



## Revealed: Internal FBI Documents Show Double Standard in Snooping on Jan. 6 Planners, Black Lives Matter Activists

**The bureau says it lacked the authority to monitor social media activity ahead of the pro-Trump insurrection, but it did exactly that during 2020 racial justice and police violence protests**

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In the aftermath of the **Jan. 6** insurrection, the **FBI** told Congress and the American people that the agency had failed to prevent or fully prepare for the worst attack on the U.S. Capitol in more than 200 years in part because it lacked the authority and capabilities to more aggressively monitor social media, where much of the planning for the insurrection took place.

As FBI Director Christopher Wray **told** Congress last summer, the FBI had circulated intelligence materials and other resources before Jan. 6, but the agency had limits in what it could and couldn't gather from social media. "When we have an authorized purpose and proper predication, there are a lot of things that we do at social media and we do do," Wray said, "but [what] we cannot do on social media is, without proper predication and authorized purpose, just monitor just in case on social media."

Wray added, "Now, if the policies should be changed to reflect that, that might be one of the important lessons learned coming out of this whole experience. But that's not something that currently the FBI has either the authority or certainly the resources, frankly, to do." Since Wray's testimony, the bureau has sought to ramp up its online surveillance capabilities, including by **entering** into one of the largest social-media monitoring contracts of any federal agency.

Yet internal FBI records obtained by *Rolling Stone* show that, well before Jan. 6, the bureau already engaged in ongoing and widespread tracking of Twitter, Facebook, Telegram, and other social-media platforms. The new documents suggest the agency has all the authority it needs to monitor the social-media platforms in the name of public safety — and, in fact, the bureau had done just that during the nationwide wave of racial justice protests in 2020. Critics of the FBI say

that the bureau's desire for more authority and surveillance tools is part of a decades-long expansion of the vast security apparatus inside the federal government.

The documents refer to teams of employees engaged in what law-enforcement agencies call "social-media exploitation," or SOMEX. According to the documents, SOMEX teams gather reams of data from social media and distribute that information to special agents and other law-enforcement representatives. The documents show SOMEX data included in **situation reports**, or "**sitreps**," distributed within the bureau.

The documents were first obtained by **Property of the People**, a government-transparency nonprofit group. "The documents bring into relief three consistent truths about the FBI," says Ryan Shapiro, executive director of Property of the People. "One: At its core, the FBI is a political police force that primarily targets the left while ignoring or outright enabling the far-right. Two: FBI spokespersons lie like they breathe. Three: The Bureau shamelessly exploits national crises to expand the already dystopian reach of its surveillance."

In a statement sent to *Rolling Stone*, an FBI spokesperson said: "The FBI uses social media tools to search publicly available information pertinent to predicated investigations to identify and respond to threats of violence, acts of terrorism, and potential federal violations within the scope of the FBI's mission. As with any technology, the FBI routinely reviews and updates its social media capabilities to ensure the continued utility of these tools in accordance with law, regulation, and policy."

Legal experts say the documents illustrate how much latitude the bureau already has to trawl social media for information without needing additional authority. "I think it has more authority than it needs frankly," says Faiza Patel, co-director of the Liberty and National Security program at the Brennan Center for Justice. "What we've seen basically is that the FBI did not take this [Jan. 6] threat as seriously as they should have."

Patrick Eddington, a senior fellow at the Cato Institute and former CIA officer, adds that the FBI Director Wray's testimony last year runs counter to the bureau's existing social-media tracking capabilities as well as its broader guidelines for domestic surveillance activities. "If your flavor of the week is right-wing extremism, they can track it," Eddington, a vocal critic of the FBI, tells *Rolling Stone*. "If it's left-wing extremism, they can track it."

He adds, "When Wray says they don't have the authority, he has affirmatively lied to the Congress, flat out."

The documents — which cover the years 2019, 2020, and 2021 — **indicate** that FBI employees and their local law-enforcement partners regularly used social-media exploitation to track protests and demonstrations related to a range of issues from racial justice and anti-fascist organizing to right-wing extremism and environmental activism.

In the summer of 2020, the FBI's second-ranking official, David Bowdich, wrote a memo warning about "a national crisis" as racial-justice protests roiled the country. Acts of vandalism, property destruction, and violence had accompanied some of the demonstration, and Bowdich implored the bureau's employees to investigate "violent protesters," "instigators," and "inciters."

As part of these efforts, Bowdich called for using “robust social media exploitation teams” to gather information about alleged criminals who seemed to be acting with a “highly organized behavior.”

The internal documents reviewed by Rolling Stone show that social-media tracking was used in responses to protests and communications about police violence. In June, agents in the bureau’s Seattle office circulated SOMEX data related to protests targeting the police department in Lakewood, Washington. A month earlier, a Lakewood police officer **shot and killed** a man named Said Joaquin during a traffic stop, and protests sprang up seeking to hold the officer and the police department accountable.

A June 4 FBI situation report included information about what people were saying and planning in response to Joaquin’s death. “The theme found on SOMEX within the Seattle [Area of Responsibility for the overnight hours of 3 June 2020 to 4 June 2020 was of positive of continued de-escalation of tensions with police and the rejection of violent methods and actors. No chatter of violent tactics or actions,” read the report. “Multiple Twitter postings discussing the use of passive tactical techniques used by the Hong Kong protesters and adaptation for use the current protest environment. Posting provided links to videos, and internet articles and encouraged views to conduct their own research.” The report also listed possible future meeting sites for people who wanted to hold the local police accountable.

Other FBI documents show bureau employees using **Instagram**, Snapchat, and Reddit to monitor possible threats, **flagging certain** hashtags, and **tracking** attempts to publish personal identifying information for law enforcement officers on the dark web. The bureau appeared to have cast a wide net in its online monitoring, according to the records. One document describes potential targets as “individuals involved in or present at locations of lawful protests are [who] part of an organized effort associated with anti-government-anti-authority extremism, militia extremism, racially or ethnically motivated violent extremism, or violent gangs.”

On Sept. 20, 2020, for instance, a special agent in the FBI’s Minneapolis office **sent** an all-staff email about demonstrations and counter-protests planned for an upcoming court hearing for the four police officers involved in the death of George Floyd. The agent’s email listed the different events and their locations, the estimated number of people who planned to attend based on social media postings, and the local police department’s planning for the event. The agent’s email adds that “Intel will be conducting SOMEX” during the demonstrations.

Eddington, the Cato Institute expert, says two clear themes are seen in the documents. One is how widely information — including social-media data — on protesters was shared among numerous state and federal law-enforcement agencies. “Law-enforcement social media monitoring is absolutely routinized at the local, state, and federal levels,” Eddington says.

He also notes that the documents show how focused the FBI was on possible threats to police officers. “Not much question that helps create an ‘us-vs.-them’ mentality vis a vis police and those engaged in lawful, First Amendment-protected protest activities,” Eddington says.

The bureau may have failed to fully anticipate the Jan. 6 attack, but it has joined a massive, government-wide manhunt to hold accountable the people who stormed the Capitol that day. A top Justice Department official, Lisa Monaco, described the agency's investigation as the "most complex that this department has ever undertaken." DOJ is spending \$15 million with a staff of nearly 70 people in that investigation, according to [NBC News](#).

Experts who study domestic surveillance point out that the social-media tracking described in the cache of FBI documents speaks to larger questions around how much authority the bureau should have in investigating Americans.

Right now, experts say, the bureau's employees have wide latitude to track and monitor Americans without a specific predicate or authorization. Justice Department guidelines put in place in 2008 for FBI investigations spell out three formal stages for an investigation: an assessment, a preliminary investigation, and a full investigation. If the investigation targets a politician, a political party, a civil society group, a religious organization, or a media outlet, then it's tagged as a "sensitive investigative matter" given the possible First Amendment implications.

There are constraints on FBI investigations the more formal and intensive they become. But the DOJ's guidelines also make "100 percent clear," says the Brennan Center's Faiza Patel, that "there are no guidelines constraints on the FBI looking at social media," adding, "The only constraint is they shouldn't be looking at it solely on First Amendment grounds."

Yet despite having wide latitude to monitor social-media activity for years predating Jan. 6, the FBI says it needs more authority and technology to monitor online activity. The bureau's newly inked agreement, [costing](#) \$5 million in its first year, to license a SOMEX tool called Babel X demonstrates the FBI's desire to continue escalating what it can see, hear, and read online.

"What I always worry about — and I'll be the first one to admit that this is a fine line — is the FBI going after people on the basis of speech under the mistaken belief that it's some imminent incitement to violence," Eddington says. "I worry about groups that are out there vigorously advocating in the public domain for major changes in prevailing policies."