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Former FBI agent wins suit
Whistleblower awarded \$565,000 in 2001 sexual discrimination case
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Pioneer Press

After weathering retaliatory reviews, an unwanted transfer, threats of being fired and a resignation under duress, former Minneapolis FBI agent and whistleblower Jane Turner was awarded more than \$500,000 in compensation Monday for the agency's actions following her filing of a sexual discrimination claim.

A U.S. District Court jury in Minneapolis awarded Turner \$565,000 — including \$60,000 in lost wages and \$505,000 for emotional distress and damage to her reputation.

"Today is a true vindication for whistleblowers in the FBI," Turner said after the verdict. Several jurors embraced her, in tears.

The 2001 case — dismissed in 2004 and then reinstated in 2005 by the 8th U.S. Circuit Court of Appeals — focuses on Turner's stint as an FBI agent in Minot, N.D., in 1998 and 1999.

A 20-year agency veteran at the time, Turner, 55, of St. Paul, noted in her lawsuit that she had always received performance ratings of at least "satisfactory" but usually "superior" or "exceptional."

But in 1998, she filed a discrimination claim with the FBI alleging that female agents were not being given equal credit for cases.

Turner said her immediate supervisor, Craig Welken, then began to retaliate: not assigning Turner to a high-profile child pornography case involving a North Dakota man named Larry Froistad, who stood accused of distributing child pornography and murdering his 5-year-old daughter.

The then-U.S. attorney for North Dakota, John Schneider, intervened, demanding Turner be placed on the case because of her expertise in investigating crimes against children.

"She had already established herself as a leading national expert in profiling and obtaining confessions in child sex crime cases," said Stephen Kohn, a Washington attorney who served as Turner's lead counsel.

"She was able to get confessions on these really horrendous child crime cases that nobody else had ever done — that's why these prosecutors (who worked for the Department of Justice) were willing to come in and testify," Kohn added, referring to two North Dakota assistant district attorneys who spoke on Turner's behalf during the trial.

Government attorneys representing the FBI could not be reached for comment on the verdict.

Welken agreed to Schneider's request, and Turner obtained a confession from Froistad, who was sentenced to life in prison. Schneider later credited Turner for the conviction in a private e-mail to her.

But Turner said Welken criticized her handling of the case, accusing her of "poaching" it from a male agent and "sandbagging" him with Schneider.

Turner complained to Welken's superior, James Burrus, who then forwarded the complaint back down to Welken.

Days later, in an unscheduled interim performance review, Welken gave Turner her first negative marks in 21 years, rating her "minimally acceptable/unacceptable." Two more negative reviews followed that year, and despite her protests, FBI managers transferred Turner to a Minneapolis desk job, which she began in May 2000.

Things did not go well in Minneapolis: By May 2003, the bureau said they intended to fire Turner because her performance did "not meet expectations." She said she received few job assignments in her area of expertise, and the year before, she accused agents in Minneapolis of stealing a Tiffany crystal globe from the wreckage of the World Trade Center after the Sept. 11, 2001, terrorist attacks. She reported the theft to other federal authorities, and the Department of Justice's inspector general later confirmed the allegation.

Still, Turner resigned in October 2003, before the firing process could be completed.

The jury Monday found that Welken's negative performance reviews were retaliatory — but the involuntary transfer was not.

And a separate case remains before the Justice Department's Office of Inspector General, pertaining to the FBI's push to fire her after her report about the Tiffany globe. That case was on hold, pending the outcome of Monday's verdict — which, like Turner, Kohn called "a complete vindication" with national implications.

"The culture of the FBI has been one to punish employees that have attempted to come forward," he said. "They knew that documentation was wrong, and they refused to chase it. One can only hope the FBI will reform its ways."

The Associated Press contributed to this report.