



Written by [C. Mitchell Shaw](#) on March 28, 2016

## Indictment Could Be Only Weeks Away for Clinton

There is a growing sense — expressed by legal experts over the past few weeks — that Hillary Clinton will soon be indicted for storing and transmitting classified information over her unsecured, private e-mail server. Now, that sense is beginning to take the form of formal interviews, as investigators are poised to question some people very close to the former secretary of state.



The *Los Angeles Times* [reported](#) Sunday that federal prosecutors working on the high-profile case “have begun the process of setting up formal interviews with some of [Clinton’s] longtime and closest aides, according to two people familiar with the probe, an indication that the inquiry is moving into its final phases.”

This seems to substantiate the statements of some — including Judge Napollitano — that the immunity offered to Brian Pagliano, who set up and maintained the server for Clinton, is an indication that [a grand jury is hearing evidence in the case](#).

Mrs. Clinton — who began using the private server right after she was appointed as secretary of state by President Obama in January 2009 — denies that she ever “sent or received any e-mail that was deemed classified, that was marked classified.” Almost since the beginning of this investigation, however, the intelligence community has been pointing to specific e-mails on her server as containing classified information [when they were created](#).

Mrs. Clinton has also claimed that her use of the private server did not begin until March 18, 2009, the date of the earliest e-mails she turned over to the Justice Department. As *The New American* [reported](#) last week, it is now known that she began using the server weeks earlier. She may have tried to hide the e-mails from February because the contents of those e-mails show that she knew her server and BlackBerry were not secure.

From our previous article:

Tom Fitton, the head of Judicial Watch, released a statement saying the newly disclosed e-mails show that “contrary to her statement under oath suggesting otherwise, Hillary Clinton did not turn over all her government emails.” He added, “We also know why Hillary Clinton falsely suggests she didn’t use clintonemail.com account prior to March, 18, 2009 — because she didn’t want Americans to know about her February 13, 2009, email that shows that she knew her Blackberry and email use was not secure.”

Considering that she knew her mobile device was not secure, her continued use of it throughout her tenure as secretary of state amounts to a casual disregard for national security. Of course, coming from the woman who insisted on using her own unsecured e-mail server, this is no surprise.

It could serve as yet another charge in her [likely indictment](#).

It now appears that the mounting evidence against Hillary Clinton and even an actual indictment —



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while probably still weeks away — will continue to dog the Democratic frontrunner all through the primaries. And if she is indicted, it could ultimately wind her up in the big house instead of the White House.

Even her claims that she did not send or receive classified information over her server may not save her. The *Los Angeles Times* — even while dismissing the idea that their beloved Hillary could be indicted — correctly reported:

Clinton has denied using the email account to send or receive materials marked classified. Though some emails have since been deemed to be too sensitive to release publicly, Clinton's campaign has attributed that to overzealous intelligence officials and "over-classification run amok."

Legally it doesn't matter if the emails were marked as classified or not, since government officials are obligated to recognize sensitive material and guard against its release. But legal experts noted that such labels would be helpful to prosecutors seeking to prove she knew the information was classified, a key element of the law.

Many have expressed frustration that she has not already been indicted. It has been a long, slow, process as prosecutors and investigators have gathered evidence. As the *Times* put it:

The [upcoming] meetings [with Clinton's advisors] also are an indication that much of the investigators' background work — recovering deleted emails, understanding how the server operated and determining whether it was breached — is nearing completion.

And, while "no dates have been set for questioning the advisors ... a federal prosecutor in recent weeks has called their lawyers to alert them that he would soon be doing so," according to the *Times*.

With prosecutors and investigators calling Mrs. Clinton's closest advisors and alerting them that they will be interviewed in the coming weeks, it looks like the clock is running out on any chance for the former secretary of state to shake this off before the end of the primaries. In fact, it begins to look like she could be a defendant instead of a contender.

James McJunkin, former head of the FBI's Washington field office, said, "The interviews are critical to understand the volume of information they have accumulated. They are likely nearing the end of the investigation and the agents need to interview these people to put the information in context." He added, "They will then spend time aligning these statements with other information, emails, classified documents, etc., to determine whether there is a prosecutable case."

*Photo: Hillary Clinton*



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