

Did the 'Clinton Defense' Work Again?

Last Friday, a federal judge sentenced Petty Officer First Class Kristian Saucier to one year in prison and six months of electric monitoring during home confinement during a three-year period of supervised release.

Saucier was given a prison sentence for taking photos of classified areas inside a nuclear attack submarine despite making claims that it was similar to how Hillary Clinton used a private server to send classified emails.

Let's be clear—we don't condone mishandling classified material and Petty Officer Saucier admitted to taking photos of the classified engine room in the nuclear submarine in which he worked, the USS Alexandria in 2009 while working as its machinist's mate at Naval Submarine Base New London in Groton.

According to , Saucier took several photos of the reactor compartment. He then, upon learning he was in trouble after taking part in an interview with the FBI, Saucier destroyed a laptop, a memory card and a camera to ensure no one saw the photos, according to an FBI complaint.

The photos Saucier took were classified as "confidential," which is the lowest rank of protection for classified information that could cause some damage to national security, but not "serious" or "grave" damage.

According to POLITICO, intelligence agencies claim that Clinton's account contained 65 messages with information considered "Secret" and 22 classified at the "Top Secret" level. Some messages contained data under an even more restrictive "special access program" designation.

The classified information charge, to which Saucier plead guilty, is part of the Espionage Act, a prosecution spokesman confirmed according to POLITICO.

Saucier said he took the photos to show his future family what he did in the Navy and no charge of espionage was filed and no public suggestion has been made that he ever planned to disclose the photos to anyone outside the Navy.

Contrast that with Hillary Clinton's apparent violation and to her sworn testimony about whether or not she sent and received emails that were marked classified.

With respect to whether she sent or received emails that were marked classified at the time, Secretary Clinton testified under oath to the Select Committee that she did not. Specifically, during questioning by Rep. Jim Jordan, Secretary Clinton stated "there was nothing marked classified on my emails, either sent or received." Secretary Clinton further testified:

"[M]any Americans have no idea how the classification process works. And therefore I wanted to make it clear that there is a system within our government, certainly within the State Department ... where material that is thought to be classified is marked such, so that people have the opportunity to know how they are supposed to be handling those materials ... and that's why it became clearer, I believe, to say that nothing was marked classified at the time I sent or received it."

The FBI, however, found several of Secretary Clinton's emails did in fact contain markings that identified classified information therein. In Director Comey's public statement on July 5, 2016, he said, "a very small number of the emails containing classified information bore the markings indicating the presence of classified information."

When Director Comey testified on July 7, 2016, he specifically addressed this issue. Rep. Trey Gowdy asked, "Secretary

Clinton said there was nothing marked classified either sent or received. Was it true?" He said it was not.

Director Comey also stated, "There was classified material emailed." Specifically, he stated that three documents on Secretary Clinton's private server contained classified information clearly marked "Confidential." He further testified, *"In the one involving 'top secret' information, Secretary Clinton not only received but also sent emails that talked about the same subject."*

"I just don't think it's fair," Gene Pitcher, a retired Navy sailor who served with Saucier aboard the Alexandria told POLITICO. "In reality, what she did is so much worse than what Kris did. ... I think it's just a blatant double standard."

"Felony charges appear to be reserved for people of the lowest ranks. Everyone else who does it either doesn't get charged or gets charged with a misdemeanor," Edward MacMahon, a Virginia defense attorney not involved in the Saucier case told POLITICO.

Defense attorney Greg Rinckey told U.S. News & World Report that he thinks the Clinton defense played a role in limiting Saucier's prison sentence to only one year as opposed to six.

"He cryptically made some comments about selective prosecution and how that didn't play any factor. Do I think it may have? Sure. But I think there was enough mitigation that the judge was able to depart from the sentencing guidelines [on that basis alone]," Rinckey said.

And of course the defense attorneys are right—there is a double standard—the Hillary Clinton standard that lets Mrs. Clinton and her aides walk and the "little people standard" that applies to you, us here at CHQ and Petty Officer First Class Kristian Saucier.

As we see it, there's only one way to have any hope of

restoring equal justice under the law, and that's to elect Donald Trump, who will clear-out the whole sorry mess at the Department of Justice and restore some semblance of fairness to the federal criminal justice system, especially when high-level public officials like Hillary Clinton are involved.