



DEPARTMENT OF JUSTICE | OFFICE OF THE INSPECTOR GENERAL

INVESTIGATIVE SUMMARY | 21-062

Findings of Misconduct by former FBI Special Agent in Charge for Making Two False Statements

The Department of Justice (DOJ) Office of the Inspector General (OIG) initiated an investigation upon receipt of information from the Federal Bureau of Investigation (FBI), Inspection Division, alleging that a former FBI Special Agent in Charge (SAC) obtained an FBI HR-218 card by making false statements to an FBI employee. An HR-218 card certifies that the named individual has met the requirements set forth in the Law Enforcement Officers Safety Act of 2010 and thereby authorizes the individual to carry a concealed firearm as a qualified Separated/Retired Law Enforcement Officer. During its investigation, the OIG found indications that the former SAC also made false statements to OIG Special Agents while being served with an Inspector General (IG) administrative subpoena.

The OIG investigation substantiated the allegation that the former SAC made a false statement to the FBI by telling an FBI employee that the former SAC had misplaced the former SAC's HR-218 card and requesting that the FBI employee provide a replacement card. In fact, the former SAC had never been issued an HR-218 card by the FBI because the former SAC was not qualified to receive one as a result of the former SAC's security clearance having been suspended at the time of the former SAC's retirement. In response to the former SAC's request and false representation, the FBI employee sent the former SAC an HR-218 card. The OIG investigation also found that the former SAC made a false statement to the OIG when the former SAC made an unsolicited statement to OIG Special Agents that the former SAC was unaware the former SAC was not permitted to possess the HR-218 card. In fact, the former SAC had previously been told in writing by a senior FBI official that the FBI was precluded from issuing the former SAC an HR-218 card. The former SAC's conduct violated federal law.

The former SAC declined the OIG's request for a voluntary interview regarding the former SAC's alleged false statements; the former SAC complied with the IG administrative subpoena for documents related to this matter. The OIG has the authority to compel testimony from current DOJ employees upon informing them that their statements will not be used to incriminate them in a criminal proceeding, and to subpoena documentary evidence from current or former DOJ employees. The OIG does not have the authority to compel or subpoena testimony from former Department employees, including those who retire or resign during the course of an OIG investigation. Prosecution of the former SAC was declined.

The OIG has completed its investigation and provided its report to the FBI for its information.



Unless otherwise noted, the OIG applies the preponderance of the evidence standard in determining whether DOJ personnel have committed misconduct.