

# United States Senate

WASHINGTON, DC 20510

September 26, 2022

## VIA ELECTRONIC TRANSMISSION

The Honorable Merrick Garland  
Attorney General  
Department of Justice

The Honorable Christopher Wray  
Director  
Federal Bureau of Investigation

Dear Attorney General Garland and Director Wray:

A Federal Bureau of Investigation (FBI) whistleblower, FBI Special Agent Stephen M. Friend, has contacted our offices alleging breaches of FBI policy and procedure in active domestic terrorism assessments and investigations. Special Agent Friend alleges that when he raised concerns with his FBI supervisors, Senior Supervisory Resident Agent Greg Federico, Assistant Special Agent in Charge Coult Markovsky, Assistant Special Agent in Charge Sean Ryan, and Special Agent in Charge Sherry Onks, they questioned whether he had a future with the FBI. They later suspended his security clearance and escorted him out of his assigned FBI Field Office.

According to FBI policy, when the FBI opens an assessment or investigation, an FBI office is established to be the Office of Origin (OO), and an FBI agent in that office is designated to serve as a Case Agent.<sup>1</sup> The OO is responsible for supervising assessments and investigations in its own territory, and the Case Agent is the FBI employee in the OO with overall responsibility for supervising the investigation.<sup>2</sup> Contrary to that policy, the FBI has allegedly been sending “information packets” to FBI Field Offices around the country, designating those offices as OOs, and assigning Special Agents and Task Force Officers in those Field Offices to serve as Case Agents, even though the alleged crimes occurred in Washington, D.C.<sup>3</sup> According to Special Agent Friend, a FBI Washington Field Office (WFO) task force reserved authority for actually managing the cases and completing a majority of the investigative work.<sup>4</sup>

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<sup>1</sup> Declaration of Stephen M. Friend at 5-6.

<sup>2</sup> Declaration at 4.

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

Special Agent Friend alleges that in some of these cases, supervisors in Field Offices designated as OOs are not approving key decisions, and Case Agents are being required to perform investigative actions at the direction of the WFO-based task force that they would not otherwise pursue. For example, according to Special Agent Friend, FBI leadership directed Field Office personnel to conduct interviews of January 6 subjects even though there was no direct evidence that they were in Washington, D.C. on January 6, and to use aggressive tactics, such as SWAT teams, when apprehending suspects accused of non-violent misdemeanors, even in cases where those suspects were represented by counsel and cooperating with the Government's requests for information.<sup>5</sup>

According to Special Agent Friend, as a result of these alleged breaches of policy and protocol, lines of accountability are blurred. While the WFO-based task force is responsible for making critical investigative decisions and conducting investigative work, the case file is associated with an FBI agent and supervisors based in a different FBI field office who may have only limited involvement in key decisions relating to the case. In other words, the FBI's records don't reflect reality. In a written declaration submitted to our offices, Special Agent Friend states:

...there are active criminal investigations of J6 [January 6] subjects in which I am listed as the 'Case Agent,' but have not done any investigative work. Additionally, my supervisor has not approved any paperwork within the file. J6 Task Force members are serving as Affiants on search and arrest warrant affidavits for subjects whom I have never investigated or even interviewed but am listed as a 'Case Agent.'<sup>6</sup>

Special Agent Friend alleges that one reason FBI field offices have not challenged breaches of protocol is because the cases that are being handled in this unusual manner fall under the category of domestic terrorism. Special Agent Friend notes that this category is an area prioritized by FBI leadership that also brings additional financial resources to support field office operations.

Special Agent Friend also alleges that when he brought concerns about breaches of policy and protocol to his FBI supervisors, he raised concerns that "irregular case dissemination, labeling, and management processes could be considered exculpatory evidence [that] must be disclosed to defendants in accordance with the Brady rule."<sup>7</sup>

When Special Agent Friend refused to participate in activities that he believed were breaches of FBI policy, he volunteered to perform other potential assignments and duties. However, FBI personnel allegedly told Special Agent Friend that he was being a "bad teammate" and warned that his objections "could amount to insubordination."<sup>8</sup> Ultimately, rather than

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<sup>5</sup> Declaration at 6.

<sup>6</sup> Declaration at 4-5.

<sup>7</sup> Declaration at 7.

<sup>8</sup> Declaration at 7-8.

reassigning Special Agent Friend other tasks as he requested, FBI leadership apparently made the choice to retaliate against and make an example of him. FBI leadership suspended Special Agent Friend without pay, and suspended his security clearance without providing any evidence that he poses a legitimate security risk. They also confiscated his credentials, firearm, and badge, and escorted him out of the FBI field office.<sup>9</sup>

The alleged actions by FBI senior leadership are unacceptable and send exactly the wrong message. The FBI should never suspend security clearances as a form of punishment or to retaliate against patriotic whistleblowers for stepping forward to report potential wrongdoing. We understand that in addition to his FBI supervisors and our offices, Special Agent Friend has also made protected disclosures to the Office of Special Counsel and the Office of the Inspector General. Under federal whistleblower laws, employees of the Federal Government have not only a right but a responsibility to report evidence of potential wrongdoing. That is precisely what Special Agent Friend has done.

Accordingly, the FBI should immediately cease the disciplinary actions it is actively taking to punish Special Agent Friend for his protected whistleblowing activity. These unwarranted actions only serve to chill other employees from reporting wrongdoing, and demonstrate a complete and utter failure by agency leaders to obey the letter and intent of federal whistleblower protection laws.<sup>10</sup>

Acts of violence that took place on January 6 are reprehensible and must never happen again. It is imperative that the Justice Department and FBI perform their investigative activity by the book in order to maintain investigative integrity and credibility. Based on allegations, the Department and FBI have come up short and instead of listening to its employees to shore up its process and procedure, the Department and FBI have chosen to retaliate against them. We ask that you answer the following questions no later than October 10, 2022.

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<sup>9</sup> Declaration at 10.

<sup>10</sup> See 5 U.S.C. § 2303; Also, as a reminder, denying or interfering with employees' rights to furnish information to Congress is unlawful, 5 U.S.C. § 7211 ("The right of employees, individually or collectively, to petition Congress or a member of Congress, or to furnish information to either House of Congress, or to a committee or Member thereof, may not be interfered with or denied."), and obstructing a Congressional investigation is a crime, 18 U.S.C. § 1505 ("Whoever corruptly, or by threats or force, or by any threatening letter or communication influences, obstructs, or impedes or endeavors to influence, obstruct, or impede...the due and proper exercise of the power of inquiry under which any inquiry or investigation is being had by either House, or any committee of either House or any joint committee of the Congress" "[s]hall be fined under this title, imprisoned not more than 5 years or, if the offense involves international or domestic terrorism (as defined in section 2331), imprisoned not more than 8 years, or both."). Furthermore, federal officials who deny or interfere with employees' rights to furnish information to Congress are not entitled to have their salaries paid by taxpayers' dollars. Consol. Appropriations Act, 2022, Pub. L. No. 117-103, Div. E, title VII § 713 (2022).

1. Please explain the FBI's policy rationale for suspending employees without pay prior to the completion of security clearance reviews.
2. Please provide a list of the policies and procedures the FBI currently has in place to ensure that referrals to the FBI security division are not a pretext for whistleblower reprisal.
3. Please describe the steps you are taking to ensure that Special Agent Friend's security clearance is reinstated and that all other forms of reprisal against him for his protected whistleblowing activity are immediately stopped.
4. Please provide all records<sup>11</sup> referring or relating to how the Justice Department and FBI responded to or investigated Special Agent Friend's allegations connected to the FBI's handling of investigations tasked by the Washington Field Office.

Please contact our offices to schedule a briefing to explain the FBI's improper conduct in this matter. Thank you for your attention to this important matter.

Sincerely,



Charles E. Grassley  
Ranking Member  
Committee on the Judiciary



Ron Johnson  
Ranking Member  
Permanent Subcommittee  
on Investigations

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<sup>11</sup> "Records" include any written, recorded, or graphic material of any kind, including letters, memoranda, reports, notes, electronic data (e-mails, email attachments, and any other electronically-created or stored information), calendar entries, inter-office communications, meeting minutes, phone/voice mail or recordings/records of verbal communications, and drafts (whether or not they resulted in final documents). This definition applies to all requests for records in the questions for the record.

cc: The Honorable Richard Durbin  
Chairman  
Committee on the Judiciary

The Honorable Jon Ossoff  
Chairman  
Permanent Subcommittee on Investigations

The Honorable Michael Horowitz  
Inspector General  
Department of Justice

The Honorable Henry Kerner  
Special Counsel  
Office of Special Counsel

Declaration of Stephen M. Friend

I, Stephen M. Friend, pursuant to 28 U.S.C. §1746, hereby declares as follows:

1. I am a person over eighteen (18) years of age and competent to testify. Upon my belief and information, I make this Declaration on personal knowledge and in support of my complaint of reprisal and disclosure to the Office of Special Counsel, and against the Federal Bureau of Investigation (hereinafter the "FBI").

2. I am an FBI Special Agent currently on suspension. I graduated from the University of Notre Dame in 2007 and was employed as an accountant in private practice between 2007 and 2008. In 2009 I was sworn in as a Peace Officer for the Savannah Chatham Metro Police Department in Savannah Chatham Georgia. I served as a Peace Officer for said Department until 2012 when I joined my father's accounting firm for one year. In 2013 I joined the Pooler Police Department in Pooler Georgia as a Peace Officer until 2014.

3. On June 14, 2014, I joined the FBI as a new agent trainee. Following my graduation from Quantico's New Agent Academy I was posted to the FBI's Omaha Division/Sioux City Resident Agency tasked with investigating violent crimes and major offenses occurring in Indian Country. I was also a member of the FBI's Omaha SWAT Team. While in that posting I also served as an acting Special Supervisory Special Agent.

4. In June of 2021 I was transferred to the FBI's Jacksonville Florida Field Office/Daytona Beach Residency Agency as a Special Agent tasked with investigating child exploitation and human trafficking. In October of 2021, an Assistant Special Agent in Charge (ASAC) informed my supervisor that I was reassigned as a member of the Joint Terrorism Task Force (hereinafter "JTTF") and directed to concentrate my time towards domestic terrorism investigations. The ASAC communicated that the reassignment was necessary due to the voluminous number of J6 investigations and rising threats of "domestic violent extremism."

5. I was also told that child sexual abuse material investigations were no longer an FBI priority and should be referred to local law enforcement agencies. Prior to the incidents described below I received exemplary performance

reviews and numerous awards throughout my eight-year FBI career. Most recently, in July of 2022 the FBI conferred me with an "On-The-Spot" financial award.

6. **My concerns are as follows:** Stephen M. Friend, made a disclosure, of which an acting responsible official had knowledge, after which I was subjected to an adverse action.

7. As background information, full investigation casefiles within the FBI are labeled in three sections. The first section denotes the nature of the criminal offense. The second section identifies the FBI Field Office with responsibility for investigating. The third section is a unique case number populated by the FBI's SENTINEL case management system and attributable to the investigation. Additionally, if the investigating Case Agent requires assistance from another field office (i.e., interviewing a subject or witness who resides out of the Case Agent's geographical area of responsibility), investigative policy guides the Case Agent to "cut a lead" to Special Agents in another Field Office requesting that they take certain investigative action to assist the Case Agent. The "lead" facilitates timely investigation without forcing the Case Agent to engage in costly and time-consuming travel to areas beyond his area of responsibility.

\* Domestic Investigations and Operations Guide (DIOG)  
Appendix J: (U) Case File Management and Indexing

\* J.1.2 (U) Investigative Leads and Lead Office (LO)

(U//FOUO) Leads are sent by EC, or a Lead Request document, to offices and assigned to individuals/organizations in order to aid investigations. When the OO sets a lead to another office, that office is considered a Lead Office (LO).

(U//FOUO) There are only two types of investigative leads: "Action Required" and "Information Only."

\* J.1.2.1 (U) Action Required Lead

(U//FOUO) An action required lead must be used if the sending office requires the receiving LO to take some type of investigative action.

(U//FOUO) An action required lead may only be set out of an open investigative file, including an:

A) (U) Assessment file;

- B) (U) Predicated investigation file;
- C) (U) Pending inactive investigation file; or
- D) (U) Unaddressed work file...

8. Accordingly, investigations stemming from the January 6, 2021, Capitol Hill protest (hereinafter "J6") could be assigned, according to Domestic Investigations and Operations Guide (DIOG) Appendix J, to Special Agents working at the "Office of Origin (OO)." Per DIOG guidance, Washington D.C. Field Office (WFO) is a logical OO because WFO's area of responsibility includes Washington D.C. If deemed the appropriate OO, any investigations or assessments opened by WFO would be marked with the second section casefile label of "WF." Should investigative actions be necessary outside of Washington D.C., the WFO Case Agent should "cut a lead" to the appropriate FBI Field Office. In the event that an alternative FBI Field Office assumed the role as OO (i.e., because a subject resides in the OO's area of responsibility) any investigations or assessment opened would be marked with the second section casefile label attributable to that Field Office (i.e., "DL" for FBI Dallas). Should investigative actions be necessary outside of the OO's area of the responsibility, the Case Agent should "cut a lead" to the appropriate FBI Field Office. Regardless of the particular OO and according to DIOG Appendix J, the assigned Case Agent assumes management responsibilities for all aspects of the assessment or investigation.

\* Domestic Investigations and Operations Guide (DIOG) Appendix J: (U) Case File Management and Indexing.

- o J.1 (U) Investigative File Management
  - o J.1.1 (U) Office of Origin (OO)
  - o (U//FOUO) Generally the Office of Origin (OO) is determined by:
    - A) (U//FOUO) The residence, location or destination of the subject of the investigation;
    - B) (U//FOUO) The office in which the complaint is first received;
    - C) (U//FOUO) The office designated by FBIHQ as OO in any investigation.

\* Domestic Investigations and Operations Guide (DIOG) Appendix J: (U) Case File Management and Indexing

- o J.1 (U) Investigative File Management



- o J.1.3 (U) Office of Origin's (OO) Supervision of Cases (U//FOUO) The OO is responsible for proper supervision of Assessments and investigations in its own territory and being conducted in a LO. The FBI employee, usually an FBI Special Agent, to whom an investigation is assigned, is often referred to as the "Case Agent." An FBI employee is personally responsible for ensuring all logical investigation is initiated without undue delay, whether the employee is assigned in the OO or in a LO; this includes setting forth Action Required or Information Only leads as appropriate for other offices or other FBI employees in his/her own office. The OO Case Agent has overall responsibility for supervision of the investigation..

The FBI is following an atypical procedure. J6 task force members in Washington D.C. identify potential subjects and possible locations where these individuals reside. The task force disseminates information packets to Field Offices around the country. If an assessment or investigation is opened for a J6 subject, the recipient Field Offices become the official OO. However, while Special Agents and Task Force Officers in these Field Offices are assigned the role of "Case Agent," the J6 task force effectively manages the cases and performs the bulk of investigative work. The Case Agents perform investigative actions at the direction of the J6 task force. The J6 task force has the preeminent role for presenting J6 cases to the United States Attorney's Office for prosecution.

9. In October of 2021, I was assigned to J6 cases on behalf of Special Agents working in Washington D.C. On these occasions, the J6 Task Force members disseminated information to my office with instructions to perform logical investigative actions (such as surveillance or subject interviews). Members of the Daytona Beach Resident Agency (DBRA) Joint Terrorism Task Force (JTTF) completed and documented these tasks. Later, J6 Task Force members in Washington D.C. reviewed the work and requested additional investigative actions be performed or pressured members of my local JTTF to open full investigations. The J6 Task Force members assured the JTTF that once the case was opened, they would perform future investigative work and paperwork for the casefile. In accordance supervisor roles and responsibilities outlined in the DIOG, the J6 Task Force supervisors approved this work before it was submitted to the casefile. Resultantly, there are active criminal investigations

of J6 subjects in which I am listed as the "Case Agent," but have not done any investigative work. Additionally, my supervisor has not approved any paperwork within the file. J6 Task Force members are serving as Affiants on search and arrest warrant affidavits for subjects whom I have never investigated or even interviewed but am listed as a "Case Agent." The J6 Task Force tasked the DBRA JTTF with executing these warrants.

\* Domestic Investigations and Operations Guide (DIOG) 3.5 (U) Supervisor Roles and Responsibilities

\* 3.5.2.1 (U) Approval/Review of Investigative or Collection Activities

(U//FOUO) Anyone in a supervisory role who approves/reviews investigative or collection activity must determine whether the standards for opening, approving, conducting, and closing an investigative activity, collection activity or investigative method, as provided in the DIOG, have been satisfied. (U//FOUO) Only FBI supervisory employees and representatives from other government agencies (OGA) assigned to the FBI under the Joint Duty Assignment Program or the Intergovernmental Personnel Act as supervisors (as defined in DIOG subsection 3.5.1) may approve the serialization of investigative records into Sentinel. Additionally, whenever an OGA supervisor (as described above) approves an investigative record, an FBI supervisor must also approve the record into Sentinel. An OGA supervisor may not approve investigative methods (i.e., DIOG Section 18 methods) or investigative activities (e.g., UDP and OIA).

\* Domestic Investigations and Operations Guide (DIOG) Appendix J: (U) Case File Management and Indexing

o J.1 (U) Investigative File Management

J.1.3 (U) Office of Origin's (OO) Supervision of Cases (U//FOUO) The OO is responsible for proper supervision of Assessments and investigations in its own territory and being conducted in a LO. The FBI employee, usually an FBI Special Agent, to whom an investigation is assigned, is often referred to as the "Case Agent." An FBI employee is personally responsible for ensuring

all logical investigation is initiated without undue delay, whether the employee is assigned in the OO or in a LO; this includes setting forth Action Required or Information Only leads as appropriate for other offices or other FBI employees in his/her own office. The OO Case Agent has overall responsibility for supervision of the investigation...

10. During the week of August 15, 2022, I became aware of imminent arrests of J6 subjects and searches of their respective residences within the FBI's Jacksonville and Tampa Field Office areas of responsibility. Simultaneous takedowns were scheduled to occur on August 24, 2022. Due to perceived threats levels, an FBI SWAT team was enlisted to arrest one of the arrests. On Friday, August 19, 2022, I spoke with my front-line supervisor, SSRA Greg Federico, on two separate occasions to disclose my concerns about potential DIOG policy violations employed during the investigative processes. SSRA Federico listened to my concerns but emphasized that the warrants were lawful court orders. He said that these operations were one step in the process and that the subjects would be afforded all due process.

11. I responded that it was inappropriate to use an FBI SWAT team to arrest a subject for misdemeanor offenses and opined that the subject would likely face extended detainment and biased jury pools in Washington D.C. I suggested alternatives such as the issuance of a court summons or utilizing surveillance groups to determine an optimal, safe time for a local sheriff deputy to contact the subjects and advise them about the existence of the arrest warrant. SSRA Federico told me that FBI executive management considered all potential alternatives and determined the SWAT takedown was the appropriate course of action. SSRA Federico noted that I appeared to be under stress and suggested speaking to the FBI's employee assistance program. SSRA Federico told me that he respected how I was standing on principle, but I was putting him in a difficult situation because Special Agents cannot refuse to participate in specific cases. He stated that he wished I just "called in sick" for this warrant but his hands were tied now that I told him that I was going to refuse to participate in any J6 cases. Per the Office of Personnel Management, "an employee is entitled to use sick leave for: personal medical needs, family care or bereavement, care of a family member with a serious health condition, and adoption-related purposes." SSRA Federico told me that the FBI plans to prosecute every subject

associated with J6 and he expected "another wave" of J6 subjects would be referred to the Daytona Beach Resident Agency for investigation and arrest. SSRA Federico asked how I thought the Special Agent in Charge (SAC) of FBI Jacksonville would react to my position. He told me that it sounded like my concerns were with FBI leadership and the overall nature of the J6 investigations. SSRA Federico threatened reprisal indirectly by asking how long I saw myself continuing to work for the FBI. He asked me to reconsider my position and told me that he would decide on his actions over the course of the weekend.

12. On August 22, 2022, I was contacted by Jacksonville's Assistant Special Agent in Charge (ASAC) Coult Markovsky, who requested that I attend a meeting at the FBI Jacksonville office the following afternoon. On August 23, 2022, I met with ASAC Markovksy and ASAC Sean Ryan. I again disclosed my concerns about potential DIOG policy violations employed during the J6 investigative processes. I told that the irregular case dissemination, labeling, and management processes could be considered exculpatory evidence the must be disclosed to defendants in accordance with the Brady rule. I expressed my concerns about violating citizens' Sixth Amendment rights due overzealous charging by the DOJ and biased jury pools in Washington D.C. I cautioned about the similarities between Ruby Ridge, the Governor Whitmer kidnapping case, and the J6 investigation. ASAC Markovsky said that I lacked perspective on the J6 prosecutions because I was not principally involved in the day-to-day investigations. He added that it is the FBI's job to gather facts, but we are not responsible for determining if an individual should be prosecuted. I countered that former FBI Director James Comey's actions indicated this was no longer an FBI practice when he stated that "no reasonable prosecutor" would bring charges against former Secretary of State Hillary Clinton.

13. The ASACs asked if I believed the J6 rioters committed a crime. I responded that some of the people who entered the Capitol committed crimes, but others were innocent. I elaborated that I believed some innocent individuals had been unjustly prosecuted, convicted, and sentenced. ASAC Markovsky unironically asked if I thought that the individuals who "killed police officers" should be prosecuted. I replied that there were no police officers killed on January 6, 2021. ASAC Markovsky told me that I was being a bad teammate to my colleagues. The ASACs threatened reprisal again by warning that my refusal could

amount to insubordination. References were made to my future career prospects with the FBI. ASAC Ryan suggested I might want to speak with the FBI's employee assistance program about my emotional concerns with J6 cases. The ASACs informed me that I could not refuse to participate if FBI leadership was comfortable that an operation is Constitutional, within FBI guidelines, and did not present an unnecessary risk to my safety.

14. I responded by again disclosing that the facts and concerns I presented demonstrated how the J6 investigations violate all three elements. I told them that I would not participate in any of these operations. At the conclusion of the meeting, the ASACs opined that they did not know how they would proceed with me from a disciplinary perspective. They emphasized that any punitive action would be a slow process. However, four hours later ASAC Markovsky emailed me the following act of reprisal: "After multiple conversations with SSRA Greg Federico and our continued conversations today with myself and ASAC Ryan, you continue to refuse to participate in an FBI mission to serve a lawful court order issued by a Federal Judge. You are not to report to the Daytona Beach RA tomorrow, August 24, 2022, and you will be placed on AWOL (Absent Without Leave) status. AWOL in itself is not disciplinary, but can lead to disciplinary charges, such as removal." ASAC Markovsky and ASAC Ryan stated that all the details of our meeting were Unclassified.

15. On September 1, 2022, I met with FBI Jacksonville Special Agent in Charge (SAC) Sherry Onks. SAC Onks told me that I had a reputation as a good Special Agent and expressed disappointment with my refusal to participate in the January 6th investigations. SAC Onks suggested that I do "some soul searching" and decide if I wanted to work for the FBI. SAC Onks said that it "sounded like I lost faith in the FBI and its leadership." SAC Onks stated that the J6 investigations were all legal, ethical, and in accordance with FBI procedure. She said that my refusal to participate in the cases meant that I did not trust my colleagues' work and indicated that I believed the Special Agents working on J6 were coopted into behaving unethically and immorally. I again disclosed by informing SAC Onks that I believed the investigations were inconsistent with FBI procedure and resulted in the violation of citizens' Sixth and Eighth Amendment rights. I added that many of my colleagues expressed similar concerns to me but had not vocalized their objections to FBI Executive Management. SAC Onks disagreed with

my premise and said that my views represented an extremely small minority of the FBI workforce. SAC Onks told me that she had never encountered my situation during her career. She recalled the fear she felt while sitting on the seventh floor of the J. Edgar Hoover Building on January 6, 2021 when protestors "seized the Capitol" and threatened the United States' democracy. SAC Onks reprised against me and admitted as much, when she informed me that she referred me to the FBI's Office of Professional Responsibility and Security Division. SAC Onks told me that the Security Division was assessing my security clearance.

16. In addition to the atypical Originating Office identification process for J6 cases, the process potentially violates Case Manager and Case File Management and Indexing policies listed in the FBI's Domestic Investigations and Operations Guide (DIOG). These potential violations include:

- Domestic Investigations and Operations Guide (DIOG) 3.3 (U) Special Agent/Task Force Officer (TFO)/Task Force Member (TFM)/Task Force Participant (TFP)/FBI Contractor/Others - Roles and Responsibilities
  - o 3.3.1.10 (U) Serve as Investigation ("Case") Manager: (U//FOUO) If assigned responsibility for an investigation, manage all aspects of that investigation, until it is assigned to another person. It is the case manager's responsibility to ensure compliance with all applicable laws, rules, regulations, and guidelines, both investigative and administrative, from the opening of the investigation through disposition of the evidence, until the investigation is assigned to another person..
- Domestic Investigations and Operations Guide (DIOG) Appendix J: (U) Case File Management and Indexing
  - o J.1 (U) Investigative File Management
    - J.1.3 (U) Office of Origin's (OO) Supervision of Cases (U//FOUO) The OO is responsible for proper supervision of Assessments and investigations in its own territory and being conducted in a LO. The FBI employee, usually an FBI Special Agent, to whom an investigation is assigned, is often referred to as the "Case Agent." An FBI employee is personally responsible for ensuring all logical investigation is initiated without undue delay, whether the employee is assigned in the OO or in a LO; this includes setting forth Action Required or

Information Only leads as appropriate for other offices or other FBI employees in his/her own office. The OO Case Agent has overall responsibility for supervision of the investigation..

The manipulative casefile practice creates false and misleading crime statistics, constituting false official federal statements 18 U.S.C. §1001. Instead of hundreds of investigations stemming from an isolated incident at the Capitol on January 6, 2021, FBI and DOJ officials point to significant increases in domestic violent extremism and terrorism around the United States. At no point was I advised or counseled on where to take my disclosure beyond the reprising officials above; the threatened reprisal constituted a *de facto* gag on my whistleblowing.

17. The acting officials who had knowledge of my disclosures as set forth above included SSRA Greg Federico, Jacksonville's Assistant Special Agent in Charge (ASAC) Coult Markovsky, ASAC Sean Ryan, and FBI Jacksonville Special Agent in Charge (SAC) Sherry Onks.

18. I was reprised against and instructed to not report to the Daytona Beach RA on August 24, 2022, and was placed on AWOL status. When I arrived at the FBI's Daytona Beach Field Office on the morning of September 19, 2022, I was brought into a meeting with my supervisor, ASAC, SAC, and security officer. I was told that my security clearance was suspended pending an investigation. My credentials, firearm, and badge were confiscated, and I was escorted from the building.

19. I also received the letter annexed hereto and made a part hereof dated September 16, 2022.

I do solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the above statement are true to the best of my knowledge.

Stephen M. Friend L.S.

Stephen M. Friend

September 21, 2022