

CNN News Central

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EVAN PEREZ: [B]ut the bottom line is this. The investigation found that the FBI failed in many, many ways, things that we already knew from a previous inspector general report and I'll read you just a part of it, of John Durham's conclusion: "He says based on the review of Crossfire Hurricane and related intelligence activities, we conclude that the department and the FBI failed to uphold their important mission of strict fidelity to the law in connection with certain events and activities described in this report." This is the top line finding from John Durham, who was taking a look at what the FBI was doing and what the intelligence community was doing. In the end, he doesn't suggest any changes that the FBI and the Justice Department need to do. He says that there are plenty of rules and regulations in place that the FBI just needs to do a better job of following. One of the interesting things that we did uncover here, obviously, the suspicion of the people in the Trump world, in the Trump campaign, obviously of the White House and — and Bill Barr, the attorney general who did appoint John Durham to appoint the legislation, they believe that there was this massive conspiracy of spying by the FBI, by the intelligence community of the — of Trump and campaign, but one of the things we did find was there was an instance where the FBI sent a confidential source into a Clinton campaign fundraising event, apparently trying to get some information about possibilities there were some big promises being made to a foreign government, So, a lot of things — we're still going through this more than 300 pages of this report and we'll come back to you with more of these filings, but John Durham's report, four years in the making is finally in the hands of the public and finally in the hands of Republican members of Congress who say they want to learn more.

BORIS SANCHEZ: So, Evan, I just want to reiterate two of the key takeaways that you noted. First, Special Counsel Durham saying the FBI should never have launched its investigation into connections between Donald Trump's campaign and Russia during the 2016 election, but simultaneously, the special counsel did not recommend any new charges against any individuals or any changes to the way that the FBI handles politically charged investigations. So, those two key takeaways, very important here and this does not —

PEREZ: Right.

SANCHEZ: — this does not fall in line with the description of the former president that we heard at the time of his expectations of the Durham probe. He was saying that former President Obama was spying on his campaign, that this was a witch hunt, a deep state-coordinated effort about his connections to Russia. This Durham report doesn't get anywhere near those allegations from the former president, right?

PEREZ: Anywhere near those — those accusations from the former President and certainly from the former attorney general who appointed Durham who thought that there was something here and to — to reiterate what you just mentioned, you know, the report does say that the Justice Department and the FBI did have a — a- — duty to look into those original tips that began it's

investigation — [DIRECTV SIGNAL GOES OUT FOR 35 SECONDS] — and there are no more additional charges being recommended against anyone, not the FBI, not Jim Comey, not Barack Obama or Hillary Clinton. No one in the campaign is being charged with anything. What we do know is, obviously, there was a charge against a former FBI lawyer who did falsify some parts of a FISA application on Carter Page. This is an aide to the former President — to the campaign of Donald Trump and there was, of course, a charge against a lawyer, a false statements charge who was prosecuted against a former lawyer who was working for the Clinton campaign. Again, this was an outside lawyer and, in that case, the jury acquitted him. That was Michael Sussmann. We do know, obviously, that this investigation has concluded and what John Durham is that he believes there was plenty done wrong here, but he's not suggesting that the FBI and the Justice Department do anything major different except adhere to the rules that are already in place.

SANCHEZ: Evan, we're going to let you get back to reading that 300-page report to bring us any further conclusions. I do just want to point out that, Attorney General Merrick Garland, in sending this over to congress, does so without additions, redactions or other modifications, so this is the actual source material handed directly over to Congress. Quite a bit different from what we saw Attorney General William Barr do with the Mueller report a few years ago. Evan Perez, thank you so much. Brianna and Jim, we're going to hand it over to you with this breaking news.

BRIANNA KEILAR: Let's bring in Elliot Williams to talk about the legal aspects of this. I mean, I think this is pretty key — right — here he says in this, we conclude that the Justice Department and the FBI failed to uphold their important mission of strict fidelity to the law in connection with certain events and activities described in this report. How bad is this for the FBI and DOJ?

ELIOT WILLIAMS: I mean, it's pretty bad. It sounds like there was sloppy work by the FBI and the Justice Department that led to the opening of an investigation here, but the question is was there the grand conspiracy that, I think, many people thought, and informed it. It doesn't look like that was there, but by any measure it looks like there was some sloppiness. No, I think the devil is going to be in the details and I really want to see what the explanation was for — for sort of the basis for how they came to that conclusion.

SCIUTTO: I don't want to equate the two, the FBI investigation and Crossfire Hurricane and this Durham investigations, but we should not there are commonalities here — right — that each started with a — quite a broad allegation of a conspiracy, that the legal work did at least now back with actual charges or many actual charges. I mean, Durham — Durham, at the end of the day, got one criminal charge, I believe for faking an e-mail, right? Can you see some of the same weaknesses —

WILLIAMS: Yeah.

SCIUTTO: — in each investigation?

WILLIAMS: Yeah. I think that's right. I mean, look, for this amount of time for there only to have been three criminal charges that were brought at all and of those three, two of them ended up in acquittals and one of them ended up in — in a plea agreement, there was not the kind of large-scale criminal accountability here they think that they would have wanted.

SCIUTTO: Just for folks at home, if they don't remember how this originated, but during the Trump administration because — driven in part by his allegations that this whole Russia investigation started by Democrats, conspiracy theory, George Soros, and many of them typical connections that were made that he was first appointed by Bill Barr then later named by special counsel to investigate the origins of the Russia investigation, the FBI, which was known by the name Crossfire Hurricane. That was the — that was the origin of this, and, at the time, having covered this, there was a great deal of, well, excitement or interest on the right that there were going to be discoveries, as you say —

WILLIAMS: Right.

SCIUTTO: — of a mass conspiracy and that criminal charges were going to follow, that portion of it, though, we should note he has found wrongdoing here — not wrongdoing or at least not meeting high standards, that vision of it did not come to be.

WILLIAMS: It simply did not. It's — and again, you know, I think there's something important to note in the law. There may be wrongdoing. There may be something that smells bad. There may be something that's irresponsible or irregular, but just simply does not lead to massive — a great number of criminal charges and that's often what you end up seeing.

SCIUTTO: I'm — I'm interested in how one of the things that is not recommended, aside from new charges, are changes about how the FBI handles politically charged investigations and the FBI has had a number of issues — right — with politically charged investigations in recent years from Hillary Clinton to this one. I wonder if you're surprised that it doesn't recommend some sort of guidance about how they would do that?

WILLIAMS: Look, I worked at the Justice Department for six years in all, ending in a pretty high level over there. There are actually a lot of safeguards built in place for protecting political investigations, starting with number one, you don't bring charges in advance of election day by about 60 days.

SCIUTTO: Exactly.

WILLIAMS: Number two, very serious matters. Also have career, not just politically appointed people working on them, they get brought to the senior career officials at the Justice Department to ensure that these kinds of things don't happen. Now, look, I will be the first to tell you people are human and make mistakes and are sometimes subject to their own biases and prejudices and so on, and you got to make sure to correct them as seems to have been the case here, in terms of recommendations, but there are a lot of checks in place to make sure problems don't arise here

SCIUTTO: It's a good point. I mean, as you know, they kept by the checks of the number of days prior to an election.

WILLIAMS: Right.

SCIUTTO: For instance, you know, the guidance of the office of legal counsel which was so key during the investigation while Trump was still in office, right? Can you pursue that? So — so I suppose we should note though there were — there were allegations of politics injected into each stage of this and he found some — well, if it's not politics, he found some standards that were not met, but the sad fact in the country today is that there are allegations of politics in virtually anything, if it rains today, there are allegations of politics. So, to your point, some standards were followed.

WILLIAMS: Look, again, people are political beings and people are allowed to have political views that they bring to the workplace, even when they work in government. The question is when do those political views infect or interfere with their ability to do their jobs in an effective manner? And, again, as I said, there are safeguards to ensure that they don't. When they happen, people should be dealt with accordingly.

SCIUTTO: Yeah.

WILLIAMS: And if frankly, if John Durham had found that people had violated the law or rules, he could have brought charges or recommended personnel changes based on folks that did act in that matter. It seems — again, I haven't read the report —

KEILAR: Yeah.

WILLIAMS: — it just dropped a second ago, but it seems that those kinds of recommendations were not made.

KEILAR: So, this is the breaking news that we are following right now. Special Counsel John Durham concluding that the FBI never should have launched the Trump-Russia probe. However, this does not go where Republicans, I think, had hoped that it would, that there was some sort of Deep State conspiracy to target Donald Trump.

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52 seconds

SARA MURRAY: Jim Jordan just tweeted he is hoping to get testimony from John Durham next week. And of course, Jordan's committee has oversight over the Justice Department, but Jordan has also presided over the investigation into what he calls the weaponization of the federal government. And so, you can imagine they want John Durham in front of their committee to talk more about, you know, why he believes that this investigation into the ties between Donald

Trump's campaign and Russian nationals should have never been opened. And you can imagine he's going to be seizing on a lot of the details on this report that are favorable to former President Donald Trump. We have seen that, you know, time and time again Now that Republicans have taken the House, that they have used these committees not only to highlight what they believe is sort of injustice in the way that the — justice is handed out by the federal government, but also to highlight efforts where they feel like Donald Trump has been unfairly targeted by the government.