



## Coalition Message and Principles

The Obama Financial Fraud Enforcement Task Force ("FFETF") was itself fraudulent and corrupt. It did not operate within the parameters for which it was created.

### For example:

- The FFETF targeted only small business owners who were community leaders, husbands, fathers, etc., who were themselves victims of the "Great Crash" of 2008.
- None of the individuals responsible for the crash was ever held accountable.
- To the Obama Administration, the 15,000 white collar prosecutions brought by its Financial Fraud Enforcement Task Force, or "FFETF," between November 2009 and January 2017 was not justice...it was sport.
- The FBI and DOJ prosecutors were the hunters, and small business owners were the game.<sup>1</sup>
- Veteran agents and prosecutors trained greenling protégés on these unsuspecting husbands, fathers, sons and brothers; influential pillars of the community.
- The FFETF and the Obama DOJ prosecutors indicted and convicted over 15,000 individuals without proving they intended to harm others.
- Established businessmen with reputations to protect, families for whom to provide, mortgages to pay, etc., do not intend to hurt anyone. It would be acting against their own self-interest. By so doing, their means of support to others and themselves would be lost. Their reputations and liberty could be lost. To argue otherwise is illogical and unsound.

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<sup>1</sup> <https://floridaindependent.com/obamas-legacy-a-corrupt-doj-task-force/>

- The FFETF took civil matters, which should have remained such, and turned them into "**recreational prosecutions**", in which inexperienced FBI agents and AUSAs could gain experience at the expense of honorable businessmen and their families.
- The FFETF destroyed any chance of financial recovery for investors (the so called "victims"), leaving them wondering what happened after the dust had settled. If the FFETFs objective was to protect investors and society, it would not have done what it did.
- The FFETF neutralized the influence of thousands of successful members of society, ie potential political donors, donors to charities and foundations, employers, little-league coaches, church and club leaders, etc.
- It is not believable that one day, on a whim, after Obama was elected, 15,000 individuals decided to defraud their clients to hurt them and deprive them of their assets.

### Other Points

- The DOJ should know, and impute into its calculations to prosecute, that "An abnormal reaction to an abnormal situation, is NORMAL."<sup>2</sup>
- The DOJ and FBI should know that a businessman will try to protect all of the efforts he has put into his life's work, which means he may say or do things that he might not ordinarily say or do.
- It should not be inferred to mean that the businessman is dishonest or fraudulent, but rather that he is trying to protect the asset. An allegation or indictment creates a crisis moment in which businessmen are forced to try anything to protect what they have built.
- In other words, the DOJ/FBI should know to expect a post-allegation reaction (even an abnormal reaction), which actually conveys innocence. Why does the DOJ/FBI not impute this information into the equation? Because they do not care. They want to "**recreationally prosecute.**" To the Obama FBI/DOJ, tormenting small business owners was sport.
- Sudden unexpected economic downturns which alter the metric of the enterprise, even if the effect is difficult to explain and/or to correct, does not equal fraud.
- Economic/financial creativity does not equal fraud.
- Economic/financial complexity does not equal fraud.

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<sup>2</sup> <https://www.psychologytoday.com/us/articles/200201/the-normal-abnormal%3famp>

- An abnormal response to an abnormal situation does not equal fraud.
- The disruption of a perfectly honest endeavor gone bad due to economic forces beyond one's control does not equal fraud.
- Failure to properly register securities does not equal fraud. It may equal ignorance, neglect or incompetence, but such situations should be handled civilly to protect the assets.
- Losses, temporary or permanent, (or simply temporary illiquidity) does not equal fraud. There is risk in investing. Sometimes those risks are unknowable in advance.

### **What Have We Learned from the Task Force?**

1. FBI/DOJ investigators and prosecutors were acting out of malice and envy towards successful business owners who were experiencing difficulty due to economic conditions beyond their control; for recreational/entertainment reasons; for training of new investigators/prosecutors; for media attention. None of those reasons is justified under the law.
2. The government does not care that assets are lost or rendered unrecoverable - yet is still eager to yoke the prosecuted with a lifetime debt called "restitution." It is illogical to destroy the asset on one hand and require it be paid back on the other. The government's policy should be first and foremost to protect the asset of the investors so that there are no victims. Instead, the government is the creator of the victims through its reckless actions.
3. The Obama Administration used the FFETF to neutralize the most likely political donors to Republican/Conservative causes, with a similar attitude to that of Lois Lerner in the IRS scandal. By so doing, it not only destroyed capital sources that could be used for donations, but it also removed those voters from the voting body. However, it snared innocent Democrats/Liberals as well.
4. Finally, we can be certain Senate and House staffers will investigate each and every one of of those we represent. What will they find online? A perfectly constructed character assassination that seems too persuasive not to be true. However, tell them, "Not so fast!" In the words of a retired Lt. Colonel familiar with linguistic trickery, "The FBI/DOJ agents and prosecutors working under the FFETF created messages that are so *perfectly* believable it's suspicious."

Yet long after the falsehoods are debunked, the lies remain online and are retold over and over again. The FBI/DOJ leaves its recognizable fingerprints on all such cases, making its presence easy to detect. The telltale pithy linguistic trickery looks like this:

- "Lavish lifestyle"
- "All for himself"
- "Unbridled greed"
- "Reckless disregard"
- "Concealed the truth"
- "Fabricated documents"
- "Knowingly misled"
- "Pattern of deception"
- "Personal enrichment"
- And many more like these

Those unique telltales are the tricks of "smear-speak," and it is extremely effective. Context, fact, and nuance cannot stand up to them. Those particular phrases are deeply inflammatory and are known by psychologists to provoke a negative emotional response in readers of newspapers, magazines, and Internet stories that cannot be overcome.

Bennett L. Gershman, Professor of Law, Elizabeth Haub Law School, Pace University, calls these prosecutorial tricks "over-the-top, shameless, inflammatory, and insidious."

We have our work cut out for us. We must educate the American public that the FBI/DOJ works very hard (extra hard) to make good men look bad.

I conclude with this Mark Twain quote: "It's not what you don't know that gets you in trouble. It's what you know for sure that just ain't so."

The FBI/DOJ said our loved ones are guilty and made them look that way. The public thinks it knows for sure they are guilty. **It just ain't so.**