

# Did Hillary Clinton Violate Any of These Six Criminal Statutes?

The U.S. Government still refuses to present any of these 6 criminal cases, against her, to a grand jury.

By [Eric Zuesse](#)

Global Research, June 15, 2018

Region: [USA](#)

Theme: [History](#), [Law and Justice](#), [Media Disinformation](#)

*On 14 June 2018, the Inspector General for the U.S. Department of Justice ruled that the FBI was correct to have recommended that the U.S. Department of Justice not prosecute, nor even investigate and place before a grand jury for consideration, a charge that Hillary Clinton had violated, even just a single one of the following 6 U.S. federal criminal statutes. But do you think she violated one or more of them? Here they are:*

18 U.S. Code § 2232 — Destruction or removal of property to prevent seizure

## (a) Destruction or Removal of Property To Prevent Seizure

Whoever, before, during, or after any search for or seizure of property by any person authorized to make such search or seizure, knowingly destroys, damages, wastes, disposes of, transfers, or otherwise takes any action, or knowingly attempts to destroy, damage, waste, dispose of, transfer, or otherwise take any action, for the purpose of preventing or impairing the Government's lawful authority to take such property into its custody or control or to continue holding such property under its lawful custody and control, shall be fined under this title or imprisoned not more than 5 years, or both.

## (b) Impairment of In Rem Jurisdiction

Whoever, knowing that property is subject to the in rem jurisdiction of a United States court for purposes of civil forfeiture under Federal law, knowingly and without authority from that court, destroys, damages, wastes, disposes of, transfers, or otherwise takes any action, or knowingly attempts to destroy, damage, waste, dispose of, transfer, or otherwise take any action, for the purpose of impairing or defeating the court's continuing in rem jurisdiction over the property, shall be fined under this title or imprisoned not more than 5 years, or both.

18 U.S. Code § 1512 — Tampering with a witness, victim, or an informant

## (c) Whoever corruptly

(1) alters, destroys, mutilates, or conceals a record, document, or other object, or attempts to do so, with the intent to impair the object's integrity or availability for use in an official proceeding; or

(2) otherwise obstructs, influences, or impedes any official proceeding, or attempts to do so,

shall be fined under this title or imprisoned not more than 20 years, or both.

#### 18 U.S. Code § 1519 — Destruction, alteration, or falsification of records in Federal investigations and bankruptcy

Whoever knowingly alters, destroys, mutilates, conceals, covers up, falsifies, or makes a false entry in any record, document, or tangible object with the intent to impede, obstruct, or influence the investigation or proper administration of any matter within the jurisdiction of any department or agency of the United States or any case filed under title 11, or in relation to or contemplation of any such matter or case, shall be fined under this title, imprisoned not more than 20 years, or both.

#### 18 U.S. Code § 2071 — Concealment, removal, or mutilation generally

(a) Whoever willfully and unlawfully conceals, removes, mutilates, obliterates, or destroys, or attempts to do so, or, with intent to do so takes and carries away any record, proceeding, map, book, paper, document, or other thing, filed or deposited with any clerk or officer of any court of the United States, or in any public office, or with any judicial or public officer of the United States, shall be fined under this title or imprisoned not more than three years, or both.

(b) Whoever, having the custody of any such record, proceeding, map, book, document, paper, or other thing, willfully and unlawfully conceals, removes, mutilates, obliterates, falsifies, or destroys the same, shall be fined under this title or imprisoned not more than three years, or both; and shall forfeit his office and be disqualified from holding any office under the United States. As used in this subsection, the term “office” does not include the office held by any person as a retired officer of the Armed Forces of the United States.

#### 18 U.S. Code § 641 — Public money, property or records

Whoever embezzles, steals, purloins, or knowingly converts to his use, or the use of another, or without authority, sells, conveys or disposes of any record, voucher, money, or thing of value of the United States or of any department or agency thereof, or any property made or being made under contract for the United States or any department or agency thereof, ...

Shall be fined not more than \$10,000 or imprisoned not more than ten years or both. ...

#### 18 U.S. Code § 793 — Gathering, transmitting or losing defense information ...

(f) Whoever, being entrusted with or having lawful possession or control of any document, writing, code book, signal book, sketch, photograph, photographic negative, blueprint, plan, map, model, instrument, appliance, note, or information, relating to the national defense, (1) through gross negligence permits the same to be removed from its proper place of custody or delivered to anyone in violation of his trust, or to be lost, stolen, abstracted, or destroyed, or (2) having knowledge that the same has been illegally removed from its proper place of custody or delivered to anyone in violation of its trust, or lost, or stolen, abstracted, or destroyed, and fails to make prompt report of such loss, theft, abstraction, or destruction to his superior officer —

Shall be fined not more than \$10, 000 or imprisoned not more than ten years, or both.

(g) If two or more persons conspire to violate any of the foregoing provisions of this section, and one or more of such persons do any act to effect the object of the conspiracy, each of the parties to such conspiracy, shall be subject to the punishment provided for the offense which is the object of such conspiracy.

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What do you think? As you consider the matter, you might want to know two things:

First, that the FBI's 'investigation' of Clinton's privatized email system was [faked: it ignored each one of these six statutes](#).

Second, there were at least two cases that had been mentioned in the news media in which the U.S. federal Government did, in fact, investigate, and bring charges, and win a conviction on one or more of these federal charges, and which at least seem to differ from what Clinton did in only one respect — that she did it far more extensively, and more brazenly, than did that prosecuted person. The independent journalist who goes by the pseudonym "Tyler Durden" headlined, only a day after Mr. Comey on 5 July 2016 exonerated Ms. Clinton, ["Meet Bryan Nishimura, Found Guilty For 'Removal And Retention Of Classified Materials'."](#) and that conviction of Nishimura was won on the same statute for which the FBI's Comey, as Clinton's would-be policeman, jury, and judge, peremptorily *exonerated* her — refused to bring any charge at all. "Durden," at his famous "Zero Hedge" site, noted:

"Here is the FBI itself, less than a year ago, charging one Bryan H. Nishimura, 50, of Folsom [California], who pleaded guilty to 'unauthorized removal and retention of classified materials' without malicious intent, in other words precisely what the FBI alleges Hillary did (h/t@DavidSirota)."

July 29, 2015

## **Folsom Naval Reservist is Sentenced After Pleading Guilty to Unauthorized Removal and Retention of Classified Materials**

SACRAMENTO, CA—Bryan H. Nishimura, 50, of Folsom, pleaded guilty today to unauthorized removal and retention of classified materials, United States Attorney Benjamin B. Wagner announced.

U.S. Magistrate Judge Kendall J. Newman immediately sentenced Nishimura to two years of probation, a \$7,500 fine, and forfeiture of personal media containing classified materials. Nishimura was further ordered to surrender any currently held security clearance and to never again seek such a clearance.

According to court documents, Nishimura was a Naval reservist deployed in Afghanistan in 2007 and 2008. In his role as a Regional Engineer for the U.S. military in Afghanistan, Nishimura had access to classified briefings and digital records that could only be retained and viewed on authorized government computers. Nishimura, however, caused the materials to be downloaded and stored on his personal, unclassified electronic devices and storage media. He carried such classified materials on his unauthorized media when he traveled off-base in Afghanistan and, ultimately, carried those materials back to the United States at the end of his deployment. In the United States, Nishimura continued to maintain the information on unclassified systems in unauthorized locations, and copied the materials onto at least one additional unauthorized and unclassified system.

Nishimura's actions came to light in early 2012, when he admitted to Naval personnel that he had handled classified materials inappropriately. Nishimura later admitted that, following his statement to Naval personnel, he destroyed a large quantity of classified materials he had maintained in his home. Despite that, when the Federal Bureau of Investigation searched Nishimura's home in May 2012, agents recovered numerous classified materials in digital and hard copy forms. The investigation did not reveal evidence that Nishimura intended to distribute classified information to unauthorized personnel.

This case was the product of an investigation by the Naval Criminal Investigative Service (NCIS) and the Federal Bureau of Investigation. Assistant United States Attorney Jean M. Hobler prosecuted the case.

Screenshot from the FBI

He linked to [this case](#). Nishimura was sentenced to two years of probation, a \$7,500 fine, and forfeiture of personal media containing classified materials. He was further ordered to surrender any currently held security clearance, and to never again seek such a clearance. (Hillary Clinton continued to have her security clearance, and to run for the U.S. Presidency.)

Furthermore, even *before* Comey had announced Clinton's exoneration, Josh Gersten at Politico had already headlined on 27 May 2016, "[Sub sailor's photo case draws comparisons to Clinton emails](#)", and he reported that,

"A Navy sailor [Kristian Saucier] entered a guilty plea Friday in a classified information mishandling case that critics charge illustrates a double standard between the treatment of low-ranking government employees and top officials like former Secretary of State Hillary Clinton and ex-CIA Director David Petraeus. ... To some, the comparison to Clinton's case may appear strained. Clinton has said none of the information on her server was marked classified at the time."

Politico's Gersten took her word for it, that "none of the information on her server was marked classified at the time," but is the FBI supposed to do that — to take a suspect's allegation at face-value, instead of to check it out? (Should Gersten even have done that?)

There probably are other such prosecutions that have successfully been pursued, but the news media don't seem to be interested in following up on this matter now, any more than the U.S. federal Government has done. If the U.S. federal Government doesn't want to investigate Clinton on any of these six criminal statutes, then that's good enough for the news-media — or is it? Will it be "enough"?

So, wherever the present article is published, and if there is a reader-comments section there, then: What do you think? Is this treatment of what Hillary Clinton did, "Equal Justice Under Law"? Obviously, it's bipartisan, politically (unless Trump will now demand his FBI to examine what she did on each one of these six statutes); but, in terms of justice: Is this matter, thus far, equal justice under law? Or not? And, if it's not, then what does that say about whether our country is a democracy? What do you think about these questions?

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*Investigative historian Eric Zuesse is the author, most recently, of [They're Not Even Close: The Democratic vs. Republican Economic Records, 1910-2010](#), and of [CHRIST'S VENTRILOQUISTS: The Event that Created Christianity](#). He is a frequent contributor to Global Research.*

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## About the author:

Investigative historian Eric Zuesse is the author, most recently, of *They're Not Even Close: The Democratic vs. Republican Economic Records, 1910-2010*, and of *CHRIST'S VENTRILOQUISTS: The Event that Created Christianity*.

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