



Written by [C. Mitchell Shaw](#) on July 7, 2016

## Justice Dept. Has Prosecuted Cases Like Hillary's Before; Why Not Now?

In 2012, *Bloomberg* reported that “Eric Holder, attorney general under President Barack Obama, has prosecuted more government officials for alleged leaks under the World War I-era Espionage Act than all his predecessors combined.” That means that in the months and years leading up to the FBI’s inexcusable decision to not recommend the indictment of former Secretary of State Hillary Clinton for mishandling classified information during her time in office, Obama’s Justice Department charged and prosecuted people in government for doing exactly what Secretary Clinton did.

# Top Secret!

(Unless You Are Politically Important, Connected, or Wealthy)

Ok, not *exactly* what Clinton did. In fact, both *Bloomberg* and the *Washington Times* asserted that Obama’s Department of Justice has used the Espionage Act to punish *whistleblowers* to send a message to anyone considering blowing a whistle on illegal government activities and programs. That message is clear: Inform the media about government misdeeds and spend the lion’s share of your life behind bars. So the difference between Secretary Clinton and many of those prosecuted by Obama’s DOJ is that they acted out of a sense of patriotism, and she acted out of a sense of self-service.

*Bloomberg* [reported](#):

The indictments of six individuals under that spy law [the Espionage Act ] have drawn criticism from those who say the president’s crackdown chills dissent, curtails a free press and betrays Obama’s initial promise to “usher in a new era of open government.”

The *Washington Times* [said](#):

However, when leaks to the press benefit the administration, prosecutions from the Justice Department are absent. For example, AG Holder was not prosecuting anyone over who leaked information about the killing of Osama bin Laden. The Justice Department has yet to charge anyone over leaking information regarding the U.S. involvement in cyberattacks on Iran as well as an al Qaida plan to blow up a U.S. bound airplane. In fact, the Justice Department ended up appointing one of two attorneys to the cyberattacks investigation who was an Obama donor.

The take away? All men (and women) are equal; some are just more equal than others. And — far too often — that distinction is based not on the person or their actions, but on the politics involved. If the person in question is deemed valuable to the *insiders*, he or she walks away. If not, then not.

If, for instance, a former secretary of state who is now the Democratic nominee and who has been shown to have spent more than four years sending, receiving, and storing state secrets — including information classified at the highest levels — for her own convenience while avoiding laws requiring the



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archival of all e-mails related to her time in office, FBI Director James Comey would and did [refuse to recommend indictment](#), saying that “no reasonable prosecutor would bring” charges in this case. Even while admitting that “there is information that they [Secretary Clinton and her colleagues] were extremely careless in their handling of very sensitive, highly classified information,” the FBI did not recommend prosecution because “we did not find clear evidence that Secretary Clinton or her colleagues intended to violate laws governing the handling of classified information.”

If, though, a Naval reservist serving in Afghanistan for one year copied classified information onto his own computer — for the sake of convenience in doing his job — and then traveled off-base with that computer, the same DOJ which readily accepts the notion that “no reasonable prosecutor would bring” charges against Clinton would prosecute him *even though he was the one who revealed his careless removal of that classified information to Naval personnel*.

Because that is exactly what happened to [Naval Reservist Brian Nishimura](#) in 2012 after he confessed to Naval officials that he had handled classified materials “inappropriately.” Before it was over, he was stripped of his clearance, ordered to never again seek such clearance, fined \$7,500, ordered to surrender all devices that had contained the classified materials, and given two years of probation. All in all, he got off easy. Just not nearly so easy as Clinton. You see, Nishimura has no political value, so he actually had to face the consequences for his actions, whereas Clinton is the likely future president. He’s little people; she’s too big to jail. It’s about the politics.

Or consider Edward Snowden. He used his position as an NSA contractor to copy and remove a trove of information on the unconstitutional — and likely illegal even under current interpretations of the law — warrantless mass surveillance of all Americans. He then — as an act of brave patriotism and without malice — leaked that information to journalists. He is in exile in Russia because a return to the United States would mean his certain imprisonment and likely execution for violations of the Espionage Act. Again, politics.

That Hillary Clinton was able to gain the nomination and avoid indictment while lying, obfuscating, and otherwise misleading both the American people and investigators at every level is a clear indicator that the *insiders* want her in the game — probably in the White House. Considering the legal and logical gymnastics they have gone to to get her this far, America may need to face two facts. The first is that the word “justice” in Department of Justice is a misnomer. The second is that we may have to live under a Clinton 2.0 presidency. God help us.



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