

Operational Neutrality Policy Memo (2 pages)

****To:**** Director, Deputy Director, ADs of CID/NSB; DOJ OIG Liaison
****From:**** Eric Michael O'Brien, Operational Integrity Working Group
****Date:**** September 26, 2025, 4:37 AM
****Subject:**** A Practical Plan to De-politicize Sensitive Investigations (12-month rollout)

Executive Summary

Rank and file agents report that politically sensitive cases can feel steered or second-guessed for non-

- 1) ****Blind Intake + Randomized Assignment**** to remove "handpicked team" concerns.
- 2) ****Command-Influence Ledger**** that records and justifies HQ directives.
- 3) ****Rotating Peer-Review Cell**** from other field offices at key milestones.
- 4) ****Protected Dissent With Teeth**** and quick resolution SLAs.
- 5) ****Public Trust Report (Aggregate Only)**** to show process health without case details.
- 6) ****Guardrails on Political Contact**** with standard notes and sealing.
- 7) ****Measurable Culture/Training**** to align decisions regardless of political labels.

None of this requires new legislation. Use existing policy authority, the OIG framework, and a small sealed

Objectives

- Ensure ****neutral, evidence-based predication**** and resourcing for sensitive matters.
- Preserve ****operational speed**** while adding auditable transparency.
- Increase ****agent confidence**** and ****public trust**** without compromising cases.

Policy Components

1) Blind Intake + Randomized Assignment

- ****Predication gate:**** A 1-page checklist captures facts, statute(s), source reliability, corroboration steps.
- ****Randomized routing:**** After the gate clears, a system assigns a case team from a multi-office pool (confidential).
- ****Outcome:**** Removes perception of bespoke teams and limits steering.

2) Command-Influence Ledger (tamper-evident)

- Any HQ intervention affecting ****scope, timing, warrants, use of CHSs, or public actions**** must be logged within 24 hours.
- Stored on ****WORM**** (write-once, read-many) infrastructure with role-based access for DOJ OIG and a sealed copy.
- ****Quarterly sealed audits****; a public summary publishes counts and categories only.

3) Rotating Peer-Review Cell

- A 3-person panel from other FOs reviews at ****open****, ****major warrant****, and ****close****.
- Panel feedback is ****advisory but must be answered in writing**** in the case file within five business days.
- Roster rotates quarterly to prevent "shadow ownership."

4) Protected Dissent That Actually Protects

- ****Direct OIG line + SAC/union ombuds**** with 10-day acknowledgment / 60-day disposition.
- Automatic review of transfers/ratings within 12 months of a protected disclosure; ****presumption of remedy****.
- Anonymous analytics surfaced to division leadership quarterly.

5) Public Trust Report (aggregate)

- Annual, no names/no case details. Includes: counts of sensitive matters, ledger interventions by category, and public trust scores.
- Clears with DOJ to avoid prejudice to ongoing matters.

6) Guardrails on Political Contact

- Meetings with political appointees/campaign-adjacent officials require ****standard agenda + minutes + legal review****.
- ****Cooling-off**** rotations for SES who had direct political-liaison roles before leading sensitive squads.

7) Culture & Training (measurable)

- ****Bias-hygiene drills:**** identical fact patterns skinned Left/Right must yield the same predication decision.
- ****Language linting:**** templates avoid charged labels unless probative.
- ****Scenario capstone:**** 1-day exercise during the pilot; scored and trended division-wide.

Implementation Plan (12 months)

****Days 0-30: Design + Build****

- Approve the 1-page predication checklist (Attachment A).
- Stand up randomized routing + WORM ledger (COTS where possible).
- Draft SOPs for peer-review cells and political-contact notes.

****Days 30-120: Pilot****

- Pilot in 3 field offices (urban, suburban, mixed) + one HQ division.
- Weekly OIG touchpoint; track cycle time, agent sentiment, and legal sufficiency.
- Run the first bias hygiene drill; remediate trends.

Month 5-6: Expand Mechanics

- Establish national roster for peer review cells; virtual training (2 days).
- Begin quarterly sealed audits of the ledger.

Month 6-12: Scale + Report

- Roll out to all FOs; publish the first **Operational Neutrality Report** (aggregate only).
- Tune thresholds (e.g., which interventions must be logged) based on pilot data.

Governance & Roles

- **Executive Sponsor:** Deputy Director.
- **Process Owner:** AD, Inspection Division, with OGC/OIG liaison.
- **Tech Owner:** CIO (ledger + routing).
- **Training Owner:** AD, Training Division.
- **Sealed Oversight:** 3 judge panel on rotation; quarterly, under seal.

Metrics (reported quarterly)

- ≥95% of sensitive openings pass the predication gate on first submission.
- **Intervention density:** downward trend in scope change directives per case.
- **Peer review disagreement rate** and **affidavit strength** (fewer suppression issues).
- **Time to warrant** within ±5% of baseline (speed preserved).
- **Agent survey:** +20 point gain on "freedom from political pressure" within 12 months.
- **Retaliation Monitor:** no statistically significant negative deltas in ratings/transfers for dissenters.

Risks & Mitigations

- **Operational drag:** Keep the gate to 10 minutes; reviews only at three checkpoints; Service Level Agreement.
- **Overdocumentation:** Use short templates; auto populate fields from case systems.
- **Perceived gag on leadership:** Discretion remains—reasons are recorded.
- **Public reporting worries:** Aggregate stats only; vetted with DOJ to prevent prejudice.

Resource Snapshot (pilot level)

- **Tech:** \$450-650k for WORM logging, randomized router, and SSO/RBAC integration.
- **People:** 1 PM, 1 BA, 2 engineers (6 months), 0.5 FTE OGC, 0.5 FTE OIG liaison.
- **Training:** 2 days virtual per peer reviewer; 1 day bias hygiene drill/division.

Decision Requested

- Approve 12 month rollout and authorize pilot in three field offices and one HQ division.
- Direct CIO to provision the ledger and router; Inspection Division to issue SOPs within 30 days.

Attachment A – Predication Checklist (1 page, used at intake)

1. **Statute(s) potentially violated** (cite).
2. **Articulable facts** (no names/labels; events only).
3. **Source type & reliability** (CHS/CI/open source/official; corroboration status).
4. **Nexus to federal jurisdiction** (how/why).
5. **Threat/impact** (harm, imminence).
6. **Initial investigative steps** (lawful, least intrusive).
7. **Conflicts check** complete (Y/N).
8. **Approval** (SAC/designee) with timestamp.

Attachment B – Command Influence Ledger: Minimum Fields

- Case ID; intervention type (scope/timing/warrant/CHS/public action).
- Directive text; legal basis; risk/benefit rationale.
- Issuer & role; recipients; timestamp; version hash.
- Attachments (memos/emails); follow up actions; closure notes.
- Access: OGC, OIG, sealed court panel; FOIA exempt, aggregate stats only.

Attachment C – Political Contact Minutes (Standard, file within 48 hrs)

- Date/time/location; participants & roles.
- Purpose; legal authority cited.
- Topics discussed; any asks/constraints; decisions.
- Next steps; responsible owner; due dates.
- Prepared by; approved by; ledger entry ID.