

Red Meat Radio – Rawlings Condemns Corruption in Obama DOJ/FBI

Spencer Stokes: Good morning, Utah. I'm Spencer Stokes.

Stephenson: And I'm Howard Stephenson.

Stokes: And you're listening to Inside Utah Politics: Setting the Record Straight, where we bring you two hours of Red Meat Radio as an alternative to those sissy Saturday morning garden shows. Good morning, Howard Stephenson.

Stephenson: Good morning. We're back for our second hour. I have to preface this hour by saying this is probably the most red meat of any hour-long segment we've ever had in Red Meat Radio's 12-year history.

Stokes: This is the first time I've ever wanted to actually listen to Red Meat Radio. After last segment, I thought it should be changed to Red Meat Rant Radio, after your last segment.

Stephenson: I was ranting.

Stokes: I think you were spot-on. You were on message. You were good. You were very good. Are you going to introduce our guest this morning?

Stephenson: Yes, we're pleased to have Troy Rawlings, the Davis County district attorney, on with us today, who has some things to unveil about the Department of Justice, the FBI, and the Swallow/Shurtleff investigation, and what happened there to keep certain people in the Obama administration squeaky clean. Before we get into it, welcome to the show, Troy Rawlings.

Troy Rawlings: Good morning. Thank you for the invitation.

Stokes: Good. Tell us a little bit about your history. You've been the district attorney at Davis County for how long?

Rawlings: Since January of 2007. I was elected in November of '06. Prior to taking office in January of '07, I was a deputy in that office from January of 2000 on doing primary special victims cases, sex offenses, homicides, that sort of thing. For about five and a half years before that, I was a defense attorney.

Stokes: We called this- Howard keeps referring to you as the district attorney. It's the county attorney, isn't it?

Rawlings: In Utah, basically the two offices are merged. We have a criminal side, which is the district attorney side, and the civil side. Statutorily, it's called the county attorney's office, but it actually also functions as a district attorney's office. Both names are correct.

Stokes: And the county attorney just for the folks who are listening, you handle everything in the county. You handle giving advice to the county commission. You're the county commission's attorney. You're the county agency's attorney. As well as doing all the criminal work. I was telling Howard earlier today, it seems like in the state, in my watching of what goes on in politics, that

whenever there is a tough case, those cases are not sent to Utah County, Salt Lake County, Weber County-

Stephenson: Or the AG's office.

Stokes: Troy, they always usually land in Troy's lap.

Stephenson: It's like that Life cereal commercial. Let's see if Mikey likes it. They make him do the hard cases. Why is that?

Rawlings: Some would maybe hypothesize I'm the one who's crazy enough to do it, but-

Stephenson: Hold the mic closer if you could.

Rawlings: I think maybe part of the reason, the way we run the office is we try to be as apolitical as we possibly can. We base decisions on objective facts, what the evidence is, what the state of the law is. One of the things that may play into that is the folks who send cases to us, I hear all the time, like when San Juan sends something to us, I think part of it is the fact that I don't take campaign contributions. And I don't. A whole bunch of things play into it. I try to run the office as objective, impartial, nonpartisan, apolitical way as you possibly can. Inside the legal community, I think people really realize that. So when they feel they have something tough, they want to send it somewhere where it's actually objectively looked at, we tend to get those.

Stokes: Howard, you're going to have to rip up your \$25,000 check you were going to give him.

Stephenson: That's amazing. I wasn't aware of that, that you didn't take campaign contributions. I remember one case that they gave to you because of your impartiality was the Republican case, a candidate, Mark Walker, and it seems that you were under criticism, saying, "Hey, why aren't you loyal to Republicans?" You took that and made sure justice was served. You've had this image of not shying away from those tough cases that had political ramifications.

Rawlings: Thank you. When it comes to the Mark Walker case, that is one of the good examples. Part of the reason also is I think people recognize that we do do a good job, the end product usually can't be really attacked as being unfair and unobjective. But I also think, Howard, you did say I was Republican. That is true. I run as a Republican. However, I do believe the job is the job I should conduct myself in a nonpartisan fashion. The key is that Republicans do believe in justice. So because I am a Republican, I believe in actual justice. I believe in nonpartisan justice. I believe in due process, not screw process, like you see what's happening in Washington D.C., when a Democrat controls Congress, the House of representatives.

Stephenson: You were given Mark Shurtleff's case. Sim Gill was given Swallow's case. You saw the evidence. We would have expected you, if there was something there, you would have taken on Mark Shurtleff. You basically said this wasn't prosecutable.

Rawlings: The right decision in the case, there's no question. After the cases were separated, and I had control with the Shurtleff case, we were able to do some of our own investigation, vet the defense information they presented, learn some things that were stunning about the

investigation that came to us from the United States government, the Department of Justice, the FBI. If we had time to do a whole segment on why the Shurtleff case was dismissed, to get into that, that could take another 45 minutes. But it was the right decision. I think you saw with the John Swallow prosecution, the jury went up in flames, I made the right call predicting to members of media exactly what was going to happen before that trial. John was going to get acquitted on all charges. I know some criticize the way the DA's office actually handled the prosecution in court. Really, it's a case that shouldn't have gone to court.

Stephenson: Wow. So when we come back, we're going to be talking with District Attorney, County Attorney Troy Rawlings about wrongdoing at the Department of Justice, the FBI, and to do with holding the Obama administration, friends harmless from prosecution. You do not want to miss this show of Red Meat Radio. We'll be right back.

And we're back. Welcome back to Red Meat Radio. Troy, what we want to talk about today, I'll start it with the Jeremy Johnson investigation. Can you start us with that, help us understand what happened there? Then we'll lead into the Swallow investigation by the Utah House.

Rawlings: Yeah, that makes sense, Howard. That's a good way to do it.

As we start into it, one thing I do need to note that I do need to do, not only required by the Utah State law rules, but constitutionally, it's the right thing to do. That's remind folks that whatever we talk about here, that any names we talk about are presumed innocent. Nobody has been convicted. Nobody has even been charged yet and may never be charged with the things I'm going to talk about today. We'll maybe get to why that is the case as we go forward. All folks are presumed innocent at this stage of where we're at.

Also, I have to be a little careful with what I talk about. I want to give you and your listeners enough of the general broad outline so this makes sense to them as to where we're at and why I continue to bulldog this a little bit. One of the issues and questions I get asked a lot is why you are still actively involved and why you are still trying to talk about this, go to the legislature for funding every year for a grand jury.

One of the reasons is the statute of limitations has not expired on anyone who lives outside of Utah. This case, and multiple of the targets of the investigation who I would like to seek a grand jury for, do not live here in Utah, so we don't have a statute of limitations problem. This case, from a criminal standpoint, is very much alive. The statute is told for people it doesn't count against them. The clock is not ticking for people who don't live out of state.

As we get into setting the stage for your listeners as to how we're at where we're at today, in looking at Jeremy Johnson, I think a simple way for anybody who is familiar with it, and even if your listeners aren't that familiar, if they do a little bit of research, let's look at the John Swallow trial in and of itself.

One of the interesting sagas that played out-

Stephenson: The trial before a jury?

Rawlings: Yes.

Stephenson: Not the investigation for the House.

Rawlings: The 2017 jury trial of John Swallow that was conducted by the Salt Lake County DA's office, but was really controlled by, and I'll make that point today as we go through hopefully, the Department of Justice in some stunning ways.

Jeremy Johnson never testified in that trial. Jeremy Johnson was one of the key figures who started this whole inquiry into John Swallow. When Johnson's plea negotiation fell apart in federal court, and Swallow's name came up, Jeremy Johnson was central to everything that was going on with the John Swallow/Mark Shurtleff prosecutions for some time. The guy never took the stand in the John Swallow trial. The DA's office tried to get him on. They knew about six weeks before the trial he wasn't going to be able to get on the stand though. Why? Because the United States Department of Justice would not give Jeremy Johnson immunity to testify. We talked DOJ public integrity in Washington D.C. They would not give a critical witness to the state of Utah immunity to let him get on the stand in the Salt Lake County DA's prosecution of John Swallow. In large part, I believe that's because they didn't want the public to hear what Jeremy Johnson had to say.

So I had given Jeremy Johnson immunity from the state of Utah as a special assistant attorney general. I had been appointed. Jeremy Johnson had immunity from the state. Sim Gill gave him immunity from the DA's office. Yet day after day, Johnson refused to testify. He wouldn't get on the stand, exercising his Fifth Amendment rights. They were in communication constantly with the DOJ pin in D.C, to try to give Johnson immunity to testify. Yet they couldn't.

Supposedly, this is a joint federal/state cooperation between the DOJ, the FBI, and Sim Gill's office in prosecuting John Swallow. Yet you have the Department of Justice not giving Johnson immunity because Johnson needed it to testify because some of the things he would have said tended to incriminate himself and possibly subject him to federal prosecution. So he couldn't. He couldn't get on the stand because the DOJ wouldn't let him.

Let's ask another question to set the stage then, too that relates directly to this. Jeremy Johnson was never prosecuted for any conduct that he admitted to and confessed to related to former United States Senate majority leader Harry Reid. Could it be that maybe if Johnson gets on the stand in the John Swallow trial, he is going to talk about things he's confessed to, he's going to talk about things he gave evidence and provided documents and statements and financial records concerning?

Jeremy Johnson, if we look at this saga in setting the stage today, was a key figure in many ways. Let me walk through a timeline for you as to why.

It's important to understand briefly the history of poker in the United States. Everyone knows that one of the key issues that Jeremy Johnson was alleging and talking about and trying to implicate John Swallow in was issues concerning the processing of online poker. Sometimes I start this story by saying Jeremy Johnson had a bank. And he did.

Jeremy Johnson was the principal owner of Sun First Bank in St. George, Utah. That bank was processing online poker proceeds and transactions. They are the only bank in the United States doing it. On any given day, \$20-\$40 million of online poker processing was flowing through Sun First Bank in St. George. Jeremy Johnson became important, important to a lot of people, important to the poker industry, and important to others because Johnson had this bank. They're processing poker.

Senator Harry Reid, up until 2009, was an opponent of legalizing what Johnson's bank was doing.

Stephenson: Their biggest industry is gambling.

Rawlings: And their brick-and-mortar casinos. So Senator Reid has always been opposed to legalizing online gambling and poker, particularly the processing of the money of online poker. Johnson's bank was actually operating rogue. There were prosecutions about that that we'll talk about this morning. It's important to start in 2009 with this saga because in 2009, one of Senator Harry Reid's biggest constituents and clients in Nevada, Harrah's, began to invest by interest of online poker. Harrah's' perspective and attitude changed in 2009. Harrah's then began to want and lobby. They didn't want online poker to become legalized in the United States; they wanted to be able to process it in the United States, overseas. That was a sea change in the landscape that we're dealing with.

Then fast forward quickly to 2010. Multiple things are going on. The Southern District of New York, the department of Justice, SDNY New York, Manhattan office, was investigating this online poker processing I'm talking about, along with the FBI. The then FBI Director at the time was Robert Mueller. Robert Mueller and Preet Bharara's office in SDNY were doing an aggressive investigation into what was going on in with the online poker processing, money laundering, including Sun First Bank in St. George. So that investigation is happening in 2010 while Harry Reid is running for reelection in 2010. He has a tough race against Republican Sharon Engle that is going on.

As we're going forward through 2010, Harrah's now wants online poker processing to become legal in the United States. The online poker entities certainly do. They're starting to lobby Senator Harry Reid. There is a series of emails and exchanges. There is an incredible email exchange with the online poker industry's retail owner, Jeremy Johnson saying, "Hey, we want your assessment. Do you think Harry Reid will really move on this?" There are invitations, "Senator Reid, you need to accept his invitation to lunch." It culminates in a July 6, 2010 meeting at the Rio Hotel, where there are multiple witnesses present as to what happened at that July 6 meeting about the online poker industry lobbying Senator Reid to legalize, to forward a bill, to sponsor legislation to legalize online poker. That's July 6, 2010 at the Rio.

Fast forward a little bit. There are campaign contributions made to Harry Reid. Everyone who came to these meetings had to bring a \$2,400 campaign contribution for Friends of Harry Reid. Johnson was there. His people were there. Multiple poker industry folks were there. FoltHill Poker, poker stars, poker players, poker alliance. They're all lobbying Reid at this meeting.

You continue to fast forward through 2010 and get to October 2010. October 27, Harry Reid's attorney sets up an entity in the Republic of the Marshall Islands called Searchlight Holding Incorporated.

Stephenson: Isn't that his hometown? Searchlight, Nevada?

Rawlings: Exactly. The point I was going to make. You're right on. Searchlight, Nevada. This is set up on October 27, 2010 in the Republic of the Marshall Islands. Harry Reid wins his reelection on November 2, 2010. On November 5, 2010, the online poker industry owners, Nelson Burtonick from Dublin, Ireland and others, sent Jeremy Johnson an email, "Okay, it's time to release the \$2 million." The \$2 million figure, and I'm going to have to be careful again to protect witnesses, sources, actual evidence, but this figure was known to Jeremy Johnson as to why that figure was discussed at the Rio Hotel on July 6, 2010. There were multiple witnesses to that conversation.

Now, after Reid's elected November 2, the poker folks are telling Johnson we have to get this \$2 million out. That \$2 million was then sent FedEx. We've been able to trace it. We know exactly where that \$2 million went. That \$2 million clears into a foreign overseas account on November 26, 2010. The next week, Senator Reid is sponsoring a 157-page legislation, but he is shopping around the United States senators to get traction on it to legalize online poker processing in the United States.

That is part of the nutshell version as to what's going on. While this then investigation is happening, as we move forward into 2011, the Southern District of New York and the FBI, Robert Mueller's regime, are interviewing and investigating everybody related to this. Jeremy Johnson is one of them. There are 52 FBI 302s that are related to Jeremy Johnson and his role in processing online poker and his bank, and what Jeremy Johnson was saying to try to cut a deal. Johnson is admitting and confessing, saying multiple times, "Guess what? I was involved in bribing a United States Senate majority leader to sponsor online poker legislation. Here is who was involved in it with me. Here is how much money it was." Johnson is laying this out for the authorities, for the United States government.

You then have in 2011, early 2011, approximately April, the United States government then filing charges. They indicted eight people for this scheme of processing online poker in the United States. Eight people indicted. Jeremy Johnson was not one of them. You got a guy confessing to his role and his involvement in this.

One of the people indicted was John Campos. John Campos was the president of Jeremy Johnson's Sun First Bank in St. George. Campos had little role in what was going on with the online poker, as he was basically a figurehead. Jeremy Johnson was the one doing all the interfacing with online poker.

Stephenson: And wasn't prosecuted.

Rawlings: He wasn't prosecuted. Johnson is the one who hauled silver. He was supposed to bring gold, and he hauled silver to Las Vegas. A long story behind that one, too.

But Jeremy Johnson ends up- Again, you have a couple key questions. Why was Jeremy Johnson not allowed on the stand by the DOJ in the John Swallow trial? What don't they want people to hear him say?

Stephenson: Who are they protecting?

Rawlings: Why did the DOJ never prosecute- You stop and think about what they did do to Johnson then. So a couple months later, the DOJ moves forward in 2011 with their prosecution of eight people, including John Campos, who is Johnson's subordinate, who really had nothing to do other than being president of the bank. Johnson was calling all the shots on the bank. Campos was prosecuted. Johnson is not because Johnson was talking and squawking. Campos wasn't. Campos wasn't involved in the Harry Reid transactions, in the Harry Reid interactions. Campos had no real knowledge of that. You have Jeremy Johnson. The very guy who is squawking and talking to try to get himself a deal, here's what we did, ends up getting himself a heck of a deal. He doesn't get prosecuted at all. If you prosecute Johnson for what he is admitting to and confessing to with documents, then who are you looking at? Who is he claiming that he bribed? To prosecute Jeremy Johnson on one end, for allegedly bribing Senator Harry Reid, you have to look at the other end of that equation, too.

Johnson walks from that prosecution. There is a federal money laundering complaint that is filed as well. They get all the documents in the federal- It's a long money laundering civil complaint. They settled it with online poker for just under \$800 million. There is multiple people named in that, too. But the key figure that was online poker's point person that owned the bank that held the money that was involved in the meetings and the transactions with Senator Harry Reid is the one who walks away and does not get prosecuted in this whole scenario.

That sets the stage for you about how important of a figure Jeremy Johnson was to this inquiry.

Stephenson: When we come back, we'll be talking more about it. Before the break, can you tell us why Jeremy Johnson is now in prison for 10 years?

Rawlings: They went after him, the feds did, for 86 counts of everything but what he confessed to. He only got convicted of eight. The eight he convicted of, none of them were related to fraud. But they went after him hard, aggressively, and wanted to put him away for a long time on 86 counts, but Harry Reid.

Break

Stokes: Just before the break, we found out that eight people were charged, but not Jeremy Johnson. What happens next, Troy?

Rawlings: All of those cases end up getting resolved. Again, this was Southern District of New York prosecutors' office and Robert Mueller's FBI that made these decisions. Johnson is left out of the equation. Johnson's not prosecuted. Nothing about what Johnson is alleging about the former majority leaders comes to light at this time. There's no reason to. It's kind of forgotten. The folks who were prosecuted, their cases work out deals, get resolved. Maybe this is put under the rug, and it's all over, and it's all gone, and it's all done.

Unfortunately, for those people who would never want this to come to light in Utah, Jeremy Johnson's plea negotiation falls apart in late 2012/early 2013, as they're negotiating. He goes into court. When Johnson's plea negotiation falls apart, Johnson starts talking. So much so that a federal judge got mad at him, and Johnson got put under a gag order. Jeremy Johnson started again as to what is going on, why this is unfair. Because Johnson started to talk, the Utah House of Representatives, Utah State legislature appropriately so is hearing what they're hearing. They determine in 2013 as they are moving forward that they need to investigate and take a look at what is going on with our current attorney general, John Swallow.

Jeremy Johnson is making these allegations. He is implicating Swallow as to being involved in certain things. One of them is giving an opinion that processing online poker was legal in the state of Utah. As this is coming to light, the state makes the decision. I don't criticize the legislature for doing this, but they decide we need to investigate and look into this. We're going to reach out and send out a request for a proposal, submit bids to law firms to come in and see who we can get, who is the best firm or entity or person we can get to come in and look at this? That is in 2013.

On July 11, it becomes public that the Utah House of Representatives of 2013 is seeking lawyers to investigate our then-attorney general John Swallow. They send out a 22-page solicitation requesting proposals as to who can do this. One of the entities who answers this is called Akin Gump, a law firm with reputable worldwide law firm, top notch.

Akin Gump, the person who is leading their bid solicitation to come out here to Utah to investigate John Swallow, is a gentleman named Steven Reich. Somebody who I got to know well while he was out here in Utah because the criminal investigation on the FBI side was also starting to look into these things. Sim Gill and I were tapped in to assist the FBI when the Department of Justice walked away from this.

Another interesting story. Why does the DOJ run away from Swallow and Shurtleff and dump it back on the local FBI and our office? Those two things are now starting to happen simultaneously in 2013. Criminal investigations into John Swallow and then allegations against Mark Shurtleff are coming to light in the House of Utah Investigative Committee's investigation.

They end up selecting Akin Gump. An interesting timeline for your listeners to know is that when Utah submits this bid on July 11 to request proposals for lawyers and investigators to look at the attorney general, Mr. Swallow. On July 24, 13 days after that, this gentleman named Steven Reich who became famous in Utah for folks who were following it. He and his firm, top-notch, excellent, Steven Reich may be one of the best attorneys in America. In getting to know him and working with him, we developed a good working relationship. It's interesting who Steven Reich is.

13 days after Steven Reich submits the bid, Steven Reich leaves the United States Department of Justice. Steven Reich left the Department of Justice, and it was announced on July 24 he is joining Akin Gump, and Akin Gump is submitting a bid to come out here to Utah to head this investigation. On paper, there is nobody better than Steven Reich. This is an easy choice for the Utah State legislature to make when you look at Steven Reich's background and pedigree, and who Steven Reich is. Steven Reich was an attorney who back in the day had actually represented

Bill Clinton during impeachment hearings. When he left the DOJ, he did a press release about Steven Reich when he left to go to Akin Gump. In that release on July 24, 2013, 13 days after the State of Utah does the request for a proposal, it says briefly this. I am going to read a few things quickly because people need to understand who Steven Reich was.

“Former associate deputy attorney general Steven Reich has joined Akin Gump as a partner in the firm’s white-collar defense and government investigations practice. From 2011 until earlier,” I am going to stop right there. 2011, the full-tilt poker indictments were handed down in 2011. The money laundering complaint was filed in 2011. Steven Reich was in the Department of Justice in 2011. What was his role? Back to the press release. “Reich advised Attorney General Eric Holder and Deputy Attorney General James Cole and oversaw a team that defended the Department of Justice and Congressional investigations. Steven Reich was involved in congressional investigations in the DOJ. He briefed lawmakers in the prosecution of activist Aaron Schwartz. He worked on Bill Clinton’s impeachment.” It goes on to list a few other things of Steven Reich’s background.

To put it into context, Steven Reich was high enough in the DOJ. It was described to me that he was basically the equivalent of Rod Rosenstein. Reich was the #4 guy. It was also described to us in our investigation at the time that Eric Holder was the attorney general of the United States. James Cole is the DAG, the assistant attorney general. Then Dave Margolis and a few others at that level. And Steven Reich. Basically, Steven Reich was three tiers down from Eric Holder. Had an office four doors down from him. And he was on Eric Holder’s executive committee. That’s who Steven Reich was.

This man we’re talking about, very high caliber attorney, who did enough to represent Bill Clinton in impeachment. One of the Congressional affairs attorney for the United States Department of Justice. When this investigation in Utah is wrapping up into John Swallow and Jeremy Johnson is coming to light again, who is surfacing again? Jeremy Johnson. What is going to be a key point in the House’s investigation? Jeremy Johnson. This gentleman leaves the United States Department of Justice, a high-ranking position, and goes to Akin Gump, and Akin Gump did a press release saying that Steven Reich is going to be our crown jewel moving forward. After the Utah House investigation is moving forward, subsequent to that, Reich left Akin Gump and is now with Deutsch Bank anyway.

Stephenson: He was only there during the House investigation.

Rawlings: And a short time after. And some of the things that happened while Reich was there leading the investigation into John Swallow, I guess we’ll get to after your break. Reich was an important key player in Eric Holder’s Department of Justice. And he was there in 2011 while the online poker civil money laundering indictment was pending and while the criminal prosecutions were pending into the eight folks they prosecuted. Reich knew what was going on because he also had a role with issues that went between the United States Congress and the Department of Justice. Something, for whatever reason, it was important enough, this inquiry in Utah, almost all the way across the country, that one of the highest ranking members of the United States

Department of Justice leaves that position to go to Akin Gump and lead the bid to come out here and head the investigation into John Swallow because Jeremy Johnson is a key figure.

Stephenson: And the Utah House of Representatives just thought they had lucked into having the best person here, not knowing that he was sent here to protect Harry Reid.

Rawlings: Exactly. I had hired him, too. If I was the state legislature, I'd hire Steven Reich, too.

Stephenson: Not knowing who he was really sent for.

Break

Rawlings: So Steven Reich and his team, Jim Mense, the Mense Group from New York, they came out to Utah and hit the ground running. These are extremely bright, competent, talented people. One of the things they did when they got here is they had to hire some local investigators to help them as well, some local PIs to make sure they had adequate staff. They are running down a plethora of leads. They are trying to track down everything under the sun John Swallow-related. They did hire local staff.

Two of the local investigators they hired are folks that we have interviewed, have their documentation, the supporting evidence with their information. Their names are Pamela Lindquist and Richard Casper. Richard Casper had been a high-level attorney here in Utah, had been at a big law firm, had a lot of experience litigating, very bright man. Pamela Lindquist has been an investigator for over 20 years, close to 30 years. Good reputation, well-respected, used by a lot of attorneys here in Utah. The Akin Gump team, Steven Reich, they hire Casper and Lindquist as part of his team.

Casper and Lindquist, because they'd had some knowledge of Jeremy Johnson, the interesting thing about them is they had also been on Jeremy Johnson's defense team. They had a lot of information concerning the Jeremy Johnson situation. So one of the things they actually started looking into was the things we were talking about here today. They looked into the Harry Reid angle related to Jeremy Johnson. Was there a role with Swallow or not? Could we verify what Jeremy Johnson was saying about Harry Reid, online poker? There was also allegations that we haven't even had time to get to today, by the way, of payday lending money flowing from Utah to Nevada to Harry Reid, \$20,000 a month, going back to 2006. We have witnesses about that, too. To keep federal regulators and legislators off the payday lending industry's back. That's one thing that's being looked into. Casper and Lindquist are going down this road. Great. Gun's on things Harry Reid-related to see what they can tie into John Swallow.

They then do a 33-page draft report in late 2013. They submit that draft report to Steven Reich. They submitted it in the morning. Before 5:00 Utah time that afternoon, Reich fired Casper and Lindquist after he saw the report. He told them, and we have interviewed them, they have guts, they have courage, they'll tell the truth, they'll tell their story if we get a grand jury. Casper and Lindquist indicate that they were basically told the report that you compiled and presented is property of the House of Utah's Investigation. You've been paid for it. Which is true. What Reich told them that is not true is they couldn't release it, they couldn't talk about it, or they could be

sued by the state of Utah's house investigative committee for breach of contract. Could be potential criminal ramifications for them if they talk about or leak the contents of that report. Intentionally today, I'm not saying what's in that report. I'm not going to go there.

Let's just say that report caused enough concern that Steven Reich terminated their contracts with the House Investigative Committee. What they were looking at and writing a report on were issues they were delving into were Harry Reid and Jeremy Johnson-related.

Stephenson: And Reich was basically motivated, it appears, to protect the Obama administration and Harry Reid from any implications.

Rawlings: As we sometimes use jury instructions, I love this jury instruction. When it comes to intent. Juries are instructed on cases where the prosecution has to prove intent that intent being a state of mind is seldom susceptible of direct evidence and must be inferred by you the jury from people's acts, statements, conduct, and circumstances.

So, if we look at the acts, statements, conduct, and circumstances in what was going on with this house investigation, Reich leaving the DOJ, Casper/Lindquist getting fired, what they were looking into, what happened back in 2011 when the DOJ let Johnson walk away under the Mueller administration of the FBI, I think I could make an argument to the jury. We can't download a USB port into Reich's head per se. I'd do what I would do in any other case. You look at their acts, statements, conduct, and circumstances to try to infer what the intent was.

What I can tell you is what Casper and Lindquist were looking into was Jeremy Johnson-related stuff. They got fired. Johnson was never prosecuted. The DOJ never let him on the stand in the Sim Gill-led John Swallow trial. The answer to your question is that would be a question for the jury. What was Steven Reich's intent? Was that he was really trying to do? I could go on and tell you more this morning that fills in some of those blanks.

Stephenson: Just let me ask the question quickly about the Utah House Investigative Committee and general counsel John Fellows. Did they know of the report by these private investigators that were given to Reich that he basically fired them for? Did he include it in the House Report?

Rawlings: It was not included in the House Report. I do not know what the level of knowledge of Fellows and Dunnigan was. I do know that Lindquist and Casper had submitted the report first through Utah like they normally do. It was Utah that forwarded it on to Steven Reich. They did not send it to him directly. Who read it, what they knew, if they understood what it was about or the significance of it, I don't know.

I'm not here today to attribute any bad conduct, ill will, bad motive to the House of Utah, to the state legislature, to the House Investigative Committee, the legislatures involved, Dunnigan. I think they were all trying to do the best they could to be impartial. They didn't want it to be a Republican wash for Swallow. Good old boys' network type of thing. They were all trying to be conscientious, which is part of the reason why they like Reich and hire Reich and his group so much because they're Democrats, they're known Democrats, and Reich has been involved in

political issues before, like with the former governor Reich had been involved in investigating as well.

Stokes: One of the things you pointed out during the break is that the difference between the House Investigation and when former attorney general John Swallow went on trial is that Swallow was able to give a defense during the trial. He was not able to give a defense during the House investigation.

Reich: That's correct. John Swallow didn't have Scott Williams with him during the House investigation. Swallow wasn't able to cross-examine Steven Reich and his folks when they put on their presentation. He can't cross-examine a report. In trial, Scott Williams was able to effectively put everything into context. You have an email here, a quote here in the House report. Okay. What does it really mean? You talk to the witnesses behind it. You put it in context with other emails. That is just an example. You can cross-examine witnesses. The case literally blew up. The jury got it right on the John Swallow case.

Yeah, a huge difference. In America, we believe in due process generally. We don't believe in screw process. I think the term is fair to use, and it's applicable. The House investigation, even though they didn't intend, our legislatures' intent was pure. I think so. They tried to execute on that. But they didn't know a lot of the dynamics they were dealing with. They didn't know details like I know now, evidence that I know now.

Stokes: Hindsight is 20/20.

Stephenson: Isn't the same thing happening in Washington right now with the Trump House investigation? They are not allowing him to have defense there.

Rawlings: They're not. At some point in time, they call a vote. They go through formal official impeachment. They use a formal constitutional process, and Trump can defend himself. Then there will be due process. But right now, I think that's the way I would characterize what's happening in Washington D.C., too. It's screw process of impeachment. It's how they're going about it right now. I hope that that changes. Whether Trump is impeached or not, I hope it's at least done fairly, and we use constitutional process. You have your ability to submit documents, call witnesses, cross-examine witnesses, call your own witnesses. Hopefully all those things will happen. Right now, they're not. It's a perfect analogy to what happened with John Swallow.

The House legislatures didn't intend it to be that way. I give them credit. Their intent was pure. I have no negative information or evidence to implicate anybody in the Utah House. I want to make that really clear. I think they did the best they could with what they had and the tools they thought to try to get to the bottom of what happened. But yeah, that House investigative report, when it gets to trial and Scott Williams can take things apart effectively, he did, and a jury did not find sufficient evidence.

Stokes: And Casper/Lindquist report, who knows how many people read it. Obviously, if your job is to send it on to Washington, probably the first thing you do is send it on to Washington. You can't make that call.

Stephenson: We have four minutes left. What is the most important thing our listeners need to know to urge lawmakers, attorney general Reyes, and the governor to support a grand jury?

Rawlings: I think a few more key points to tie would be this. After the House investigative report is done, the criminal case continued. While that criminal case was pending, the local FBI agents here in Utah, I am going to go through a checklist of things to show how compelling this was and how the Department of Justice in D.C. controlled what happened even here in Utah, including evidence of bad will in the Swallow cases.

As you move forward, after the House investigation was done, we are moving into 2014. The local FBI agents here, it's one of the agents who gave the name to my investigation called Rogue Runner. The local FBI agents were not allowed to participate in any more inquiry and look into what was going on with Harry Reid and Jeremy Johnson's allegations, but they were. I have documents I could show in an appropriate time and venue. There was a search warrant drafted. There was a checklist and timeline tied to a whole bunch of things Harry Reid-related. The local FBI was willing to look into this. They were going down that road. Two bad things happened.

One thing was Sim Gill and I made the mistake in March of 2014 on going ABC. We went on ABC with Mr. Ross, and we talked about evidence. Both of us were talking about how this was leading into evidence against federal officials. This Johnson/Swallow/Shurtleff investigation. We talked about how we were working with the local FBI on that. That was true.

After Sim and I were dumb enough to talk to ABC about that, a couple things happened quickly. Very shortly after that, the local special agent in charge here in Utah was summoned back to Washington D.C. and was told no more. You cannot partner with the state, with these prosecutors. You cannot look into any federal officials. You can only look at the state officials for state crimes. You can't look into any federal officials for state crimes or any federal officials for federal crimes. This is all you can do.

James Comey is the FBI director at the time. This happens under Comey's watch. August 14. Comey comes to Utah. The FBI was sent clearly a message. After Comey comes, August 27, FBI/DOJ/PIN attorneys give the same message to the FBI here. No more. You're done. Their jobs were in jeopardy. One of the local agents said to me, "You have to go rogue. We can't help you anymore. Our jobs are in jeopardy. We can't look at Harry Reid information anymore, or we're done."

The local FBI was chased off of this case as well. Then the Department of Justice continued to control the case thereafter. I had to file a motion to compel because they wouldn't provide evidence. DOJ attorneys filed a protective order to prevent us from giving evidence in the Swallow/Shurtleff case. There was an RCFL computer report that they wouldn't turn over to us that was leaked to me by a defense attorney. There was 117 hard drives with Jeremy Johnson recordings. He recorded Swallow/Shurtleff/Harry Reid. A plethora of things happened where the Department of Justice simply would not give us evidence that goes to all the things we have been talking about today. It's one of the reasons that led to the dismissal of the Shurtleff case. Shurtleff's entitled all this. Johnson is a key witness. Shurtleff is entitled to all of the things that might be out there that could impeach Johnson, sustain Johnson's credibility. Mark Shurtleff was

the first whistleblower about Jeremy Johnson and Harry Reid by the way. Shurtleff went to the DOJ November 2, 2012 and ratted out Harry Reid and Jeremy Johnson. Within months, Eric Holder's office went after him.

Stephenson: Thank you, Troy Rawlings for joining us today on Red Meat Radio.