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Ex-agent wins lawsuit against FBI

Jurors said the FBI retaliated against the female agent, who filed a discrimination complaint in 1998.

By Dan Browning, Star Tribune

Federal jurors hugged former FBI agent Jane Turner on Monday after awarding her \$565,000 in damages and finding that the agency had retaliated against her for filing a 1998 sex-discrimination complaint.

"I think you were the very best FBI agent," juror Mashima Dickens told Turner, who investigated child sex-abuse crimes. "Looking at the way you were treated, I just said you were screwed left and right," Dickens said, tears rolling down her cheeks.

"I just want to tell you I have nothing but the utmost respect for you," juror Renee Anderle said as she hugged Turner in the hallway outside Chief U.S. District Judge James Rosenbaum's courtroom in Minneapolis.

"This is vindication," said Turner, 55, of St. Paul. "We spoke truth to power, and we won."

But Turner said she could never repair the damage done to her by her colleagues in the FBI, an organization she had dreamed of joining since she read Nancy Drew detective novels at age 12.

"I'm dead in their eyes because I betrayed them. And that's what's so sad," Turner said.

The government's attorneys declined to comment on the verdict in the trial, which began Jan. 24.

Stephen Kohn, one of Turner's attorneys and president of the National Whistleblower Center in Washington, called it historic. "I think it's the largest jury verdict in a civil rights case against the FBI for an individual plaintiff," he said.

The jury of six women and four men awarded Turner damages of \$60,000 in lost wages and \$505,000 for emotional distress, loss of reputation and similar injuries.

Rosenbaum will reduce the non-wage damages to the statutory limit of \$300,000, said Robert Hill, of Eden Prairie, another of Turner's attorneys.

Turner had a noteworthy career. After joining the FBI in 1978, she helped capture Christopher Boyce, a Soviet spy, and solved some horrendous child-sex abuse and murder cases on North Dakota Indian reservations.

Records show that she received superior or exceptional job ratings until after her supervisor, Craig Welken, was interviewed in 1999 about a sex-discrimination complaint she had filed the previous year. Her ratings plummeted, which led to a transfer from Minot, N.D., to a desk job in Minneapolis.

Jurors decided that the negative job reviews were retaliation for filing the internal discrimination complaint, but that the transfer was not.

About a month after Turner filed the complaint against Welken, a task force was being formed to investigate a child pornographer who had confessed in an Internet chat room to murdering his

7-year-old daughter. The killer, Larry Froistad, recanted his confession, and the U.S. attorney in North Dakota at the time, the late John Schneider, wanted Turner's help. Welken resisted initially, but said he gave in because Schneider was "unrelenting."

Schneider later credited Turner in an e-mail with solving the Froistad case.

Martha Fagg, one of two assistant U.S. attorneys from Iowa who represented the FBI, argued that Turner had basically stopped working after the Froistad case, and that the transfer to Minneapolis was designed to help her get back on track.

"In my opinion, she was using the EEO [Equal Employment Opportunity] process not as a shield, but as a sword," Fagg said.

However, Turner's attorneys introduced evidence that she kept up her casework and solved some especially tough cases while she was being downgraded on her reviews. Two assistant U.S. attorneys testified that they never saw Turner slack off.

Turner's attorneys plan to file for compensation. Kohn said the final bill will be "well over \$1 million to taxpayers in a case that should have been resolved at a fraction of the cost years ago."

Turner still has a complaint pending against the FBI with the U.S. inspector general's office. She reported that a fellow agent had brought back memorabilia from the World Trade Center in Manhattan after the Sept. 11 terrorist attacks. Turner said she was being run out of the FBI after that, so she retired in 2003.

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