



Written by [Steve Byas](#) on February 11, 2020

Could New Hillary E-mails Lead to Criminal Charges?

After a Judicial Watch Freedom of Information Act (FOIA) lawsuit produced yet more e-mails this week from former Secretary of State Hillary Clinton — indicating that she had even more classified information transmitted on her unsecure and non-government server — calls are being raised for Clinton to face criminal consequences. Clinton previously escaped any criminal sanctions in July 2016 when then-FBI Director James Comey announced he would not seek any such sanctions.



But now that Comey is no longer in a position to save her from criminal liability, these newly discovered e-mails have led to speculation that she could face a new — and real — investigation.

Judicial Watch released 37 pages of new Clinton emails that had been found by the FBI after the FOIA request. Also found were text messages used by Clinton to conduct government business, which is also illegal.

The State Department told a federal court in November of last year that the FBI had found these previously undisclosed e-mails. The State Department had claimed in 2018 that all of Clinton's e-mails had been disclosed, but that was evidently not true. The Justice Department has told the court that they are unable to explain either how the additional e-mails were discovered, or where they were found.

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The e-mails were messages sent or received by Clinton during her tenure as secretary of state in her official capacity. Included in the new e-mail batch was a classified and redacted e-mail to Clinton from former British Prime Minister Tony Blair. Other messages also contained highly sensitive classified information. Among the e-mails was a message from April 2012 on the election campaign in Egypt and some information about the Muslim Brotherhood. Clinton received this information from Sidney Blumenthal through her then-Deputy Chief of Staff Jacob Sullivan. Blumenthal said he had “sources with access to the highest levels of the Muslim Brotherhood in Egypt, the Supreme Council of the Armed Forces, and Western intelligence and security services.”

In one series of e-mails sent over the course of two days — January 25-26, 2009 — Clinton CC'd her personal BlackBerry in a discussion about an envoy to North Korea with Cheryl Mills, then her chief of staff, and with Robert Einhorn, a former State Department special advisor for nonproliferation and arms control.

Clinton responded, using her *personal* e-mail account.

Judicial Watch President Tom Fitton expressed disdain upon releasing the heavily redacted emails — which obviously contained information that Clinton should not be receiving and transmitting over the Internet using an unsecured non-government server. “Magically, after years, the FBI finds more Clinton emails that show Clinton used text messages for government work, not to mention the continuing flow of classified information transmitted over her unsecure email system. These documents further



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underscore the need for a fresh, unbiased and thorough criminal investigation into Clinton's blatant malfeasance — and the related DOU, FBI, and State Department cover-up."

Clinton has insisted that the 55,000 pages of documents that she had turned over to the State Department in December 2014 included all of her e-mails that were work-related. She claimed that all of the other e-mails were simply "personal" business, such as messages dealing with the wedding of her daughter, Chelsea. Under penalty of perjury, Clinton had declared that she had "directed that all my email on clintonemail.com in my custody that were or are potentially federal records be provided to the Department of State, and on information and belief, this has been done."

Included in this latest cache of documents are about 5,000 recovered by the FBI of the approximately 33,000 government e-mails that Clinton took and tried to destroy.

In World War II, a popular admonition was, "Loose lips sink ships," a warning that some information could adversely affect the war effort and lead to casualties. Some government secrets — such as information about the Muslim Brotherhood in Egypt that Clinton received — need to be kept secret for national security reasons. This is why there is a law requiring government officials to use only secure government servers to transmit and receive e-mails. Some officials have been either fined or jailed for ignoring this law.

But not Hillary Clinton.

The double standard is obvious. First, then-Attorney General Loretta Lynch clandestinely met with Hillary's husband, former President Bill Clinton, on the tarmac of an airport in Arizona just a few days before Comey announced that Hillary would not be prosecuted. Fortunately, a local reporter spotted them. When their meeting was reported, Lynch and Clinton assured the public that it was just a "chance meeting," and that they only discussed grandchildren.

Then, FBI Director James Comey announced that Clinton would not be prosecuted. This was quite unusual, if not unique, as it is actually the prosecutor's job (in that case, the Justice Department, led by Lynch), not the FBI director's, to decide whether to prosecute. The FBI's role is simply to turn over information to the Justice Department. Having the FBI director make prosecutorial decisions would be comparable to a sheriff deciding whether to prosecute someone, rather than the district attorney.

In addition to the seriousness of the underlying crime of being careless with classified material, Clinton also declared, under penalty of perjury, that all pertinent e-mails had been turned over. This latest release indicates that this was not done.

Of course, were the Justice Department to actually proceed to prosecute Clinton, the mainstream media — the same media that protected her before — will undoubtedly rush to her defense and condemn the prosecutors.

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