



PRESS RELEASE

Statement by Attorneys General Frosh and Racine on Conclusion of Emoluments Lawsuit

Historic Case Demonstrates that Presidents Can Be Held Accountable for Violating Anti-Corruption Provisions of the Constitution

BALTIMORE, MD (January 25, 2021) – Maryland Attorney General Brian E. Frosh and District of Columbia Attorney General Karl A. Racine issued a joint statement on today’s conclusion of their Emoluments Clauses case against Donald J. Trump. The anti-corruption lawsuit, filed by the District and Maryland against then-President Trump in 2017, became moot when Trump left office. The District and Maryland achieved multiple legal victories as the case made its way through the courts, demonstrating that the Emoluments Clauses of the Constitution are enforceable and leading to the first-ever judicial opinions interpreting them.

“The District of Columbia and Maryland sued former President Trump for violating our country’s first anti-corruption laws, the Constitution’s Foreign and Domestic Emoluments Clauses. This landmark case is the first time a court found that these clauses could be enforced.”

“The Emoluments Clauses were specifically inserted into the Constitution to prevent federal officials, including the President of the United States, from profiting from their positions in government. President Trump illegally profited from his office by receiving improper emoluments in the form of money from foreign governments, federal agencies, and state governments that conducted business at his hotel to curry favor with him and his administration.”

“We are proud that because of our case, a court ruled on the meaning of ‘emoluments’ for the first time in American history, finding that the Constitution prohibits federal officials from accepting almost anything of value from foreign or domestic governments. This decision will serve as precedent that will help stop anyone else from using the presidency or other federal office for personal financial gain the way that President Trump has over the past four years.”

“History will note that at every step of this case, President Trump and political appointees at the Department of Justice went to extreme lengths to prevent us from uncovering the true extent of his corruption. He attempted to short-circuit the rules of legal procedure to have our case dismissed and avoid discovery into his finances, arguing that the law did not apply to him.”

“Our case proves once again that in our country no one—not even the President of the United States—is above the law.”

Attorneys General Frosh and Racine sued President Trump in 2017 to stop him from violating the Constitution's Emoluments Clauses by accepting payments from foreign and domestic governments through the Trump International Hotel in D.C. The President repeatedly tried and failed to get the case thrown out, including via an unprecedented appeal before the case was fully decided. The District and Maryland repeatedly prevailed, with the federal district court finding that the president's unlawful conduct could be challenged in court, defining "emoluments" for the first time, and allowing discovery into the President's financial entanglements. The full 15-judge Fourth Circuit Court of Appeals affirmed that the President is subject to the same rules of the legal system as anyone else and that the case should be allowed to move forward. The Department of Justice then sought review in the Supreme Court, which today found the case moot and vacated the Fourth Circuit's decision, leaving in place the district court's decision interpreting the Emoluments Clauses.

The District and Maryland were assisted in the litigation by Citizens for Responsibility and Ethics in Washington, Kaplan Hecker & Fink LLP, Gupta Wessler PLLC, and Cohen Milstein. More information is available at: https://www.marylandattorneygeneral.gov/Pages/Emoluments/Court_Filings.aspx