



Hillary Could Be Prosecuted For Mishandling CLASSIFIED Information

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The State Department could not definitively say that the personal email account used by Hillary Clinton to conduct state department business did not transmit classified information.

The House Select Committee on Benghazi has said it will subpoena all of Hillary's emails regarding the 2012 attack. If any of those end up containing classified information, Hillary could be in trouble.

In fact, Hillary could be prosecuted if she emailed classified information, experts tell The Daily Caller News Foundation.

Patrick G. Eddington, Policy Analyst in Civil Liberties and Homeland Security at the Cato Institute, told The Daily Caller News Foundation that Hillary at least violated Executive Order 13526 and possibly 18 U.S.C. Sec. 793(f) of the federal code if she sent or stored classified information on her personal email.

"By using a private email system, Secretary Clinton violated the Federal Records Act and the State Department's Foreign Affairs Manual regarding records management, and worse, could have left classified and top secret documents vulnerable to cyber attack," Cause of Action Executive Director Dan Epstein said in an email to reporters. "This is an egregious violation of the law, and if it were anyone else, they could be facing fines and criminal prosecution."

State Department representative Marie Harf told reporters that Hillary has said she only used the personal email for unclassified information, but that the state department couldn't definitively verify that claim.

"She and her team has said that it was not used for anything but unclassified work," Harf said. "You know, we don't, undergo scans of everyone's unclassified email to make sure they're only doing unclassified work so i don't think there was any indication that she was doing anything but here, so i don't think it's really a pertinent question."

In 1999, CIA Director George J. Tenet suspended the security clearance of the former director, John M. Deutch, for using his personal email to send classified information. The Department of Justice chose not to prosecute Deutch.

Wen Ho Lee, a nuclear scientist who downloaded nuclear secrets using an unclassified computer, was not so lucky. He served 278 days in solitary confinement and was released after pleading guilty to mishandling classified data, and sentenced to time served.

Marine Maj. Jason Brezler was recommended for separation for sending classified information through his personal email account in 2012. Brezler sent an email to fellow Marines in Afghanistan but defended himself saying he did it to warn them of an imminent war zone threat.

Phillip Bump at the Washington Post wrote a lengthy piece based off an interview with email systems expert Peter Fidler about just how secure Hillary's private email could be since she had set up her own server at home.

“So. Was Clinton's e-mail system more secure than the State Department's?” Bump wrote summing up the piece. “It's hard to say, without knowing her setup. But it seems that it was perhaps not necessarily much less secure. Was it complying with archiving and Freedom of Information Act requests as necessary? Again, without details, it's hard to say for certain, but it appears not.”

Reporters from Bloomberg talked with a few experts in digital forensics who expressed concern about Clinton's email setup, from the private accounts to the private in-home server.

From Bloomberg:

Although Clinton worked hard to secure the private system, her consultants appear to have set it up with a misconfigured encryption system, something that left it vulnerable to hacking, said Alex McGeorge, head of threat intelligence at Immunity Inc., a Miami Beach-based digital security firm.

Matt Devost, another expert who talked with Bloomberg, highlighted the fringe benefit of Clinton's setup: “You erase it and everything's gone.”

And it's just that capability — to completely wipe out information — that has critics most riled up.

“The only reason to use a private email system for official government communication is to keep information from becoming public and covering your tracks,” Epstein said in a statement. “Sec. Clinton should have known that what she was doing violated the letter and spirit of the law. This isn't a matter of poor judgment; this is a deliberate and orchestrated violation of the public trust that raises serious legal and ethical concerns.”