

United States Senate

WASHINGTON, DC 20510

September 13, 2023

The Honorable Merrick Garland
Attorney General
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530

Dear Attorney General Garland:

We write regarding the Federal Bureau of Investigation's (FBI) capacity to investigate and respond to crimes involving child sexual abuse and exploitation.

Our offices have recently received reports of chronic understaffing among the FBI field office teams responsible for processing and investigating allegations of child sexual abuse. These shortages reportedly force staff to manage heavy caseloads, allowing them insufficient time and resources to thoroughly investigate and respond to the numerous cases that come before them. Understaffing has, according to these reports, hindered the ability of FBI field office teams to refer cases to the appropriate state or local law enforcement agencies for further investigation.

These reports follow the Department of Justice's (DOJ) own recent acknowledgment of the challenge of maintaining the workforce necessary to adequately respond to alleged crimes against children. In a June 2023 report to Congress, DOJ cited an international threat assessment demonstrating that "the growth in online child sexual exploitation is outpacing our ability to respond."¹ DOJ explained that "[e]stablishing and maintaining a work force of specialized law enforcement officers, digital investigative analysts, prosecutors, and victim support personnel are critical, but it always has been and remains a challenge."²

Understaffing and overburdening these teams poses a dire threat to children nationwide, as exemplified by the Larry Nassar case. Interviews conducted by DOJ's Office of the Inspector General suggest that field agents' heavy workload may have contributed to the FBI's failures in response to reports of Nassar's sexual abuse. The Indianapolis Supervisory Special Agent (SSA) involved explained that his Violent Crimes Against Children squad "get[s] more investigations than we could handle," and when they received the first reports about Nassar's abuse, he was

¹ *National Strategy for Child Exploitation Prevention and Interdiction: A Report to Congress 2023* 7-8, U.S. Dep't Justice (Jun. 2023), https://www.justice.gov/d9/2023-06/2023_national_strategy_for_child_exploitation_prevention_interdiction_-_combined.pdf.

² *Id.*

“preoccupied” with “several high-profile investigations.”³ To be clear, capacity issues cannot and do not excuse the delinquency, numerous errors, and severe misconduct of this SSA or other FBI employees responding to the Nassar matter. But this case does show how lack of capacity at FBI field offices can have grave consequences for victims of abuse.

Given the aforementioned reports of FBI field office shortages, and in light of their potentially severe consequences, we ask that DOJ respond in writing to the following questions by September 29, 2023.

1. For each FBI field office, please provide:
 - a. The number of field agents or full-time equivalents dedicated to receiving, processing, and responding to reported crimes involving child sexual abuse and exploitation
 - b. The number of vacancies in field agent positions dedicated to receiving, processing, and responding to reported crimes involving child sexual abuse and exploitation
 - c. The number of field agents or full-time equivalents who have left positions working on crimes involving child sexual abuse and exploitation in the past year
 - d. The number of field agents or full-time equivalents who have entered positions working on crimes involving child sexual abuse and exploitation in the past year
 - e. The number of cases related to reported crimes involving child sexual abuse and exploitation the office has received in the past year
 - f. The number of cases comprising the average caseload for a field agent or full-time equivalent working on crimes involving child sexual abuse and exploitation in the past year
2. What is an appropriate annual caseload for a field agent working on crimes involving child sexual abuse and exploitation? Please explain the basis for your answer.
3. How has the FBI responded to any recent or current understaffing on teams working on crimes involving child sexual abuse and exploitation? What additional responses does the FBI plan to undertake in the future?
4. Has DOJ or the FBI issued its own threat assessment or similar report pertaining to crimes involving child sexual abuse and exploitation? If so, please provide a copy of any relevant report and detail what action has been taken in response to this report.

To promote transparency, we encourage DOJ to respond in a manner that can be made public; however, should it be necessary, we are willing to accept confidential responses, as well.

Thank you for your attention to this matter and for your continued work to ensure the safety of our nation’s children. We look forward to your timely response.

³ Off. of Inspector Gen., *Investigation and Review of the Federal Bureau of Investigation’s Handling of Allegations of Sexual Abuse by Former USA Gymnastics Physician Lawrence Gerard Nassar* 50 (Jul. 2021), <https://oig.justice.gov/sites/default/files/reports/21-093.pdf>.

Sincerely,



Senator Jon Ossoff
Chairman
Subcommittee on Human Rights



Senator Marsha Blackburn
Ranking Member
Subcommittee on Human Rights

Cc: Hon. Christopher Wray
Director, FBI