

NEWS

Women abused by Larry Nassar file negligence claims against FBI over botched investigation

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Indianapolis Star

Published 11:27 a.m. ET April 21, 2022 | Updated 2:17 p.m. ET April 29, 2022

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Thirteen women who were sexually assaulted by former USA Gymnastics team doctor Larry Nassar are asking the FBI for \$130 million in compensation, nearly a year after a federal investigation found two agents in Indianapolis committed "fundamental errors" for not acting sooner on allegations of abuse.

Federal tort claims filed Wednesday by attorneys representing the women say they suffered "significant and irreparable personal injuries" because of the FBI's failure to act when it first received allegations that Nassar was sexually abusing gymnasts.

"To know the FBI could have helped to avoid this trauma — it disgusts me, and it hurts me," Nassar survivor Grace French said during a Thursday news conference.

French and former Michigan State University gymnast Lindsey Lemke are among the 13 women. The rest are anonymous.

Claims come after scathing DOJ report

Nassar was sentenced to more than 100 years imprisonment in 2018. More than three years later, the Justice Department's Inspector General released a scathing report that found W. Jay Abbott, former head of the FBI's Indianapolis Field Office, and an unidentified FBI agent took eight months to respond when the first allegations against Nassar arrived at their office in 2015.

'FBI failed survivors': Massive systematic failures uncovered in DOJ's Larry Nassar report

While their investigation lingered Nassar sexually assaulted at least 120 women and children, according to John Manly, an attorney who represents Nassar survivors.

The Justice Department declined to comment on the tort claims. It instead referred IndyStar to testimony by Deputy Attorney General Lisa Monaco, who told Congress in October 2021 the FBI was instituting changes "to ensure this never happens again.

Pressure on the federal law enforcement agency started to rise after IndyStar first exposed the allegations against Nassar in 2016. When the Inspector General began to review how the Indianapolis FBI conducted its investigation, Abbott and the other agent made false statements "to make it appear that they had been diligent," according to the federal government.

Abbott was also criticized for exhibiting "extremely poor judgment" because he discussed a job opportunity with USA Gymnastics at the same time his agency was looking into the Nassar allegations.

More on Nassar: Indianapolis FBI leader eyed head USA Gymnastics job after sitting on Nassar allegations

'This is not over': Gymnasts speak out, demand action after reported FBI failure in Nassar investigation

The Justice Department declined to bring criminal charges against the agents.

'The FBI failed survivors'

"It's obvious that the FBI failed survivors in all of this," French told IndyStar in July 2021, when the Justice Department investigation was released. "They put financial gain and the possibility of an opportunity for future employment in front of athletes, of children, of survivors — and that's incredibly disappointing to me."

The report focused heavily on the Indianapolis Field Office, but it also pointed to failures by three other agency divisions in Detroit, Los Angeles and Portland, Maine.

With no criminal sanctions in the works, legal experts previously told IndyStar that Nassar survivors might have success with a lawsuit against the FBI.

Re: Failings of Indianapolis FBI in Nassar investigation cast a cloud over other cases

Federal law provides broad protections that shield government agencies and their employees from lawsuits, but survivors could argue that the agents' actions — particularly their false statements to the Office of Inspector General — eroded that shield.

More coverage: Nassar survivors may have luck suing FBI over mishandling, experts say "It would be an uphill battle," Indiana University law professor Jody Madeira said, "but not insurmountable."

A tort claim is the first step survivors must take if they want compensation from the federal government. Once the FBI issues a response, they can decide if they want to file a lawsuit in federal court.

Attorney Jamie White said Thursday they already have a lawsuit drafted.

He also said he expects more survivors will soon follow the 13 women.

"I do think that we're going to see several more claims," White said.

A copy of the Inspector General's investigation can be found below.

IndyStar reporter Tim Evans contributed.

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