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FBI Director Chris Wray must clean up his agency

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FBI Director Christopher Wray must do significantly more work to clean up the corruption and mismanagement within his agency. Rogue investigators and prosecutors with excessive discretionary powers seem to be running wild, representing a threat to both liberty and the rule of law.

Conservatives in particular have complained for years that while there are plenty of excellent personnel in the FBI, the culture in some parts of the ranks is of agents who are power-mad, score-settling, politicized, and unaccountable. Now, we learn that a 2019 internal audit of the bureau found that its agents broke the rules at least 747 times in just a year and a half in investigations involving high-profile targets such as politicians, news media, and religious groups.

Moreover, that 747 number is almost certainly an undercount. The audit, uncovered by CATO Institute senior fellow Patrick Eddington, covered less than half of the FBI's investigative matters listed as "sensitive" (because they may more readily implicate constitutional rights) from Jan. 1, 2018, to June 30, 2019. Eddington said that some of the violations were minor bookkeeping matters but that "he believes a lot of them go way beyond individual sloppiness."

On March 7, Democratic Rep. Jamie Raskin of Maryland and Republican Rep. Nancy Mace of South Carolina wrote to the Government Accountability Office asking for "a comprehensive review" of the FBI's use of surveillance activities known as "assessments."

"We ask that GAO examine whether assessments result in the improper monitoring of protected First Amendment activity — including by political, racial, or religious organizations," they wrote, "and whether the FBI has sufficient controls in place to ensure that they do not run afoul of constitutional protections." They said they worried that such assessments may "chill protected speech" or diminish religious liberty.

Among the potential abuses the two representatives wanted probed was "any evidence" of "political biases in the opening of assessments." Conservatives especially for years have cited anecdotal examples, whether systemic or just individual isn't clear, of apparent FBI agent bias and abuse against them. As the CIA and the IRS already are seen as tremendously overpopulated by partisan leftists, the idea of a powerful entity such as the FBI also inculcating or tacitly

allowing political bias is quite worrisome. It also contributes mightily to a growing and destabilizing sense on the Right of disdain for and distrust of the constitutional system as a whole.

Even for those of us who believe the distrust is overblown and that the “system” overall still works, the abuses of prosecutors and investigators run amok are of serious concern.

When an audit finds widespread instances of abuses such as failing to document necessary legal reviews before even opening an investigation, that’s a sure sign either that the training of agents is inadequate or that the oversight of them is lacking.

“When they open investigations without authorization, to me, that’s about as radical as it gets,” Eddington reportedly said.

Wray, the FBI director, ought to testify publicly about this audit and explain what steps he is doing to fix these problems. From him, congressional overseers should accept no excuses, but “just the facts” — and proof positive that palliative efforts are underway.