

Hillary Clinton's Email Operation Violated At Least Six U.S. Criminal Laws

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This is not an exclusive list, nor does it relate to charges that might possibly be made against Ms. Clinton on grounds other than the unquestionable and basic ground that she moved all of her State Department email operation to a private and non-secured computer outside the State Department, and then attempted to destroy the record of those emails.

Here are the six criminal laws of that type, which, I here allege, she clearly broke:

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.

If we are a nation [“of laws, not of men”](#) (as that old basic description of democracy phrased it), then Ms. Clinton will be prosecuted, at least through the grand jury stage, on (at least) those grounds. The decision regarding her innocence or guilt will be made by jurors, not by the broader public — and also not by the nation’s Executive: the President and his appointed Administration. That is what it means for a government to be a functioning democracy. Any government which violates this principle — that it is “of laws, not of men [including women]” — is not functioning as a democracy: it’s something else.

In addition to these criminal laws, there are federal regulations also against these matters, but violations merely of federal regulations ([such as these](#)) are far less serious than are actions that violate *also* federal criminal laws (such as the six that are listed above).

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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