



Written by [Michael Tennant](#) on May 18, 2020

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## **Steve Stockman: Crooked Congressman or Political Prisoner?**

**After Steve Stockman repeatedly investigated Obama administration malfeasance, the FBI was sicced on him, despite a lack of evidence against him.**



On July 11, 2014, then-Congressman Steve Stockman appeared on Fox News Channel to discuss a resolution he had introduced directing the House sergeant-at-arms to arrest Internal Revenue Service (IRS) official Lois Lerner for destroying evidence and refusing to testify about her role in the agency's targeting of conservative nonprofits.

Two weeks later, Federal Bureau of Investigation (FBI) agents appeared at the Virginia apartment the Texas Republican shared with his wife, Patti, reigniting an investigation that would ultimately land Stockman in federal prison for 10 years after being convicted of fraud and other crimes.

Is Stockman guilty as charged — or is his real crime simply trying to hold the Obama administration to account?

### **From Park Bench to House Seat**

Born to Christian parents in Michigan in 1956, Stockman became something of a prodigal son in his high-school years, partying and having a few scrapes with the law. After dropping out of college, he wound up living in a public park in Texas. Once he'd had enough of that, he cleaned himself up, found work, returned to the faith of his parents, got married, and finally finished college. He started a local chapter of the Young Conservatives of Texas, rising to state chairman.

Then he set his sights on Congress. In 1994, on his third attempt, he finally succeeded in unseating longtime Democratic Congressman Jack Brooks. Two years later, he lost the general election as a result of redistricting. In 2012, he ran for Congress again in a newly redrawn district and was sent back to Washington. Rather than seek reelection in 2014, he decided to challenge Texas Republican Senator John Cornyn but lost.

Throughout his two terms in Congress, Stockman was a staunch defender of the Constitution, earning him a 98-percent cumulative score on The New American's Freedom Index.

He was also a thorn in the side of both the Clinton and Obama administrations. As a member of the House Banking Committee, he investigated Bill and Hillary Clinton's involvement in the Whitewater real-estate scandal. He also harshly criticized the Clinton administration's handling of the deadly federal assault on the Branch Davidian complex near Waco, Texas, in 1993. He earned Obama's enmity



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by supporting the Benghazi investigation; revealing that Obama had paid for the release of Army Specialist [Bowe Bergdahl](#) when he was captured by terrorists after deserting his post in Afghanistan; distributing a book making the case for impeaching Obama to his colleagues; cosponsoring articles of impeachment against then-Attorney General [Eric Holder](#); and, as previously mentioned, seeking the arrest of [Lerner](#).

## Fishing for Felonies

The troubles that led to [Stockman's](#) imprisonment began in 2013, when two campaign staffers sought to help pay off campaign debts by donating their own money to the cause, unaware that Congress had a rule prohibiting it. When their mistake was uncovered, the campaign's accountant decided to alter the record to indicate that the staffers' parents had made the donations. Then the campaign's attorney tried to make it look like the staffers weren't even working for the campaign at the time they made their donations by retroactively firing them for that single day. All of this had the effect of making an unintentional violation that could have been — and eventually was — easily corrected by returning the donations and amending the FEC (Federal Elections Commission) report look like something sinister.

Despite the fact that everything had been made right, a D.C. “watchdog” group referred the matter to the Office of Congressional Ethics, which opened an investigation into [Stockman](#). “Under the guise of responding to ‘ethics’ complaints, the office can vacuum up emails, testimony, and information that can then be handed off to the Justice Department for prosecution, even on unrelated charges to the original complaints,” [Benjamin Wetmore](#), a Texas attorney and longtime [Stockman](#) associate who was called by the prosecution as a witness in the case against [Stockman](#), wrote in an [IntellectualConservative.com](#) column.

By the time [Stockman](#) introduced his resolution to arrest [Lerner](#), the government had already spent a year investigating him and convened a grand jury, which failed to indict him. [Stockman](#) thought his troubles were over, but they were just beginning.

New agents sent to investigate [Stockman](#) were “a pit bull kind of team,” [Patti Stockman](#) told *The New American*. They dug into every aspect of [Stockman's](#) life, subpoenaing over 250,000 documents, some of which were from many years before the crimes for which he was eventually convicted were supposedly committed. FBI agents followed [Stockman](#) wherever he went. Once, after returning from abroad, he was detained at Dulles International Airport, where Transportation Security Agency (TSA) agents took all the documents he was carrying, copied them, and then handed them back to him in a jumble, recalled his wife. The five-year investigation, which cost taxpayers an estimated \$15 to \$20 million, was “the absolute definition of a fishing expedition,” penned [Wetmore](#).

After the FBI had spent all that time, effort, and money, reeling in their catch turned out to be harder than expected. Three grand juries refused to indict [Stockman](#); a fourth one finally did. One of the signers of that indictment was a Justice Department official who had also been copied on [Lerner's](#) e-mails plotting to deny tax-exempt status to Tea Party groups.

Although the federal complaint record authorizing [Stockman's](#) arrest had been sealed, a reporter from the Houston NBC affiliate showed up in court to report on [Stockman's](#) appearance the next day. In a brief telephone interview with *The New American*, [Stockman](#) said he was unaware of the complaint until he was arrested, so the leak had to have come from the government. (*The New American* asked



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the Justice Department for the name of the leaker and other details concerning Stockman's case, but the department declined comment.)

## Three-ring Trial

On March 19, 2018, Stockman's trial began in federal court in Houston, with U.S. District Judge Lee Rosenthal presiding.

"It was a circus," Wetmore told *The New American*, calling it "the worst courtroom I've ever seen overseen by the worst judge I've ever seen."

According to Patti Stockman, "The feds totally controlled what was heard, who was heard from, and what evidence was presented." The government was given *carte blanche* to make whatever accusations and present whatever evidence it desired, regardless of its relevance to the charges against Stockman. Stockman's attorneys, meanwhile, were completely hamstrung. Not one defense motion was sustained, and only two defense witnesses were permitted. The defense was limited in the theories it could present, giving the jury few alternatives to the government's story. Rosenthal also forbade the defense to suggest that the case was motivated by politics or to mention Lerner's name.

"Steve said many times, 'I feel like I'm in a trial of chefs and you can't talk about food,'" said his wife.

Even prosecution witnesses weren't free to testify as they saw fit. "The judge said that I am only to answer as succinctly as possible to correctly answer the question," recounted Wetmore, "and I asked her, 'Then you're telling me not to be thorough? You're telling me not to give context?'" and she said, "Yes." Wetmore also claims the government took other actions to intimidate him, including siccing Child Protective Services on his family, but he was not allowed to mention it in court.

## Fraud — or Just Failure?

The central charges against Stockman concerned contributions totaling \$915,000 from two donors to nonprofit organizations that employed him. The donors, who were kept aware of how their money was being spent, never complained or sought relief. The government found them, then it charged Stockman with defrauding these donors, a task made easier by the fact that federal law never defines *fraud*.

"The courts' reluctance to define the term 'fraud' with specificity gives prosecutors, judges and juries wide latitude to criminalize behavior which offends their personal sense of right and wrong," attorney Lawrence Bader wrote in a *Forbes.com* post.

The first allegedly defrauded donor was Stanford Rothschild, Jr., a Baltimore money manager and philanthropist. In 2010, Stockman solicited a \$285,000 donation from Rothschild to the Ross Center, a 501(c)(3) for which Stockman worked. Two years later, Rothschild contributed a combined \$165,000 to the Ross Center and Life Without Limits, another Stockman nonprofit. Rothschild understood the donations were to be used for voter education and fundraising efforts.

Although Rothschild died before Stockman's trial and thus could not testify, "the government's own evidence shows that Rothschild got what he wanted," Stockman argued in a document appealing his sentence to the Fifth Circuit Court of Appeals. Stockman said the government demonstrated that he had put out a book, which he claims was Rothschild's idea, and provided a copy to Rothschild. Stockman also held a fundraiser as agreed. "The whole thing," Stockman declared, "is ridiculous."



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Businessman Richard Uihlein was the second donor the government claims Stockman defrauded. In 2013, Uihlein donated \$350,000 to the Stockman-headed Congressional Freedom Foundation (CFF). At the time the donation was solicited, Uihlein understood it to be seed money for the nonprofit, which would undertake a variety of activities, including the purchase of a townhouse in Washington, D.C., to house conservative congressional interns; this building would become known as Freedom House.

Even though Uihlein's contribution was used for legitimate nonprofit purposes such as training interns, educating voters, and paying salaries, because Freedom House never came to fruition, the government charged Stockman with fraud. But Uihlein was aware from the start that his contribution to CFF would aid any number of projects, not solely Freedom House. Indeed, the written budget and proposal he had been shown at the time of his contribution, and which he kept for his files, clearly stated that Freedom House was but one of many projects CFF hoped to complete. In addition, according to Stockman's appeal, "Uihlein never asked that his contribution be restricted to" Freedom House.

(It's worth noting here that the government's sole witness concerning Stockman's intern program, who called it "horrific," quit after his first day on the job and thus could hardly have known what happened in the program. The defense was prepared to have other interns testify to the quality of Stockman's program, but Rosenthal refused to allow it.)

Apparently happy with how Stockman was spending his money, Uihlein made another contribution in 2014, this time for \$450,000, the purpose of which was to pay postage on *The Conservative News*, a newspaper to be published by the nonprofit Center for the American Future (CAF). The newspaper, published by a former Stockman aide, assisted Stockman's Senate campaign by portraying him positively and his opponent negatively. Since he was paying postage, Uihlein made his check out to the U.S. Postal Service.

Over half of Uihlein's contribution was used to pay postage. The rest would have been used for that purpose as well, but the mail shop was unable to complete the order and returned the unused funds not to Uihlein but to CAF, which used it for other legitimate nonprofit expenditures. As a result, the government charged Stockman with fraud.

Failing to complete a proposed project, however, does not indicate fraudulent intent. It just means that sometimes things don't work out as planned. "The fact that the mail shop was subsequently unable to finish the mailing and refunded the postage money to CAF rather than Uihlein, is not evidence of intent to defraud, particularly where there was no agreement on how to deal with the circumstance that gave rise to the refund of the postage money," said Stockman's appeal. Besides, said Patti Stockman, Uihlein was aware that the money had been refunded to CAF and "didn't have a problem" with it.

The government also charged that Uihlein's donation for *The Conservative News* constituted an illegal campaign contribution since the paper was clearly aimed at helping Stockman defeat Cornyn.

"If you publish a newspaper and you say, 'John Cornyn's a piece of crap because he doesn't like gun racks,' and in that same newspaper you say, 'Steve Stockman is a good guy; he likes gun racks,' is that a campaign donation?" queried Wetmore. "As a legal matter, there is no question that it is not."

Indeed, FBI Special Agent Spencer Brooks testified that while *The Conservative News* published "favorable qualities as to Mr. Stockman and unfavorable qualities as to Mr. Cornyn," it did not rise to the level of "express advocacy" for or against either candidate (such as saying "Vote for Stockman"). Thus, it was perfectly legal for CAF, a 501(c)(4) organization, to publish the paper and for Uihlein to



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contribute to its mailing. At worst, the mailing constituted a “coordinated expenditure” between CAF and the Stockman campaign, a civil offense that could have resulted in a fine. According to Patti Stockman, even the prosecutor admitted that there was no precedent for treating it as a crime.

## A “Tapestry of Evil”

The government additionally contended that Stockman diverted some of Rothschild’s and Uihlein’s contributions to support his own “lavish lifestyle.” To make its case, the prosecution entered into evidence Stockman’s personal credit-card statements, some of them from years before the donations were made. They neglected to mention, however, that Stockman paid these bills out of his personal funds, some of which came from the perfectly legal salaries he drew from the nonprofits. Furthermore, they tried to make much of such seemingly frivolous nonprofit expenses as dolphin rides without bothering to prove the expenses were illegal.

“They didn’t have a Rolex to point to, they didn’t have a Lamborghini to point to, they didn’t have a yacht to point to, and so they focused on these trivialities like the dolphin rides, but they never told people how much money it actually involved,” said Wetmore. He looked into the matter and found that the dolphin rides cost all of \$73.

“In a case where you’re talking about ... several-hundred-thousand-dollar checks, should we talk about something that was a \$73 charge?” he asked.

Stockman was charged with money laundering and wire fraud for depositing money into one bank account, transferring it to another, and transferring it back. This, of course, is something millions of Americans do every day. Moreover, it is not even known whether the transfers were initiated by Stockman or by the bank, Wells Fargo, which got caught after doing this for years without its customers’ knowledge.

As if all this weren’t enough, the government piled on all kinds of irrelevant accusations simply to make Stockman look bad.

They claimed Stockman was engaging in “covert surveillance” of political opponents via a “spy network.” In reality, said Wetmore, Stockman was doing investigative journalism on various political figures in the Houston area, following up on tips he’d received that he figured the media wouldn’t pursue.

The prosecution referred to extra cellphones Stockman’s associates used in the course of these investigations — their own evidence showed Stockman himself had never used them — as “burner phones.” They also insinuated that Stockman’s interest in cryptocurrency — he was the first congressman to accept cryptocurrency contributions and the first to introduce legislation protecting cryptocurrency from onerous federal regulations — was somehow nefarious.

“They talked about all these salacious things, and it was just to make him sound like a drug dealer,” said Wetmore. “It was just part of this very sophisticated campaign to frame it up as something it was not.”

The government also repeatedly referred to Stockman’s various organizations as “sham nonprofits,” yet one of the prosecution’s key witnesses, with whom they had negotiated a plea bargain, continued to work for one of the nonprofits on matters unrelated to and unknown to Stockman even as he testified





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against him, Wetmore said.

Stockman's many trips to Africa to arrange for the distribution of surplus medical supplies to needy nations were also used against him. Although Stockman had several African leaders prepared to testify on his behalf, only one was allowed to speak — and that person's testimony was used to suggest that Stockman was a flight risk and therefore should be imprisoned while awaiting sentencing.

"They took a bunch of disparate facts, and they wove them together in this intricate tapestry of evil and intrigue and wrongdoing," lamented Patti Stockman. "They made [the case] so complicated and wove such complicated stories that even Steve and I had a hard time following them."

And where were Stockman's attorneys in all this?

"Steve had a defense team, and it's what we could afford, and unfortunately, we got what we paid for," said Patti Stockman. "They did not know anything about nonprofits and the nonprofit law. They did not know anything about campaign finance and campaign-finance law. And they didn't seem to make any effort to figure it out."

While the deck was certainly stacked against Stockman, his attorneys seemed content to let the prosecution control the narrative and then argue that while the government's version of events may have been true, the jury should acquit Stockman because what he did was not technically illegal, a strategy that rarely succeeds. They even advised Stockman against testifying on his own behalf. According to his wife, Stockman himself said more than once, "If I had sat there for these two weeks and heard what the jury heard and saw what they saw, I would convict me."

That, of course, is precisely what the jury did, finding Stockman guilty of 23 out of 24 counts. Stockman was immediately imprisoned even though his sentencing was seven months away.

## **Run-on Sentence**

On November 7, 2018, Stockman was sentenced to 10 years in prison. "That's a long time," Rosenthal said, "but Mr. Stockman, I think you earned it." But did he?

Other politicians caught misusing campaign funds or even taking bribes have suffered far less. When Louisiana Democratic Representative William Jefferson was convicted in 2009 of taking \$500,000 worth of bribes and engaging in other lucrative chicanery, he was sentenced to 13 years but later got his sentence reduced to time served, just over five years. North Carolina Senator John Edwards, also a Democrat, was indicted in 2011 for using political contributions to pay off his mistress during his 2008 presidential bid; after he was acquitted on one count and a mistrial was declared on the others, the Obama administration dropped the charges. Obama's 2008 campaign was caught hiding contributions from the FEC and retaining contributions that should have been refunded, but the campaign got off with only a hefty fine; no one was charged with criminal offenses.

A 2016 study published in the journal *Public Integrity* found that the average sentence for public corruption in the United States was just 13 months, a far cry from Stockman's harsh sentence.

This assumes that Stockman should have been convicted in the first place. The former congressman told *The New American* he is "absolutely not" guilty of any of the crimes for which he was convicted; many others concur.

"There is no doubt that he is 100-percent innocent on every count," declared Wetmore. "It's not even a



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matter of opinion. Under the applicable law, there is no way he can be guilty of what they said he was guilty of. There's not even a gray area."

Over two dozen prominent individuals, including former congressmen, conservative activists, and writers, signed an *amicus* brief calling for the Fifth Circuit to overturn Stockman's sentence. The "standards used by the government punished normal logistics, lawful strategies, or failure as fraud," the brief reads. "Stockman's conviction," it concludes, "should be reversed."

## Political Prosecution?

If Stockman is innocent, why was he prosecuted? There's no "smoking gun," so to speak, but there is plenty of evidence to suggest that his prosecution was motivated by politics.

Stockman recalled that when the FBI showed up at his apartment, one of the agents said, "You're going after our boss [Holder], we're coming after you."

Wetmore claims that an attorney with whom Stockman had worked in the House told him that an FBI agent had told the attorney, "This is for Lois [Lerner]," though the attorney later denied it. In his *IntellectualConservative.com* article, Wetmore wrote: "Stockman reported that the IRS agent who arrested him and picked him up for court on March 16, 2017[,] said from out-of-the-blue, 'I hate the [border] wall.' The FBI agent in the front seat commented, 'you defeated my dad's friend.'"

Sidney Powell, a former federal prosecutor who briefly worked *pro bono* on Stockman's legal team after his conviction, told the *Western Journal* in 2018 that the Department of Justice's Public Integrity Section, which brought the case, "is notorious for political prosecutions. It is highly likely they targeted former Congressman Stockman and have been extremely and unreasonably harsh toward him because he was so outspoken in trying to hold Lois Lerner, the Clintons, and Obama accountable."

Powell, author of *Licensed to Lie: Exposing Corruption in the Department of Justice*, was particularly incensed at Stockman's immediate imprisonment. "That Congressman Stockman is in prison now before he is even sentenced is a further outrage calculated to impede his ability to appeal and to break him," she said. "I'm appalled at what the Department of 'Justice' has become. It has completely lost the trust and respect of the people."

Although she doesn't discount the Lerner theory and, in fact, has subscribed to it in the past, Patti Stockman now says she and her husband believe he was targeted because of his knowledge of the collusion between the Democratic National Committee (DNC) and the Ukrainian embassy during the 2016 presidential campaign.

"We're inclined to think Steve's knowledge of the Ukrainian matter is why he's in prison and why he was put in prison just as soon as the verdict came down," she said. Stockman, she continued, "had a very good relationship with Andrii Teilzhenko," the embassy's former political officer who claims he was ordered to help the DNC dig up dirt on Donald Trump's campaign manager, Paul Manafort, so as to paint Trump as a Russian stooge and drive him out of the race.

Certainly alleged ill treatment of Stockman in prison, if true, suggests someone in Washington has a vendetta against him. According to Wetmore, on his first day behind bars, the diabetic former congressman was denied his insulin and blood-pressure medication. Later, he was given off-brand medicine and decidedly non-dietetic meals.



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Stockman claims that when he arrived at the Oklahoma City federal prison, where he was held for about a week, he overheard a guard say of him, “This guy’s got some media issues, and the captain told us to take care of it,” whereupon he was immediately put in solitary confinement, supposedly for his own protection. After he registered a complaint about this, he was joined by a violent criminal (nickname: “Psycho”) who had just spent 33 months in solitary, he said. (The Bureau of Prisons refused to comment on these allegations, citing “privacy, safety, and security reasons.”)

Although Stockman, having survived his encounter with “Psycho,” has since been transferred to the Beaumont, Texas, penitentiary, he says he’s “extremely concerned” about his own health because diabetics are not treated properly there. He claims to know of one diabetic prisoner who died and another whose toes and then foot were amputated, and he says his own foot neuropathy has increased. He is also worried about the coronavirus. At age 63 and compromised because of his existing health problems, Stockman is already at high risk for the disease, and he is currently being housed in a facility that he described to his wife as “like a big cattle barn,” with inmates separated only by “chin-height” walls. If even one man in the prison comes down with COVID-19, chances are they all will.

## Unappealing Implications

A three-judge panel of the Fifth Circuit Court of Appeals heard Stockman’s appeal in January and denied it. Stockman then asked the entire court to review his case but was rejected.

“Our next choice,” Patti Stockman said, “is to petition the Supreme Court to hear the case because it sets new precedents for fundraising for nonprofits ... and on campaign finance.” Columnist Rachel Alexander observed that the decision “should terrify any nonprofit that gets close to any political campaigns.”

The Stockmans are also holding out hope that Trump will pardon Stockman as he did conservative author and filmmaker Dinesh D’Souza, who pleaded guilty to similar campaign-finance “crimes” in 2014. On April 2, Patti Stockman posted a video on YouTube imploring Trump either to pardon her husband or to allow him to serve out his sentence at home because of the risk COVID-19 poses to him. Days later, a group of more than 50 conservative leaders sent a letter to the president, asking him to release Stockman on humanitarian grounds. As of this writing, a pardon petition on the Stockmans’ website, [defendapatriot.com](#), has over 850 signatures.

If, as the evidence suggests, Stockman really is innocent of the crimes for which he was convicted, his case serves as a chilling warning to all other Americans. As Powell explained in an interview with *Bill Martinez Live*: “If the government wants to put you in prison, you will go to prison. It doesn’t matter whether you are innocent or not. They will make up crimes against you. They will indict you. They will search your house. They are willing to make up evidence. They’re willing to put pressure on witnesses to get them to say whatever they want them to say — anything.”

Or as Patti Stockman put it, if it can happen to her husband, “it can happen to anybody.”

*Photo: AP Images*





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