



## **FBI Employees Broke Rules in Hundreds of Cases: Internal 2018 Audit**

By Peter Malbin

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An internal 2018 FBI audit obtained by [The Washington Times](#) revealed that government employees and confidential sources broke rules in hundreds of cases over nearly two years.

The FBI and attorney general's rules allows FBI officials and informants to disregard the law in undercover work but prevents certain conduct such as violence and illegal wiretaps and searches. The movement of drugs, payment of bribes, and selling of stolen goods all involve illegality that the government may approve, the Times observed.

The internal review showed 82 "compliance errors" in 466 open cases involving "otherwise illegal activity" for confidential human sources between Sept. 28, 2016, and July 22, 2018. "Otherwise illegal activity" refers to government-approved law-breaking that would be a crime if the federal government did not authorize it, the Times noted.

Five examples of rule-breaking involved failure to get authorization for breaking the law. One error involved breaking the law without authorization or an open confidential human source case. Another mistake involved law-breaking outside the scope of the illegal activity that the government authorized, the Times reported.

Most of the rule-breaking, 77 errors, involve failure to document admonishments by special agents or other government officials regarding the FBI employees' illegal action.

[Cato Institute](#) senior fellow Patrick Eddington said such authorized law-breaking is among the "most radical slippery slopes" facing law enforcement. He uncovered the 2018 audit in litigation against the FBI for access to government records.

The FBI said it takes action to correct errors discovered in its audits, including through training and "programmatic changes" when the agency deems it necessary.

The 2018 review was not the first time FBI auditors found rules broken in cases involving authorized law-breaking, the Times noted. A New York case involving violent crimes against

children included illegal activity without a documented request, according to an FBI audit examining 2015 and 2016 obtained by the Times.

According to former Rep. Mike Rogers, a Michigan Republican who was an FBI agent before becoming a congressman, "You can get approval for a lot as long as it makes sense and it's safe, and no one gets hurt and there's not a death, bodily harm, involved."

The Senate Judiciary Committee's bipartisan leadership requested on Monday that Justice Department Inspector General Michael E. Horowitz review FBI agents' rule-breaking, and the senators asked FBI Director Christopher Wray to deliver an unredacted copy of the 2019 audit, the Times reported.

The 2019 audit found that agents violated rules 747 times in 18 months while conducting sensitive investigations involving people engaged in politics, government, the news media, religious groups.

The bureau previously told the Times that the 2019 audit's findings were unacceptable and that the bureau sought to fix the rule-breaking by changing its agents' training.

The House Oversight and Reform Committee also is examining the agency's conduct in domestic operations. The committee awaits a Government Accountability Office review of the FBI's surveillance of people through assessment that the GAO is undertaking in response to a request from two committee members, Reps. Jamie Raskin, D-Md., and Nancy Mace, R-S.C.