



FOR IMMEDIATE RELEASE
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DOJ OIG Releases Report on the FBI's Adjudication Process for Misconduct Investigations

Department of Justice (DOJ) Inspector General Michael E. Horowitz today released a review of the Federal Bureau of Investigation's (FBI) adjudication process for misconduct investigations. When an FBI employee is suspected of violating the FBI's standards of conduct, the allegation is investigated by either the DOJ Office of the Inspector General (OIG) or the FBI; the result of that investigation is provided to the FBI's Office of Professional Responsibility (FBI OPR). FBI OPR is responsible for adjudicating misconduct investigations and imposing discipline on most FBI employees who commit misconduct. The OIG conducted this review to assess how efficiently and effectively FBI OPR manages misconduct adjudications.

The DOJ OIG found that FBI OPR generally adjudicated employee misconduct matters consistent with FBI policy. However, there are several areas in which the FBI should take action to improve its adjudication process. Specifically, the report found room for improvement in the following areas:

- **Documenting Substantiation Decisions When Employees Separate Under Inquiry.** Except in limited circumstances, when an FBI employee retires or resigns prior to or during the adjudication process, FBI OPR does not document a substantiation decision even if the OIG or FBI has fully investigated the allegations and FBI OPR could make a substantiation decision based on the available evidence. We found that this practice fails to hold accountable former FBI employees who separate while under investigation, fails to clear former employees whose misconduct allegations were unsubstantiated following investigation, and wastes OIG and FBI investigative resources.
- **Updating Policy and Guidance.** We found that FBI policy and guidance address and adequately describe most aspects of the disciplinary process. However, we found that FBI policy does not sufficiently describe the circumstances in which FBI OPR may invoke three disciplinary options that affect whether employees subject to disciplinary action as a result of a misconduct finding can continue their FBI employment.
- **Modernizing Workflow Management Processes.** We found that FBI OPR has not fully transitioned from hard copy recordkeeping processes to electronic records, which affects its ability to monitor adjudication timeliness and creates challenges for other FBI offices. Further, the electronic workflow management database FBI OPR used at the time of our review was outdated and had limited functionality.
- **Increasing Training.** FBI OPR provides training on the adjudication process during employee orientation and on FBI OPR's intranet site, but we learned of persistent concerns about the extent to which FBI employees understand this information. We also found that FBI OPR adjudicators believe that new adjudicators could benefit from more standardized adjudication training and that those without prior FBI field experience could also benefit from additional operational training.

To assist the FBI in improving the transparency and effectiveness of FBI OPR's adjudication process, the OIG made eight recommendations. The FBI agreed with all of the recommendations.

Report: Today's report is available on the OIG's website at the following link: <https://oig.justice.gov/reports/review-federal-bureau-investigations-adjudication-process-misconduct-investigations>

Video: To accompany today's report, the OIG has released a two-minute video of the Inspector General discussing the report's findings. The video and a downloadable transcript are available at the following link: <https://oig.justice.gov/news/multimedia/video/message-inspector-general-review-fbis-adjudication-process-misconduct>

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