

Trial of Hunter Biden on federal gun charges goes to jury

Kevin Reed
10 June 2024

The 12-person jury in the trial of Hunter Biden began deliberations on Monday afternoon, the sixth day of the proceedings against the son of US President Joe Biden in federal court in Wilmington, Delaware.

Department of Justice prosecutor Leo Wise gave a one-hour summary followed by a 90-minute closing argument by Biden's attorney Abbe Lowell, before Delaware District Court Judge Maryellen Noreika delivered instructions to the jury.

The younger Biden has been charged with three offenses in connection with his purchase and possession of a .38 caliber Colt Cobra revolver while he was allegedly a drug addict in 2018. He has pleaded not guilty to all counts.

Prosecutors charge that Biden lied on his gun application and lied to a federally licensed gun dealer on October 12, 2018, by stating he was not a drug user or addict at the time.

The present trial is one of two cases against Hunter Biden that began with an investigation launched five years ago by David Weiss, the US attorney for Delaware appointed by then-President Donald Trump. In the second case in Los Angeles federal court, Hunter Biden faces charges for nine tax offenses.

In August 2023, Weiss was appointed as a special counsel in the Hunter Biden investigations by Attorney General Merrick Garland. The appointment of Weiss was made after a plea agreement on the gun and tax charges was blocked by Judge Noreika, the judge overseeing the present trial.

If convicted on the gun charges, the president's son could face a maximum of 25 years in prison and fines of up to \$750,000. Legal experts say, however, as a first-time offender who was in possession of the gun for less than two weeks and never used it, it is unlikely Hunter Biden will receive anything close to the maximum

sentence.

While the charges against him are quite serious, the trial of the younger Biden, along with the media attention it is receiving, is part of ongoing internecine conflict and political warfare within the US ruling class. Coming quickly on the heels of the conviction of Donald Trump on 34 felony counts over hush-money payments to a porn star, the trial of Hunter Biden is generating a similar stream of prurient details about prostitutes, drug dealers and crack pipes.

As in the Trump hush-money trial and conviction, the prosecution of Hunter Biden for illegally completing a firearm application has the effect of degrading public consciousness and avoids the real crimes committed by both political parties.

Far more media attention has been devoted to Hunter Biden's false affidavit than to indicting the massive war crimes committed by his father in arming and sanctioning Israeli genocide in Gaza, in which tens of thousands have died.

Judge Noreika, appointed by Donald Trump in 2018, scuttled the plea deal—which would have resulted in a misdemeanor conviction on two tax offenses and a “pretrial diversion agreement” on the gun offenses. Now the case is being used to undermine President Biden's campaign for reelection.

The trial is the outcome of a years-long and so far unsuccessful campaign by Republicans to connect the corrupt business practices and substance abuse by Hunter Biden—who has publicly acknowledged his addictions—to his father.

Hunter Biden was trading on his father's role as vice president when he obtained a well-paid post at Burisma in 2014, while Joe Biden was in charge of Ukraine policy for the Obama administration. In both Ukraine and in subsequent dealings in China in 2016, he had no

apparent qualifications for business relationships other than his father's position in government. But these issues have been pushed into the background by the present trial.

Meanwhile, Republicans face considerable political contradictions in the case. As pointed out by the *New York Times* on June 5, the trial of Hunter Biden on gun charges "undermines their views on gun rights and on a 'weaponized' Justice Department."

In a tacit acknowledgment of the political motivations behind the prosecution, Judge Noreika blocked efforts by the defense to refer to the reasons for the multiple and excessive charges against Biden being presented to the jury.

In his closing argument, Prosecutor Wise sought to present the case as open-and-shut against Biden, saying, "The defendant knew what he was doing," when he answered "no" on the gun form. Wise bolstered this presentation with references to Biden's repeated entry into rehab before and after the gun purchase and this was proof that he knew he was addicted to crack cocaine at the time.

To prove their case against Biden, the prosecution must convince the jury that Biden was both an addict when he purchased the revolver and that he deliberately lied during the process.

The prosecution has relied on the testimony of witnesses to make their case. Among the witnesses have been Biden's ex-wife Kathleen Buhle, a girlfriend, Zoe Kestan, and Hallie Biden, the widow of his brother Beau Biden, all of whom confirmed his addiction to crack cocaine as far back as 2015.

While Hallie Biden discovered the gun in Biden's car and disposed of it in a grocery store parking lot garbage can, she said on cross-examination that she did not witness him smoking crack at any time in October 2018 when he purchased the weapon.

Other witnesses included former Delaware State Police lieutenant Millard Greer, who tracked down the gun and ultimately retrieved it from Edward Banner, who was known to "rummage through trash" looking for recyclables. Banner also testified that he found the gun in the garbage can and stored it at home on a top shelf.

Another witness was Gordon Cleveland, the clerk at StarQuest Shooters & Survival Supply in Wilmington who sold the gun to Biden for \$900. When Cleveland

asked if he was "an unlawful user of or addicted to" marijuana, stimulants, narcotics or any other controlled substance, Biden said, "No."

In his closing argument, defense lawyer Lowell attacked the credibility of the government's witnesses. He said the prosecutors were determined to punish Hunter Biden, who he referred to as a remorseful and sober man, for the crime of being a drug addict.

Hunter Biden did not take the witness stand in his own defense.

In an interview in Normandy with ABC News' David Muir on Thursday, President Biden said he would accept the jury verdict in his son's trial and he will not use presidential powers to pardon Hunter Biden if he is convicted.

The jury will continue deliberations on Tuesday.



To contact the WSWS and the
Socialist Equality Party visit:

wsws.org/contact