

KEVIN CLINESMITH SENTENCED TO A YEAR OF PROBATION

Judge James Boasberg just sentenced Kevin Clinesmith to a year of probation for altering a CIA email describing Carter Page's prior relationship with the CIA.

Carter Page spoke at some length in his typical rambling style. Notably, he did not call for a harsh sentence for Clinesmith. And much of what he said was irrelevant to the sentencing (he seemed to be pitching to be a FISC amicus, as if the ties between him and Russian intelligence weren't real concerns).

Anthony Scarpelli, arguing for the government, did not repeat a claim made in their sentencing memorandum, that Clinesmith may have made this alteration for political reasons. Judge Boasberg noted that the DOJ IG Report had found no evidence of such.

The government did suggest that Clinesmith had altered the email for more than just to avoid the work of correcting it. Boasberg didn't see it that way. He found the argument of Clinesmith's lawyer, Justin Shur, compelling that there was no personal benefit to Clinesmith because he wasn't on the hook for the earlier mistakes in the application.

Boasberg also made a quip that, unlike certain politicians, Clinesmith had not chosen to be in the public limelight.

The hearing was perhaps most interesting for Boasberg's comments, as the presiding FISA judge presiding over a criminal case pertaining to FISA, about the import of the FISA court's role in checking Executive authority. I'll return to those comments when a transcript is available.

Ultimately, then, this closes the most productive aspect of the Durham investigation,

which has gone on almost as long as the
investigation it is supposed to investigate.