abstract goal of redeeming American justice. In this insurrectionary moment, "substantive" due process justice trumps "procedural" due process justice.

After the first five public hearings held by the House select committee investigating the organized and coordinated activities of Donald J. Trump and his allies to steal the 2020 presidential election, culminating in the Jan. 6, 2021, Capitol attack, it seemed apparent that Attorney General Merrick Garland would not prosecute Trump for two likely federal crimes: "obstructing an official proceeding" and engaging in a "conspiracy to defraud the United States."

But the sixth hearing, and the dramatic testimony of Cassidy Hutchinson, an aide to former White House chief of staff Mark Meadows — the proverbial "fly on the wall" — was truly a

game-changer. Knowing that Trump welcomed the armed weapons and the assault on the Capitol was certainly no surprise to most people who have been paying attention.

Knowing Trump as a criminal biographer, I was not surprised to learn that he may have physically assaulted another person under circumstances like those on the occasion when he struck his first-grade teacher in the head before a whole classroom of his peers.

It was a surprise to me initially that Trump wanted to be present at the Capitol during the assault. For both legal and safety reasons, that would have been highly inadvisable. Jumping into Trump's fantasy world, however, where he believed that he was not at physical risk, I could also imagine Trump envisioning himself riding up the stairs and into the Capitol on a white stallion, ahead of his troops.

Recall that Trump had successfully defended himself from "incitement of insurrection" during his second impeachment trial, contending that his Ellipse speech was protected by the First Amendment and that he had no knowledge about the crowd's makeup, its intentions or its possible weaponry.

Trump's defense was plausible, at least at that point, because after only four weeks of investigation the House impeachment managers' case against him was based on circumstantial rather than direct evidence. All of that changed with the testimony of Cassidy Hutchinson.

That's why the testimony of Pat Cipollone, Trump's former White House counsel, who was quoted by Hutchinson as saying, "We're going to get charges of every crime imaginable," including seditious conspiracy as well as jury tampering, has now been subpoenaed by the select committee.

I do not imagine that any federal prosecution of Trump will occur before the end of 2023. In the meantime, however, it is likely that the former president will be prosecuted before the end of 2022 for the felony of asking Georgia Secretary of State Brad Raffensperger to overturn the outcome in that state by "finding" 11,780 fake votes, one more than Trump lost the state by to Joe Biden.

In the Georgia case, Trump could be charged with violating as many as four statutes. These include seeking to have ballots counted that Trump knew were "materially false, fictitious, or fraudulent under the laws" of the State of Georgia; conspiring with Meadows and two other lawyers "to injure, oppress, threaten, or intimidate any person..."; "soliciting another person" to willfully tamper "with any electors list, voter's certificate..."; and engaging in "criminal solicitation to commit election fraud."

Following a lifetime of crime, corruption and impunity, it now appears that the criminal law is at last catching up with the man who has operated a criminal enterprise within the Trump Organization since the early 1980s.

Over more than four decades, a non-exhaustive listing of the former president's alleged crimes would include sexual assault; tax evasion; money laundering; the non-payment of employees, contractors and attorneys; financial fraud; racketeering; and obstruction of justice.

Trump is a veritable Houdini of white-collar crime, a master of lawlessness and impunity. Not only has he never been convicted of any crime, he has never even been charged with a felony.. As a litigator, Trump is in a league of his own. Since 1973 he has been involved in more than 4,000 lawsuits, and in some 60 percent of those as the suing plaintiff.

Until now, his litigation has almost always been about attracting attention and wearing down opponents. As the great litigator James D. Zirin, author of "Plaintiff in Chief: A Portrait of Donald Trump in 3,500 Lawsuits," wrote of Trump: "What was important was to use the lawsuit to attract attention, to exert economic pressure, and to prove he was the kid on the block not to be messed with."

The impending criminal charges to be filed against Donald Trump by the district attorney of Fulton County, Georgia, and the U.S. Department of Justice are both very different from the thousands of previous lawsuits in Trump's career. Those civil cases, both past and present, have always been about money. The soon-to-be criminal cases will be about Trump's personal freedom — and whether he will be wearing an orange jumpsuit for the next several years.

The Crime Report

Can Trump Escape Accountability?

By Gregg Barak, July 13, 2022

Whether one self-identifies as a Democrat, a Republican, or an Independent most people would agree that the first seven hearings have far exceeded everyone's expectations except I suspect those of Donald Trump.

After the first Select Committee hearing, it was readily apparent the decision to withdraw Republican members, leaving the "party pariahs"— Lynne Cheney and Adam Kinzinger —to hold the fort could very well turn out to be the former president's Achilles heel.

It allowed for the hearings to be focused on the seditious lawlessness and not on politics as usual. Rather than the hearings becoming another partisan "food fight" like the impeachment hearings, these have been able to place the very survival of American democracy front and center.

In our culturally and politically divided America, plagued by "failures to communicate," by alt-right violent threats to law and order, and by a withering Democratic Republic, the real-life series of events that we have all been experiencing seem like some kind of fictional drama made for surrealist viewing.

In an on-screen world where the storyline of the central character has only gone from bad to worse and the plotlines have morphed into "good" versus "evil" narratives, the all-powerful superhero Attorney General Merrick Garland will sooner or later have to do battle with the all-powerful supervillain Donald J. Trump.

With the evidence already revealed by the hearings, the AG has no other choice than to prosecute Trump and his allies for a range of assorted felonies. A non-exhaustive list of those envisioned crimes includes, minimally, the obstruction of an official proceeding of Congress;

conspiracy to defraud the United States; wire fraud; and witness tampering, if not seditious conspiracy too.

To do anything less than prosecute Trump to the full extent of the law possible would not only be a travesty of justice and a dereliction of duty, but also an act of surrender to the forces of political repression and authoritarian rule.

The Indefatigable Liar

During the televised hearings, the seditionist-in-chief has been partially absent from the proceedings. Meaning, that none of his partisan defenders or legal henchmen were present to run interference for him, as they did with the two impeachment trials that resulted in acquittals due to "jury nullification."

Nevertheless, sometimes during and usually following, the hearings we hear from Trump. Twitter aside, Trump was piping in vis-a-vis social media with his inane commentary, or more accurately, name calling of those unfavorable witnesses testifying under oath against him.

When, for example, Bannon's trial for criminal contempt of Congress was about to begin on July 18, Trump wrote the following in a letter dated July 9, 2022, allegedly waiving Bannon's privileged claim not to testify before the committee, which the former president never provided and never had a right to in the first place:

I watched how unfairly you and the others have been treated. Therefore, if you reach an agreement on a time and place for your testimony, I will waive Executive Privilege for you, which allows for you to go in and testify truthfully, as per the request of the Unselect committee of political Thugs and Hacks, who have allowed no Due Process, no Cross-Examination, and no real Republican members or witnesses.

The Take-Aways So Far

With the incriminating evidence presented so far by the House Select Committee, we have learned a great deal about Trump's criminal intent, why the seditious conspiracy to defraud the American people failed, and how the steadfast political campaign to overturn the 2020 election escalated overtime.

We know that the ultimate plan was to prevent the election certification of Joe Biden as president on January 6, 2021. We also know about the roles played by right-wing paramilitary groups, that violence was a part of the coup plot, and that Trump wanted to breach the Capitol alongside of his knowing and unknowing foot soldiers.

"In keeping with what authoritarians and demagogues do," as Chauncey Devega has written, Jan. 6 was "a banana-republic moment" as Trump "wanted to be at the Capitol, if not on the floor of Congress, to take over and declare the election null and void," and "to declare himself president during a time of national emergency."

We know further that the lawfully defeated president was very angry that he could not go to the Capitol, and that his violent plan to overturn the election was blocked by law enforcement.

While there has been no “smoking gun” –pictures of Trump meeting personally and colluding with the leaders of the Proud Boys and the Oath Keepers at Club Mar-a-Lago—there is plenty of “circumstantial” evidence about Trump’s intent.

We have learned of the infamous meetings of his co-conspirators in the White House and elsewhere between Dec 18 and Jan 5. We already are aware of the close links between Trump underlings like Roger Stone and former Lt. General Michael Flynn and the leaders of the militia groups and the broader “Stop the Steal Mob.”

We also know about the timing and content of the former president’s tweets leading up to and even during the violent insurrection, as well as his editing of text with speech writer Stephen Miller and his ad-libbed violent lines in his Ellipse speech minutes before the assault on the Capitol.

And we’re likely to hear more details about this at the final hearing next week when the Committee doubles down on Trump’s actions on Jan. 6—especially during the 187 minutes while the assault persisted.

But between now and the onset of the Georgia and/or Department of Justice criminal trials, I do not imagine that anything will develop to alter any of the damaging evidence presented so far.

In fact, the more we learn about the social realities behind the seditious conspiracy to overturn the 2020 presidential election, the worse it becomes for Trump, and for his only available if not viable legal defense.

A Trumpian ‘Good Faith Defense’

As a real estate tycoon, entrepreneur, entertainer, and politician, Donald Trump has boasted that to the best of his ability he has always “taken advantage of the laws. And frankly, so has everybody else in my position.”

Regarding the projector-in-chief, whenever Trump has accused others of doing something to him, it has usually been a case of “the pot calling the kettle black.”

Unlike the thousands of other civil lawsuits past or present that Trump has engaged in either as plaintiff or defendant, the upcoming criminal lawsuits will revolve around the legal issues of whether Trump’s defense team can establish a *good faith defense* for the former president.

Translated legally, this means: Did Trump lack the necessary intent to defraud the American people or was he acting in good faith?

In different words, it does not matter that the alleged beliefs or statements of the 45th POTUS were false, or that his actions or inactions based on these were wrong. What matters is whether Trump had a good faith belief beyond a reasonable doubt that they were true.

With the “evidence” provided by the hearings thus far, it does not appear that Trump’s attorneys will be able to mount a good faith legal defense. Without this kind of defense available

to Trump, he should be easily convicted, subject to the possibility of one or more MAGA jurors going rogue.

Nevertheless, do not think for a moment that in the court of public opinion that Donald won't be singing his same old lyrics— "no collusion, no obstruction, no insurrection"—using the Mueller report, the first and second impeachment trials, the 2020 "rigged" election, and lastly the House Select Committee investigation, all as a "prima facie" case of the orchestrated witch hunt against Trump.

This lame defense to the charges of seditious treason as well as to every other crime imaginable that he may be charged with, might work in the court of public opinion, but it would most certainly be laughed out of a court of law.

Since Trump first retained Roy Cohen in 1973 to represent both himself and his father in a housing discrimination lawsuit, Donald has been fine-tuning the art of linguistic lying. Over five decades, Trump became not only a consummate white-collar criminal but also a very skilled technician in weaponizing the law.

His strategy involves focusing on temporary victories, employing unscrupulous methods, doing end-runs around the judicial systems, fixing disputed outcomes, and defending himself first and foremost by going on the offensive.

The "offensive defense" tactics often requires attacking and bashing your opponents with lies and falsehoods—a Trump specialty without equal.

As absurd as his sensationalistic defenses and lies are, they are often quite successful in lowering the credibility of one's opponent such as the 46th POTUS Joe Biden.

Should Trump ultimately be prosecuted by the Department of Justice, which I believe will ultimately occur, Trump's linguistic *jiu jitsu* will be highly ineffective, because his opponents will no longer be individuals or private businesses engaged in civil conflict, but rather the people or the citizens of the United States versus Donald Trump for a litany of criminal offenses.

Salon

Steve Bannon's unlikely criminal trial: First of its kind in almost 40 years

No one had been prosecuted for contempt of Congress since 1983. But Steve Bannon, like his former boss, is unique

By Gregg Barak, July 20, 2022

It is no understatement to say that the United States is experiencing its greatest political and constitutional crisis since the Civil War, "with a reasonable chance over the next three to four years of incidents of mass violence, a breakdown of federal authority, and the division of the country into warring red and blue enclaves," as Robert Kagan wrote last year in the *Washington Post*. Or, to paraphrase Donald Trump's 2016 tactician Steve Bannon, the U.S. is undergoing a "deconstruction of the state."

Bannon is in federal court this week charged with contempt of Congress after he failed to comply with a subpoena from the House select committee. He declined to sit for a deposition and to provide documents related to the events of Jan. 6, 2021. His defense has shifted from a claim of executive privilege (nonexistent in his case) to the allegation that he misunderstood the deadline set by the committee.

Bannon has been charged by a grand jury with two counts of contempt of Congress, both misdemeanors. If convicted of both counts, his sentence could be as short as 60 days or as long as 24 months.

The last time the Justice Department prosecuted someone for contempt of Congress was in 1983. This trial, which began Tuesday, is expected to last no more than three days before it goes to the jury. Bannon is likely to be convicted on both charges, and is almost certain to appeal, no doubt dragging out the whole process many more months.

The organized 2020 "Stop the Steal" efforts were often amateurish, chaotic and comical. Nevertheless, the campaign to overturn the election and the failed coup were highly effective on their own terms and have since been surpassed by Republican organizing nationwide meant to ensure that either Trump himself or a Trump surrogate is victorious in 2024.

The principal means for returning Trumpism to the White House, beyond extensive voter restriction legislation aimed largely at Black and Latino voters in urban areas, has been the establishment of a political infrastructure capable of legally nullifying vote counts and overturning election results. The endlessly repeated false accusations of a rigged and stolen 2020 election were dress rehearsals to undermine the democratic election process. These pre- and post-election campaign efforts were very successful in delegitimizing the voting system.

Two of the most influential figures behind Trumpism were Bannon and White House adviser Stephen Miller. In tandem, among other things, the two assisted Trump to stoke white voters' resentments toward immigrants, Muslims, Black Lives Matter protesters, political correctness, cancel culture, the teaching of critical race theory (which really doesn't occur below the university level) and the undefinable phenomenon known as "wokeness."

Before Bannon became Trump's third campaign manager in August 2016, he and Trump had been having a running conversation whenever their paths crossed at various conservative political events over the preceding several years. These interactions were usually at the prompting of Trump, who was always eager to know what Bannon was thinking.

For example, at the Conservative Political Action Conference both in 2013 and 2014, the self-described ethnonationalist organized panels that included former House Speaker Newt Gingrich and former Attorney General Michael Mukasey, the father of Marc Mukasey, who is one of Trump's trusted lawyers and a friend of Rudy Giuliani.

While these panels were busy discussing the usual Republican preoccupations like military spending and preparedness, or the attacks on the U.S. mission in Benghazi, Bannon was "speaking about sovereignty, economic nationalism, opposition to globalization, and finding

common ground with Brexit supporters and other groups hostile to the transnational European Union," as Christopher Caldwell wrote in a 2017 column for the *New York Times*.

After taking office as president in January 2017, Trump announced that Bannon would be his chief strategist. This newly created position was to be equal in power to Reince Priebus, the first White House chief of staff (who didn't last long in Trump World). Priebus' replacement retired general and former DHS Secretary John Kelly, excommunicated Bannon from the West Wing, partly for his frank conversations with journalist Michael Wolff. But in retrospect, it appears that Bannon's influence over Trump never waned.

The Crime Report

The Final 187 Minutes of a 'Multi-Prong' Criminal Conspiracy

By Gregg Barak, July 22, 2022

The last of the House Jan. 6 committee's summer hearings was billed as focusing on the former Commander-in-Chief's missing actions during 187 minutes between the start of the insurrection early in the afternoon and when he urged the violent mob of insurrectionists to leave the Capitol and to go home in "peace" as the sun was setting late in the afternoon.

During those 187 minutes, we learn about the phone calls that the former president made to lawmakers trying to convince them to assist him to remain in power as they were being evacuated from the Capitol.

Similarly, we learn of Donald Trump's tweets condemning Vice President Mike Pence while he was being escorted by the Secret Service and fleeing from Trump's mob while they were chanting, "hang Mike Pence."

Meanwhile, while family, friends, and advisers were doing their best to get Trump to call off his dogs or those doing his vicious bidding, the former president was joyfully watching the rioters and the violence unfold on television.

This was Trump's revenge for losing the election: his defiant inaction for securing the peaceful transference of executive power.

Most importantly, we learn that Trump wanted to announce pardons for the rioters in a speech that he gave to the American people on Jan. 7, but that he did not include lines about pardons at the urging of White House lawyer Pat Cipollone and others.

Finally, after more than two hours had passed since the insurrection began, and when some 1,100 D.C. National Guard soldiers were standing by and about to receive final approval as to how they would be used, Trump was continuing his big lie about the stolen election, and reluctantly tweeting at 3:13 p.m.:

I am asking for everyone at the U.S. Capitol to remain peaceful. No Violence! Remember, WE are the Party of Law and Order – respect the Law and our great men and women in Blue. Thank you.

Then at 4:17 p.m., Trump released a video to his supporters on Twitter repeating his false claims that Biden's election was fraudulently won as he tried to identify with them by saying, "I know your pain. I know you're hurt."

and he continued:

We have to have peace. We have to have law and order. We have to respect our great people in law and order. We don't want anybody hurt... So go home. We love you, you're very special. You've seen what happens; you see the way others are treated that are so bad and evil. I know how you feel but go home and go home in peace.

The Thursday evening prime-time hearing was also laser-focused on the actions that other elected political leaders from the House and Senate, all the way up to Vice President Pence, as well as critical persons in charge of homeland security and policing, were engaged in during the same 187 minutes in which Trump was totally disengaged.

Juxtaposed, these two parallel yet contradictory stories are telling of not only the utter disconnect between Trump's lack of actions and the actions that everyone else was taking to try to end the violent assault, but also between Trump's counteractions to keep himself in power by any means necessary.

Thursday's primetime hearings revealed Trump's sins of omission as well as his sins of commission, his dereliction of duty and his failure to execute and defend the laws of the United States.

The hearings also demonstrated Trump's recklessness and criminal intent to use mob violence against members of Congress and his vice president as a means of overturning the 2020 election and illegally staying in power.

While a minority of legal pundits might still argue that there may not be enough evidence to prosecute Trump for seditious conspiracy, there can no longer be any doubt about Trump's culpability for the criminal felonies of obstruction of an official proceeding of Congress, conspiracy to defraud the United States, wire fraud, and witness tampering.

Ultimately, after Attorney General Merrick Garland and the Justice Department completes its investigation, they should minimally prosecute Trump and his allies, if not for seditious conspiracy, then for election racketeering schemes as in a classic "hub and spoke" multi-prong conspiracy.

The Ellipse speech by Trump and the Jan. 6 attack on the Capitol were just one "spoke" of a grander scheme, and not dependent on whether his speech incited the rioters at that moment.

Publicity

Not unlike most book publicists Lorna Garano had the full list of contacts for the purposes of pitching interviews to the mainstream media platforms such as ABC's Good Morning America, the PBS Newshour, Public Radio, CBS, NBC, Fox, CNN, MSNBC and so on, but she also had an array of online media contacts, inclusive of such progressive leaning platforms as Crooks &

Liars, Highbrow Magazine, and The Media Independent Institute. In the world of securing interviews and/or book reviews, there are never money-back guarantees. For the record, Lorna found our political niche or media silo with the following face-to-face platforms and/or audio podcasts: Parallax View, David Feldman Show, Bob Cesca Show, Thom Hartman Program, David Pakman Show, Rising Up with Sonali, Act Now with Juliana Forlano, and West Coast Styles. Lorna also secured phone interviews with Politico and Salon.

Overtime, as these interviews were occurring between April 15 and June 15, 2022, and after Chauncey DeVega's interview appeared June 1, 2022, in Salon.com, I too was able to secure a couple interviews on my own. One was with *The Corporate Crime Reporter* that appeared July 11th in its hardcopy newsletter for its corporate litigating subscribers, and again online on August 2, 2022, as hyperlinked at the beginning of this essay. The only unsolicited interview and mainstream media interview that I did September 6, 2022 was first scheduled for the afternoon of August 2, 2022, for TRT World Television's flagship political program from Washington, DC, *Inside America with Ghida Fakhry*.

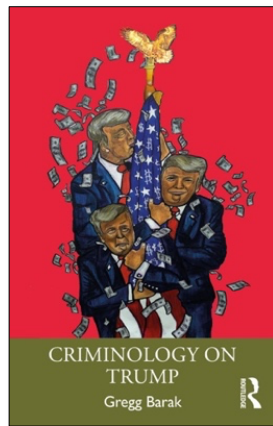
Garano is also a freelance writer. For example, she has been a co-author of *Coping with Anxiety* (2016) and *Pocket Therapy for Anxiety* (2020).^{xxiii} She is politically savvy and was a publicist for Noam Chomsky toward the end of his book writing career. All and all, she has a fine sense of political affairs. She also had a good feeling for what parts of *Criminology on Trump* could be worked into publishable excerpts or developed into relevant posted essays. These are different ways to access the cultural narratives on Trump and to shape the Racketeer-in-Chief's criminal biography and lifetime of lawlessness for public consumption. Several of these pieces resolved around corruption and pay-to-play schemes, including Boss Trump's self-dealing pardons to his seditionist conspiracy pals General Flynn, Roger Strone, and Steve Bannon.

Certainly, the most successful and best-timed excerpt of ours—*With the Supreme Court's EPA Ruling, Can Trump's Damage to the Environment Ever Be Repaired?*—was published during the celebration of Earth month on July 12th when less than two weeks before on June 30, 2022, SCOTUS had ruled against the Environmental Protection Agency. After its first posting on IMI: <https://independentmediainstitute.org/efl-tat-20220712/?swcfpc=1>, it was immediately syndicated and published by Alternet, LA Progressive, Nation of Change, Counter Currents, and 48 hills, for a total of more than one million subscribed readers. IMI on August 16 highlighted its best commentaries of July 2022 and included an introduction and link to the excerpt from COT.

Of course, in the business of book promotion, the press release and the pitch to media catchers is what it is all about. Here is our pitch without any of the biographical material, the 11 reviewers praise for the book, and a long series of 15 suggested questions that interviewers could ask me.

GIVING TRUMP HIS RIGHTFUL PLACE IN THE HISTORY OF CRIME

In a new book, an esteemed criminologist argues that Donald J. Trump, the former "Racketeer-in-Chief," should be recognized as one of the most dishonorable criminals in history and reckons with what that means for America



In his new book, **CRIMINOLOGY ON TRUMP** (Routledge, Paperback, May 2022), Gregg Barak, does something no critic or analyst of Donald Trump and his presidency has done before: he looks at him through the lens of criminology. He argues that Trump belongs in the company of Bugsy Siegel, John Gotti, and other mob bosses. Barak, the North American Editor of the *Journal of White Collar and Corporate Crime* and Emeritus Professor of Criminology & Criminal Justice at Eastern Michigan University, says that “criminology possesses the ideal tools, methods, and theories for sorting out and evaluating the behavior of Donald Trump.”

While many speculate about the source of Donald Trump’s bizarre behavior, lack of empathy, and amorality, Barak insists that “the central character of Donald Trump is a con artist, a master gaslighter, and a shrewd racketeer.” Long before he took the presidency, the Donald operated a criminal enterprise as part of the Trump Organization, which carried out fraudulent financial schemes since its inception. As the executive-in-chief he used his power to enrich himself and his cronies to a degree never seen in American history, warred against the First Amendment, incited an insurrection, and undermined some of our most essential institutions. Unlike Siegel, Gotti, and other crime bosses, Trump’s ruthlessness and ambition impacted the whole world and still poses a massive danger to democracy and peace at home and abroad.

Gregg Barak is available for interview. We can also provide excerpts from his book and original articles. Here is just some of what he can discuss:

How Trump turned his presidency into a windfall for his businesses. “The line between the Trump Organization and the Trump administration was so thin that it is still unclear where the former president’s public responsibilities ended and his private financial interests began,” writes Barak. By September 2020, the promised firewall between his businesses and the presidency was shown to be riddled with holes. Barak reveals how by that time Trump had racked up 3,403 conflicts of interest or about two conflicts per day and turned his administration into a “sinkhole of organized corruption.”

Using the law as a weapon. While other infamous racketeers were quick to resort to brute force against anyone who got in their way, Trump— “arguably the greatest litigant of all time”— favors another weapon: the law. For him, the law has never been a mechanism for justice, but a blunt instrument for hobbling his critics. From 1986 to 2016 Trump had been involved in between 3,500-4,000 lawsuits, proceedings, and investigations. Barak shows how Trump is a

serial abuser of the law who uses his money and power to bankrupt, harass, and intimidate anyone who challenges his criminal reign.

Why a RICO prosecution is warranted. Trump and his family have engaged in a diversity of lawlessness, much of which falls under the purview of the RICO statute. Just as this body of law has been used to prosecute other notorious organized crime figures it could be invoked to hold the Donald and several of his family members accountable for their crimes.

Deutsche Bank, Donald Trump, and their “overlapping criminal schemes.” The legal wrangling between Trump and Deutsche Bank include the bank suing him and Trump countersuing, yet they continue to do business together. Barak suggests that's because both have independent and mutual histories of laundering money from Russian syndicated criminals, some of which makes its way into Trump building projects.

Mapping the corruption: Trump's assault on the government institutions that protect the public. Barak does an in-depth investigation of how Trump undermined three arms of government that are crucial to public health and well-being: The Consumer Financial Protection Bureau (CFPB), the Environmental Protection Agency (EPA), and the Department of Health and Human Services (HHS). In each case he reveals a breathtaking degree of corruption that has long-term consequences for the well-being of all Americans.

Trump's psychopathology should not overshadow his criminality. Everyone from world-renowned psychiatrists to armchair therapists have pronounced Trump mentally ill. He may be, but Barak cautions us against seeing him as self-deluded and allowing that to overshadow his profound criminality. “I do not believe that Donald is self-deluded or that he believes the fabrications that he deceptively cons and assists others into believing and living their lives by. The perpetual lying is simply a means to Trump's desired end. It is mostly scripted performance stuff. In a feedback loop of sorts Trump, the MAGA base, and the Fox News propaganda machine are delivering and playing back to each other exactly what they all cannot get enough of,” says Barak.

Presidential pardon as a business opportunity. Barak reveals how Donald Trump used the presidential pardon as another way to fatten his bank account. “In Donald's inimical and corrupt way, he was able to turn his pardoning gig into another revenue stream for making money off the presidency. Opening bids for pardon consideration were auctioned off at \$50,000,” writes Barak.

Digital Content

Research Features, based in England, believes that to truly value the research being conducted around the world, it must be visible and accessible to audiences beyond academia. RF works with individual researchers and research teams to distill the importance of their work into popular formats. Foci may be on a particular project, the efforts of teams of researchers, or the span of a scholar's career. Their end-to-end services include content creation, promotion, and reporting vis-à-vis a blog and website, digital articles, and a research features publication. I had been aware of the services of companies like RF because over the years they had approached me by email to promote and disseminate one my latest peer-reviewed articles.

RF approached me in the Winter of 2021 about promoting a recent article of mine on student debt first published online on November 2020 in *Critical Criminology: An International Journal*.^{xxiv} While I have not and would not ever be interested in spending the money and time to promote a single article, I was indeed interested in taking advantage of their services for the purposes of promoting *Criminology on Trump*. While RF teams of workers had never promoted an entire book during their previous 20 years in business, they had worked with several authors to promote multiple articles on a single topic. They quickly agreed to take on my book. Our collaboration included a one-minute video trailer, a 11-minute podcast, as well as a graphic text that was virtually the same as the audio podcast, which in addition to its digital version linked here, was also reproduced in their monthly glossy Research Features Magazine.^{xxv}
<https://researchfeatures.com/criminology-trump-americas-outlaw-racketeer-chief/>

Socially Mediated Newsmaking:

The digital material produced by Research Features was disseminated through Researchpod.buzzsprout.com, YouTube, Facebook.com/researchpod, and Twitter@ResearchpodHQ. The digital material was also linked back to my primary Twitter account, @Gregg Barak and not my secondary Twitter account, @BarakGregg.

Control center for this socially mediated newsmaking exercise were my twitter accounts. Incoming twitter feed on Trump I might reply and or retweet with a comment. At the same time, I subscribe to numerous digital newspapers, so I would tweet nearly all the Trump related stories from the Washington Post, the LA Times, Raw Story, the Marshall Report, and others, with a pithe comment and a link of some kind.

Between the two twitter accounts I was tweeting and retreating twenty times a day. Rarely did I simply tweet out a “what’s happening,” but occasionally I did. In probably 80% of the tweets, I would link a relevant commentary or viewpoint on Trump, and I had many to select from, or I would link them to Amazon or Rutledge, depending on who was having a sale, always getting a shot of the three-figured Trump cover. Often, I would attach a generic link to the YouTube trailer, podcast, and graphic text wrapped into one when I was without an appropriate commentary.

All this twitter engagement with Trump resulted in all type of traffic, likes, replies, retweets, etc. and hearing from all types of people in my email accounts as well, some of them becoming sources of information, others becoming people working with some related project such as a contribution about the dangers of “whistle blowing” in the big pharma industry for the *Journal of White Collar and Corporate Crime*. Let me provide one exchange that occurred back in August 2022 a few days before I was finishing up this essay.

In response to a Washington Post Opinion piece, “Merrick Garland has sped up his investigation. He cannot let up now.” I commented: “He is not going to let up, on the contrary watch him put his foot to the peddle.” I also linked the trailer/podcast/text to the tweet. Several people “liked” that tweet. Some replied, “I sure hope you are right.” Others were cynical, etc. I don’t usually reply to a reply but on occasion I do with a comment, and sometimes a relevant link.

Richard Hahn liked my tweet and then he replied in a separate tweet a day later: “I’m reading Mr. Barak’s latest book. I certainly hope Garland won’t let up. However, given Trump and the

snake's history of slithering out of facing justice, I'm still not holding my breath until prosecution/conviction." I thanked Mr. Hahn for sharing and I linked him to the August 2, 2022, posting of my interview with The Corporate Crime Reporter.

A DISCUSSION OF NEWSMAKING CRIMINOLOGY

Between now and back when I first introduced newsmaking criminology in a 1988 *Justice Quarterly* article, the concept has stood the test of time as criminologists continue to empirically examine the practices of newsmaking. During much of its 35 years the concept of NC was controversial, misunderstood, and undervalued. On one side, were those critics or naysayers who contended that newsmaking methodologies cheapened the value of the academic enterprise by privileging style over substance. On the other side, were those proponents and fans who argued in a world already saturated with crime, justice, and violence newsmaking, that criminologists could deliver more informed analyses, better representations, and replacement discourses.

As for those who still misunderstand newsmaking criminology this usually has something to do with the problem of reductionism or the tendency of many criminologists to conflate, or worse, equate public criminology and newsmaking criminology. From time to time, I have tried to clarify the concept like the 2007 article, *Doing Newsmaking Criminology from within the Academy*, published in *Theoretical Criminology*.^{xxvi} Or wherein the *Chronicles of a Radical Criminologist* (2020), I devoted one of the chapters to public criminology and another to newsmaking criminology.

Over the years I have repeatedly pointed out that while all newsmaking criminologists are public criminologists, very few public criminologists are newsmaking criminologists. Yet, the work of both types of criminologists can reinforce each other in the mediating processes of reconstructing and replacing the dominant narratives about crime, justice, and social control. By performing in tandem, these two criminologies may also be value enhancing. As when, for example, podcasting and newsmaking criminologists selectively invite public criminologists on to their platforms to be interviewed as criminological subject experts. In a similar type of newsmaking production, Garry Gray and Brigitte Banning while making a television documentary on "missing persons" and developing representative figures for the video recording, explored the emerging field of crowdsourcing criminology and its relationships to newsmaking criminology, public criminology, and the reshaping of news as infotainment or popular criminology. The study was also suggestive of how newsmaking criminology may oscillate between popular criminology and public criminology.^{xxvii}

One of the earlier studies to reveal the efficacy of newsmaking was conducted by Judy Buckingham in New Zealand. After reviewing and critiquing the empirical and theoretical foundations of criminological discourse of gender symmetry in domestic violence as well as gender bias in the criminal justice system, she examined the roles of both the media and those criminologists that participate as experts in the media construction of crime and social control. She found that with respect to both domestic violence offending and public responses to the victims of these crimes, that the intervention of newsmaking criminologists disrupted widely accepted views of domestic violence and criminal justice processes.^{xxviii}

One study on politics, research, and newsmaking criminology—a favorite of mine—demonstrates the value of NC, especially when weighing in on controversial issues or research findings. Using a case-study approach involving a critical report on the use of “stop and search” in Scotland, Kath Murray showed how the techniques of neutralization employed by the police to discredit the report were pushed back by the coverage of newsmaking criminologists, gained mediated traction, and prompted legal reform.^{xxix}

In a recent global study in seven countries—United States, United Kingdom, Canada, Australia, New Zealand, Ireland and South Africa—that investigated the frequency, predictors, and motivations for scholars doing newsmaking criminology, the researchers drawing on a dataset of 1211 survey responses found that gender and career stage were key predictors of participating in the news media, as was the desire to publicize and demonstrate the impact of research, generate university publicity, and influence policy and legal reform. Their follow-up interviews with 27 of these “newsmaking criminologists” revealed two central logics informing these predictors: an industrial logic driven by the demands of academic capitalism and a social logic stemming from these scholars’ beliefs in the public role of criminologists and of criminological research.^{xxx}

This brings us back to monetizing *Criminology on Trump* and to socially mediated newsmaking. On a google/amazon search, August 6, 2022, of more than 7000 Trump books, COT was number 152. While my publisher has been very pleased with sales, I was initially disappointed to learn that impressions, views, likes, replies, tweets, retweets, minutes on YouTube, and downloads of podcast interviews, do not translate into the type of consumption that I was hoping for. Then again, by the time you read this essay the sales from this book will have easily exceeded those of *Theft of a Nation* and *Unchecked Corporate Power* combined.

Of course, I was working my tail off like a “mad man Trump” with more than 1000 tweets in the two weeks before and after the May 17 publishing date. While I never secured any interviews on cable or prime time mass media, I came close when my publicist notified me that Deadline: White House on MSNBC with Nicolle Wallace was considering me for an interview. I did eventually appear the day after Labor Day, September 6, 2022, on Global TV by interview request to discuss the January 6th Indictments and Trump Investigations.

There were two interviews that never materialized one by phone with Politico and another with Julia Forlano for 25 minutes that was supposed to air on ACT.TV There were also some other kinds of “censorship.” One of my excerpted essays for Highbrow Magazine was published and then abruptly removed less than two hours later. Click the link here and get access denied, <https://www.highbrowmagazine.com/19739-donald-trump-and-selling-presidential-pardons>. Publicist Garona was told that we needed to embed some documentation for what we were saying which they had not cared about when they accepted and published it in the first place. We complied and it was to come out later, but it never did.

Finally, after having developed a fast-working texting relationship with the Editorial Page Editor of the Miami-Herald and publishing three op eds in a matter of weeks for her, Nancy Ancrum “blew me off” without a word. From a woman who had once texted me on late Friday, “Have a nice weekend, Gregg.” This was truly a bummer for several reasons. Not the least of all is that the Miami-Herald has a national profile—Pulitzers too—for its coverage of syndicated

and organized crime, for its stories on billionaire Jeffrey Epstein and his conviction for sex trafficking, as well as ongoing newsmaking about Florida Rep. Matt Gaetz (R), a Trump lapdog who has also been under investigation for sex trafficking of underage girls himself, and who has retained Epstein's defense attorney in a case that looks like it may have permanently stalled. Moreover, Trump's golf Club Mar-a-Lago and permanent winter home located in Palm Beach, FL is not only where Boss Trump's political underbosses, like wantabe House Speaker Kevin McCarthy from California, come to "bow and kiss his ring," but so does the Miami-Herald as the local daily newspaper. For some three months I was getting plenty of satisfaction from this mainstream media platform knowing that my op eds, titled by my short-lived editorial page pal, may have been finding their way to the Racketeer-in-Chief:

Trump profited using racketeering techniques, Jan 5, 2022; Lawyer Eastman promoted theory Pence could overturn election, Mar 3, 2022; and Author suggests Barr most corrupt attorney general in 100 years, Apr.4.

Hence, I think I have reason to suspect that Trump and company may have put the kibosh on my editorial relationship with Nancy Ancrum and the Miami-Herald.

TAKING ON THE 4TH ESTATE'S CRIMES OF OMISSION

Graham E. Fuller, a political analyst, specialist on Islamic movements, and former CIA Station Chief in Kabul, in a substack interview with Andrew Van Wagner during the summer of 2022, discussed what he views as the less than objective news coverage of countries like Ukraine, Russia, China, Iran, and Israel by the U.S. mainstream media. Fuller maintains that even the *New York Times* "tends to work as a propaganda mill" when it comes to these countries.^{xxxix} He argues that the mass media "leaves out important information that can change your perspective, so you have to venture outside the mainstream media or else you won't know about those important pieces of information."^{xxxix} I argue similarly when it comes to mainstream news coverage, analysis, and explanation of the crimes of the powerful, especially involving mega corporations and the nation-state itself, that the journalistic "crimes of omission" of the 4th Estate serve an even graver propagandistic function than does its subpar coverage of international news. One way to address the missing mass mediated crime and justice narratives of the powerful is for criminologists to become newsmakers about their crime and justice specialties, and then take advantage of newsmaking opportunities while connecting with ever expanding audiences of reciprocally liked minded political people.

Endnotes

ⁱ *The Guardian*. 2021. U.S added to the list of "backsliding democracies" for the first time. November 22.

<https://www.theguardian.com/us-news/2021/nov/22/us-list-backsliding-democracies-civil-liberties-international>.

ⁱⁱ Robert W. McChesney and John Nichols. 2022. *To Protect and Extend Democracy, Recreate Local News Media*. January 25: 1.

ⁱⁱⁱ *Ibid.*

^{iv} Ronald C. Kramer. 2020. *Carbon Criminals, Climate Crimes*. New Brunswick, NJ: Rutgers University Press.

^v Paul McGuire and Tony Anderson, 2018. *Trumpocalypse: The End-Times President, a Battle Against the Globalist Elite, and the Countdown to Armageddon*. Nashville: Faith Words.

^{vi} David Frum, 2020. *Trumpocalypse: Restoring American Democracy*. New York: HarperCollins Publishers.

- vii Iskandarsyah Siregar and Zulkarnain. 2022. The Relationship between Conflict and Social Change in the Perspective of Expert Theory: A Literature Review. *International Journal of Arts and Humanities Studies*, 2 (1):9-16. <https://doi.org/10.32996/bjahs.2022.2.1.2>.
- viii Gregg Barak. 1988. "Newsmaking Criminology: Reflections on Media, Intellectuals, and Crime." *Justice Quarterly* 5(4): 565-87. See also G. Barak, (ed.), 1994. *Media, Process, and the Social Construction of Crime: Studies in Newsmaking Criminology*. New York, Garland Publishing.
- ix For example, to accompany my textbook, *Integrating Criminologies* (Boston: Allyn & Bacon, 1998), I wrote and directed a 58-minute "docudrama" for Viacom Productions, "PRIME TIME CRIME" that provided material on the crimes of the powerful, namely white-collar and corporate crime, as a means of pushing back against "if it bleeds, it leads," for VCR usage by students who had purchased this required book. With the assistance and proprietary rights of Viacom, I had the company retrieve and sequentially order the material from least serious to the most serious local news coverage of crime and justice from across the nation during their 6:00 and 11:00 PM broadcasts. As I recall, this involved three archival passes until I had all the material that I required, including the Iran-Contra Scandal as an example of state crime. I then wrote the running commentary spoken by an anonymous moderator that I learned only from the first viewing was a black female.
- x Herman Schwendinger and Julia Schwendinger. 1970/2014. Defenders of Order or Guardians of Human Rights? *Social Justice*, Vol. 40, No. ½ (131-132), 40th Anniversary Issue: Legacies of Radical Criminology in the United States, 31 pages, published by Social Justice/Global Options. <https://www.jstor.org/stable/24361663>.
- xi Gregg Barak. 2020. *Chronicles of a Radical Criminologist: Working the Margins of Law, Power, and Justice*. New Brunswick, NJ: Rutgers University Press.
- xii Barry Krisberg. 1975. *Crime and Privilege: Toward a New Criminology*. New York: Prentice-hall.
- xiii Gregg Barak. 1980. *In Defense of Whom? A Critique of Criminal Justice Reform*. Cincinnati: Anderson.
- xiv The New York Times Magazine, 2019. The 1619 Project. August 14. <https://www.nytimes.com/interactive/2019/08/14/magazine/1619-america-slavery.html>.
- xv Gregg Barak. 2017. *Unchecked Corporate Power: Why the Crimes of Multinational Corporations are Routinized Away and What We Can Do About It*. London and New York: Routledge.
- xvi Honorable Donald E. Shelton. 2008, The 'CSI Effect': Does It Really Exist? *National Institute of Justice*. March 16. <https://nij.ojp.gov/topics/articles/csi-effect-does-it-really-exist>.
- xvii Donald Shelton, Young Kim, and Gregg Barak. 2007. A Study of Juror Expectations and Demands Concerning Scientific Evidence: Does the 'CSI Effect' Exist? *Vanderbilt Journal of Entertainment and Technology Law* 9 (2): 331-368; D. Shelton, G. Barak, and Y. Kim. 2009. An Indirect-Effects Model of Mediated Adjudication: The *CSI* Myth, the Tech Effect, and Metropolitan Jurors' Expectations for Scientific Evidence. *Vanderbilt Journal of Entertainment and Technology Law* 12 (1): 1-43; and Y. Kim and G. Barak. 2009. Examining the "CSI-effect" in the Cases of Circumstantial Evidence and Eyewitness Testimony: Multivariate and Path Analyses. *Journal of Criminal Justice* 37 (2): 452-460.
- xviii Gregg Barak, Ed. (1996). *Representing O.J.: Murder, Criminal Justice and Mass Culture*. New York: Harrow and Heston Publishers.
- xix Gregg Barak, Paul Leighton, and Allison Cotton. 2018. *Class, Race, Gender, and Crime: The Social Realities of Justice in America*, 5th edition. New York & London: Rowman and Littlefield.
- xx Gregg Barak, Ed. 2015. *The Routledge International Handbook of the Crimes of the Powerful*. London & New York: Routledge.
- xxi Gregg Barak. 2012. *Theft of a Nation: Wall Street Looting and Federal Regulatory Colluding*. New York: Rowman and Littlefield.
- xxii More specifically, for Schedule C activities such as "sole endeavors for profit," one is allowed to deduct start up costs. In the case of setting up a business in December 2021 to monetize COT, I could deduct up to \$5000 in expenses in 2021 and again in 2022 for a total of \$10,000, Any expenses over the \$10,000 can be amortized over a 180-month beginning from December 2021.

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