

"All the News That's Fit to Print"

# The New York Times

### THE WEATHER

Today, bright sunshine, a milder afternoon, high 62. Tonight, clear, cool, low 45. Tomorrow, sunshine fading behind clouds, an afternoon shower, high 61. Weather map, Page A22.

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Prices in Canada may be higher

\$4.00



MANUEL SILVESTRI/REUTERS

## Welcome to Venice. That'll Be 5 Euros, Please.

Venice's first day of charging a fee to enter the historic center went mostly smoothly but had some protests and polemics. Page A8.

## SPLIT COURT HINTS AT SOME IMMUNITY FOR EX-PRESIDENTS

### If Justices Limit Election Case vs. Trump, Trial May Come After November

By ADAM LIPTAK

WASHINGTON — The Supreme Court's conservative majority appeared ready on Thursday to rule that former presidents have some degree of immunity from criminal prosecution, a move that could further delay the criminal case against former President Donald J. Trump on charges that he plotted to subvert the 2020 election.

Such a ruling would most likely send the case back to the trial court, ordering it to draw distinctions between official and private conduct. Though there was seeming consensus among the justices that the case could eventually go forward based on Mr. Trump's private actions, the additional proceedings could make it hard to conduct the trial before the 2024 election.

There were only glancing references to the timing of the trial and no particular sense of urgency among the more conservative justices at Thursday's argument. Instead, several of them criticized what they suggested was a political prosecution brought under laws they said were ill suited to the case at hand.

If the court effectively blocks a prompt trial, particularly after it acted quickly in March to restore Mr. Trump to the ballot in Colorado, it will surely ignite furious criticism from liberals and others who view the former president's actions as an assault on democracy and the rule of law.

Chief Justice John G. Roberts Jr., who understands himself to be the custodian of the court's prestige and legitimacy, did not tip his hand very much, though he seemed deeply skeptical of the decision from a unanimous three-judge panel of an appeals court in Washington rejecting Mr. Trump's immunity claim.

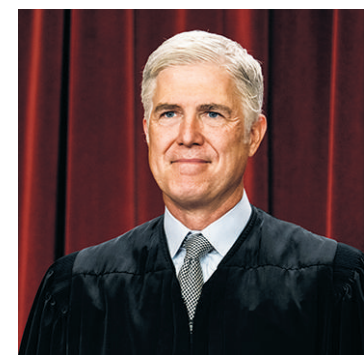
The appeals court ruled, he said, quoting from its decision, that a former president can be prosecuted for his official acts "because the fact of the prosecution means that the former president has allegedly acted in defiance of the laws."

Michael R. Dreeben, a lawyer on the special counsel's team, said the passage was tautological, a term the chief justice seized on.

"Why shouldn't we either send it back to the court of appeals or issue an opinion making clear that that's not the law?" Chief Justice Roberts asked.

Such further proceedings would take time, of course. If Mr. Trump prevails in the election, he could order the Justice Department to drop the charges.

The argument, which lasted more than two and a half hours, was largely focused on whether Mr. Trump and other presidents could be prosecuted for their offi-



ERIN SCHAFF/THE NEW YORK TIMES

*'We're writing a rule for the ages.'*

JUSTICE NEIL M. GORSUCH

cial conduct and on how to tell the difference between those actions and private ones.

D. John Sauer, Mr. Trump's lawyer, argued for an expansive understanding. In answer to hypothetical questions, he said that presidential orders to murder political rivals or stage a coup would well be subject to immunity.

But several of the conservative justices seemed disinclined to consider those questions or the details of the accusations against Mr. Trump.

Instead, they said the court should issue a ruling that applies the laws."

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## New York Court Voids Weinstein Sex Crimes Conviction

This article is by Michael Wilson, Jonah E. Bromwich, Jan Ransom and Nicole Hong.

New York's highest court on Thursday overturned the felony sex crimes conviction of the notorious Hollywood producer Harvey Weinstein, a staggering reversal of a bedrock case in the #MeToo era that prompted countless victims of sexual harassment and assault to come forward as accusers.

In a bitterly contested 4-to-3 decision, the New York Court of Appeals found that the judge who had presided over Mr. Weinstein's case deprived him of a fair trial in 2020 by allowing prosecutors to

call witnesses who said Mr. Weinstein had assaulted them — but whose accusations were not the basis for any of the charges against him.

Responding on Thursday, the Manhattan district attorney, Alvin L. Bragg, announced that he would seek to prosecute Mr. Weinstein again.

"We will do everything in our power to retry this case, and remain steadfast in our commitment to survivors of sexual assault," a spokeswoman for Mr. Bragg's office said. The case was originally prosecuted by his predecessor, Cyrus R. Vance Jr.

For Mr. Weinstein, 72, the immediate impact of the ruling

### Ex-Producer to Stay in Prison as Prosecutor Plans New Trial

might amount to little more than a change of scenery. He is likely to be transferred from the prison east of Syracuse, N.Y., where he has been held since 2020, to a facility nearer to New York City, where he will await the filing of new charges. But the opinion also raised questions about whether a separate conviction in California — on rape and sexual assault

charges — can survive a similar legal challenge.

That case, which saw Mr. Weinstein sentenced to another 16 years in prison in 2022, also relied in part on witnesses whose accusations did not lead to charges. Mr. Weinstein's lawyer in the California case said she planned to file an appeal next month.

The decision to overturn the New York conviction, while shocking to many, had been anticipated in legal circles. The criminal case against Mr. Weinstein had been viewed as fragile since the day it was filed, and prosecutors were believed to have taken risky,

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## President Biden Tested by Rival: Candidate Joe

By PETER BAKER

WASHINGTON — President Biden just signed a bill that could ban President Biden from using TikTok. But Mr. Biden plans to keep using TikTok until Mr. Biden's new law forces Mr. Biden off it.

WHITE HOUSE MEMO

His political team in Wilmington, Del., after all, considers TikTok a vital tool to reach young voters who could be crucial to his chances of winning re-election this fall. The problem is that his national security team in Washington considers the Chinese-owned social media site a threat to America that should be banned if it is not sold.

Reconciling those two imperatives left Mr. Biden's government and campaign advisers laboring on Wednesday to explain the competing rationales. But it is not the only time that Campaign Joe and Foreign Policy Joe have been at odds in recent months. Campaign Joe tells stories on the trail that Foreign Policy Joe's staff then has to clean up — or try to ignore as best as possible. Campaign Joe prefers blunt talk. Foreign Policy Joe has to worry about diplomacy.

The disconnect is hardly unprecedented in an election year. Every president seeking a second term finds himself juggling two different jobs with two differ-

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AUDRA MELTON FOR THE NEW YORK TIMES

Changes to federal regulations on school meals have administrators worried about waste and costs.

## Lunchtime Debate Waged in Sodium and Sugar

By JULIE CRESWELL

HALEYVILLE, Ala. — Around 11:40 on a cool spring day in early April, students began to stream into the lunchroom at Haleyville High School in Alabama.

Cheerleaders, soccer and baseball players, and other members of the student body filed through the lunch line and sat at their tables. They chatted and laughed about upcoming games (go, Roaring Lions!) and prom as they dug into plates of chicken Alfredo,

### Prices and Picky Eaters Could Strain Schools on Food Changes

green beans and salad. Emma Anne Hallman, standing in a corner, watched the teenagers carefully. As the child nutrition director for the Haleyville City School District, she has the job of feeding 1,600 students, in

prekindergarten through 12th grade.

For months, Ms. Hallman and other heads of school lunch programs have worried about new federal regulations that would reduce allowable sodium levels and introduce new sugar restrictions for foods served in school cafeterias. A debate has raged, with many parents and nutritionists applauding efforts to make lunches more nutritious while some school lunch administrators

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## Man Who Hid Secrets Testifies Trump Praised Him for Efforts

This article is by Jonah E. Bromwich, Ben Pross and Michael Rothfeld.

Days before Donald J. Trump became president in early 2017, a cadre of advisers, officials and allies descended on his office at Trump Tower: a future secretary of state, his soon-to-be chief of staff, the F.B.I. director — and the publisher of The National Enquirer.

The publisher, David Pecker, may have seemed out of place, but he had just performed an indispensable and confidential service to the Trump campaign: He had paid off a Playboy model, Karen McDougal, who had said she had an affair with Mr. Trump, and a doorman who had heard that Mr. Trump had fathered a child out of wedlock. The future president, triumphant, thanked Mr. Pecker for his service.

"He said, 'I want to thank you for handling the McDougal situation,' and then he also said, 'I wanted to thank you for the doorman situation,'" Mr. Pecker testified at Mr. Trump's criminal trial in Manhattan Thursday, leaving it unclear if others heard the exchange. "He said that the stories could be very embarrassing."

Mr. Trump also asked after Ms. McDougal: "How's our girl?" Mr. Pecker said he replied, "She's cool. She's very quiet. No issues."

That remarkable scene — where Mr. Trump's lofty new status as president-elect collided with his colorful New York habit — was private until Thursday, when Mr. Pecker recounted it to jurors. He described in vivid detail how Mr. Trump depended on him to buy and bury damaging stories that could have derailed Mr. Trump's campaign, the plot at the center of the case.

Mr. Pecker's testimony in the first criminal trial of an American president underscored how his supermarket tabloid's support in 2016 is haunting Mr. Trump in 2024.

The former publisher transported jurors into the room at Trump Tower that day in January 2017. He was there alongside four people who would become key figures in the Trump presidency: Sean Spicer, press secretary; Reince Priebus, chief of staff; Mike Pompeo, C.I.A. director and later secretary of state; and James Comey, the F.B.I. director whom Mr. Trump would ultimately fire.

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New E.P.A. rules could spell the end for the fossil fuel that powered the country for more than a century. PAGE A12

### Drone Maker in Cross Hairs

Citing security risks, Congress is weighing a bill to ban the Chinese company that dominates sales in the U.S. PAGE A11

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### Russia's Next Big Target

Controlling Chasiv Yar would put Moscow in striking distance of key Ukrainian operational centers. PAGE A4

### In Gaza, More Mass Graves

The Times analyzed satellite imagery and found that two of three graves had been dug before an Israeli raid. PAGE A6

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Howie Schwab stepped out of his researcher role in 2004 when he was cast as a sports know-it-all on "Stump the Schwab." He was 63. PAGE B12



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### Southwest to Cut Costs

The airline expects fewer deliveries of Boeing planes and cited challenges in achieving growth plans. PAGE B5

### Economy Grew at 1.6% Rate

U.S. consumers ensured that increases continued, but the latest data has signs of vulnerability elsewhere. PAGE B1

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### New Findings on Trans Athletes

A study financed by the International Olympic Committee showed possible disadvantages as well as advantages, and determined that "trans women are not biological men." PAGE B7

### The Fire Inside Doncic

With a 3-pointer and a guttural howl, Luka Doncic sealed a playoff victory for the Mavericks and reminded his teammates — and his Clippers opponents — of his essence as a leader. PAGE B9

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### Pamela Paul

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WEEKEND ARTS C1-16

### Taking Aim at Bullets

In a new exhibition at the Gagosian gallery in Manhattan, the Italian artist Maurizio Cattelan confronts gun violence in the United States. PAGE C1

