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Garten, the Trump campaign, Epstein, or others associated with Defendants. While it remains possible that this version of the case may be dismissed like the California filing, the New York version has already survived twice as long, with less pushback from Trump representatives, and with some hints of more serious media attention (as well as satiric exposure on Redacted Tonight June 24)

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Trump rape case has strange context, proving nothing, but ...
The first, fundamental question about this case is whether it's credible, and the metaphorical jury is still out on that. But we're looking at Trump rape allegations in the aftermath of the Bill Cosby multi-scandal, which serves as a caution for anyone wanting to rush to judgment. And with Trump, there's already a context in sharp contrast with what we thought about Cosby before we knew about Cosby. Trump's co-defendant, billionaire Jeffrey Epstein, is a convicted sex offender who has served jail time, after pleading guilty to reduced charges. Yes, that's guilt-by-association, but there's little doubt that their association was lengthy and cordial. According to the Mirror.com: Trump's co-accused, Epstein, who was once a close friend of the Duke of York, pleaded guilty to two (Florida) state charges of soliciting a minor for prostitution and soliciting prostitution. He served 13 months after being sentenced in 2008. Investigators suspected the former New York financier of abusing 34 underage girls but lawyers failed to charge him or any of his "co-conspirators" and instead offered him a secret plea bargain. Epstein has dubiously defended himself by telling the N.Y. Post in 2011: "I'm not a sexual predator, I'm an 'offender.' It's the difference between a murderer and a person who steals a bagel... The crime that was supposedly committed in Florida is not a crime in New York." The court has ruled that Epstein is a Level 3 offender, the highest level, who is a "high risk" to repeat his offense and "a threat to public safety." Before his plea bargain, Epstein faced 10 years in prison on charges of statutory rape. He served 13 months. Now the Daily Beast is arguing (June 30) that "billionaire sicko Jeffrey Epstein" is a political time bomb "who could bring down Donald Trump and Hillary Clinton."

Trump has recently downplayed and minimized his relationship with Epstein, who once taught rich teenagers at the posh Dalton School in New York. A New York Magazine profile of Epstein in 2014 presented a different perspective.

Epstein likes to tell people that he's a loner, a man who's never touched alcohol or drugs, and one whose nightlife is far from energetic. And yet if you talk to Donald Trump, a different Epstein emerges. "I've known Jeff for fifteen years. Terrific guy," Trump booms from a speakerphone. "He's a lot of fun to be with. It is even said that he likes beautiful women as much as I do, and many of them are on the younger side. No doubt about it — Jeffrey enjoys his social life."

There's also at least one other Trump sex case, dating from 1997 and reported on by Law Newz in February 2016. On April 25, 1997, Jill Harth, then in her early thirties, filed for \$125 million in damages caused by Trump's alleged sexual assaults (short of rape). She said that Trump told her he "would be the best lover you ever had." At the time, her husband and Trump were in a breach-of-contract dispute. Trump denied Harth's claims, but she withdrew her suit after Trump settled his dispute with her husband. The record of the case has been sealed, but the detailed 12-page complaint offers a lurid portrait of Trump behavior. Harth has been ambiguous about the case recently, telling Law Newz in February: "Everything could be looked at in different way... I have nothing but good things to say about Donald." At about the same time, Harth told the Guardian that she stands by her allegations against Trump in the 1997 lawsuit.

That's more or less what Trump's ex-wife Ivana says now, too, though she accused him of raping her in 1989. A Trump spokesman said at one point, "You cannot rape your spouse," although it's illegal in 50 states. Ivana Trump made the allegation in a sworn deposition that was reported in 1993 in "Lost Tycoon: The Many Lives of Donald J. Trump," by Harry Hurt III, who wrote that Ivana told friends that Donald "raped me." But Trump had that covered, according to the Mirror:

Before Lost Tycoon was printed, Trump and his lawyers provided a statement from Ivana, published beneath the allegation of rape. It read: "During a deposition given by me in connection with my matrimonial case, I stated that my husband had raped me. I wish to say that on one occasion during 1989, Mr. Trump and I had marital relations in which he behaved very differently toward me than he had during our marriage. As a woman, I felt violated, as the love and tenderness which he normally exhibited toward me, was absent. I referred to this as a "rape," but I do not want my words to be interpreted in a literal or criminal sense. Any contrary conclusion would be an incorrect and most unfortunate interpretation of my statement which I do not want to be interpreted in a speculative fashion and I do not want the press or media to misconstrue any of the facts set forth above. All I wish is for this matter to be put to rest.

Will the Trump rape lawsuit gain significant media traction?

Since the June 20 filing in New York there has been some increase in considered coverage of the accusations against Trump, but the story remains a sideshow with little traction in early July. Snopes.com looked at the case (June 23) broadly but inconclusively and without new insight.

"Yes, Donald Trump was accused of raping a 13 year old, but this lawsuit has little chance of succeeding," argued Law Newz on June 21, the day after the New York filing. Reporter Rachel Stockman noted that electronic summonses have been sent to co-defendants Trump and Epstein, but she devoted most of her article to speculative arguments that the lawsuit will fail, apparently reflecting the views of Trump's attorney Alan Garten, who "is threatening to file for sanctions against [Attorney] Meagher if he even proceeds with the lawsuit." Meagher was unavailable for comment. Calling the allegations "unequivocally false" and "politically motivated," Garten told Law Newz: "I don't know of any attorney — in this country worthy of being admitted by any bar — who would sign legal papers — attesting to such outrageous facts."

The National Review (June 21) also minimizes the prospects for Jane Doe's case, saying falsely that it is "without any sort of supporting evidence." National Review omits, or suppresses, the eyewitness affidavit that confirms Jane Doe's claims and is part of the June 20 filing. Able to exonerate Trump by denying evidence that exists, National Review's defense is also circumstantially weak:

As a thrice-married admitted adulterer, Trump's history doesn't inspire a lot of confidence in this area, from bragging about bedding married women to his comments to Howard Stern about watching Paris Hilton's sex tape to his weird habit of commenting on the sex appeal of his own daughter to embracing convicted rapist Mike Tyson to defending Bill Clinton himself in his sex scandals in the 1990s, just to pick a few examples.

"Why the New Child Rape Case Filed Against Donald Trump Should Not Be Ignored" was the headline on attorney and NBC News analyst Lisa Bloom's piece at the Huffington Post (June 29). Bloom wrote: "The mainstream media ignored the [June 20] filing. If the Bill Cosby case has taught us anything, it is to not disregard rape cases against famous men. Serious journalists have publicly apologized for turning a blind eye to the Cosby accusers for over a decade..."

Bloom outlined three factors that justify a closer examination of Trump's behavior. First there is his ongoing disrespect for women including Rosie O'Donnell, Arianna Huffington, Bette Midler, and Megyn Kelly. "Decades of abusive language does not make him a rapist. But it does show us who the man is: a callous, mean-spirited misogynist who no sane person would leave alone with her daughter," Bloom wrote. A second factor that adds credibility to Jane Doe's claim is the pattern suggested by Trump's behavior with his ex-wife Ivana and his dealings with Jill Harth (both discussed above). Bloom reinforced Harth's credibility:

Recently Donald Trump issued a statement that women's claims of sexual harassment, documented in a lengthy New York Times investigation (May 15) which included Ms. Harth's lawsuit, were "made up." Jill Harth responded angrily on Twitter last week: "My part was true. I didn't talk. As usual you opened your big mouth." In other words, she is standing by her story. The third factor adding credibility to the allegations against Trump, Bloom argued, was the internal consistency of Jane Doe's complaint as well as its correspondence to verifiable facts outside the case. After analyzing Jane Doe's complaint, her affidavit, and her witness affidavit — "it is exceedingly rare for a sexual assault victim to have a witness" — Bloom concluded:

... based on the record thus far, Jane Doe's claims appear credible. Mr. Epstein's own sexual crimes and parties with underage girls are well documented, as is Mr. Trump's relationship with him two decades ago in New York City... Powerfully, Jane Doe appears to have an eyewitness to all aspects of her claim, a witness who appears to have put herself in substantial danger by coming forward, because at a minimum Mr. Epstein knows her true identity.

Bloom is almost alone in saying Jane Doe's claims merit sober consideration and investigation." The Intercept (June 30) explores Trump's frequent rhetorical use of rape imagery — the Trans-Pacific Partnership is "a rape of our country" — and wonders if he really understands what rape is. While the Intercept refers to Bloom's article, it does not call for further examination of Trump's actions, providing an ironic illustration of Bloom's closing argument: "What do you call a nation that refuses even to look at sexual assault claims against a man seeking to lead the free world? Rape culture."

Any court trial of Jane Doe's claims, if there ever is one, will be much further in the future than the next presidential election. President Clinton's ugly sexual history offers a stark warning to victims as to just how hard it is to get a fair hearing against sexual predators at the pinnacle of American power. Clinton's abiding popularity is a measure of the extent to which the U.S. is a rape culture. Even if the child rape charges against Trump were proved beyond a reasonable doubt tomorrow, there's no assurance that would hurt him in the polls.