

MEDIA MENTION

Michael Toner Comments on the Edwards Trial Verdict

USA Today; The Washington Post; Politico
June 1, 2012

Wiley Rein Election Law & Government Ethics Practice co-chair Michael Toner was interviewed by *USA Today* after former North Carolina senator John Edwards was acquitted on one count of corruption and a mistrial was declared on five other counts after the jury remained deadlocked.

The article reported that "the Justice Department declined to comment on the outcome and whether prosecutors would seek to retry Edwards. But a source familiar with the case who wasn't authorized to speak on the record said another prosecution was unlikely." Mr. Edwards was accused of breaking campaign finance laws in order to hide an extramarital affair and faced six felony charges that carried prison terms of up to five years each.

"Trying to win a criminal conviction on complex FEC reporting matters is inherently difficult and generally not appropriate for criminal prosecution," said Mr. Toner, a former chairman of the Federal Election Commission.

In a related story, Mr. Toner told *The Washington Post*: "I'm not a fan of John Edwards or his underlying conduct, but I never thought it was a violation of the federal election laws, let alone a criminal violation."

In addition, Mr. Toner told *Politico* that had the FEC taken up the matter, the agency likely would not have penalized Mr. Edwards. "You need broad consensus that actions are illegal, and that just wasn't the case here," said Mr. Toner.

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Practice Areas

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