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Women FBI Agent Trainees Vindicated: \$22.6M Gender Discrimination Settlement Reached

U.S. Dept. of Justice Office of Inspector General's 2022 Report Confirmed Claims of Gender Discrimination

Women Who Were Dismissed from Agent Training May Be Eligible to Reenter the Program

WASHINGTON, DC – Representatives of a proposed class of thirty-four women dismissed from the FBI's agent training program filed a motion for preliminary approval of a \$22.6 million settlement with the law enforcement agency in court today.

According to the class action lawsuit, brought by Cohen Milstein, a nationally recognized plaintiffs class action law firm, and David Shaffer Law PLLC, the FBI wrongly dismissed 34 women from the "new agent training" program between April 17, 2015 and August 10, 2024. The women allege they were terminated from the training program due to a systematic practice of intentional gender discrimination and that the dismissal process had a disparate impact on women trainees in violation of Title VII of the Civil Rights Act of 1964.

"My dream was to be an FBI agent. I interned with the FBI in college and did everything needed to qualify for a special agent role. I even became a lawyer, which the FBI considers a high value qualification for future agents. It was shattering when the FBI derailed my career trajectory. Seeing the FBI – which is supposed to represent the best of law enforcement – dismiss so many talented women from the agent training was disillusioning," said **Paula Bird**, now a practicing lawyer and **lead plaintiff** in this gender discrimination class action. "I am extremely pleased that this settlement will bring a measure of justice to the women who were unfairly dismissed. Also, I hope that through this settlement the FBI will implement changes that will give women going through agent training in the future a fair shot at their dream career."

Filed in 2019, thirteen former new agent trainees [claimed](#) that after completing months of rigorous training and passing tests of academic knowledge, physical fitness, and firearms skill, they were dismissed based on the FBI's subjective "suitability" criteria, after often hasty hearings before the agency's Trainee Review Board. Specifically, the women claimed that instructors cited them for perceived deficiencies more often than men engaged in similar behavior and judged them more harshly than their male peers. For example, Ms. Bird received a "suitability notation" for conduct which her male classmate engaged in without any such discipline. Other former female trainees noted instructors perceived them as being "weak and prone to failure" and, similarly to Ms. Bird, consistently gave them lower performance ratings for mistakes that were ignored when made by their male counterparts.

Upon becoming aware of the lawsuit in 2019, the U.S. House of Representatives Committee on the Judiciary asked the U.S. Department of Justice Office of the Inspector General to investigate the claims. On December 6, 2022, the Inspector General issued a [report](#) which "found that female NATs received a disproportionate number of Suitability Notations (SN) in several areas and were dismissed at rates higher than their overall representation in the BFTC population." The report identified particular concerns with the handling of tactical training and the underrepresentation of women in the program's instructors.

“These plaintiffs are dedicated to the FBI’s mission of law enforcement,” said **Christine Webber**, co-chair of **Cohen Milstein’s Civil Rights & Employment** practice and class counsel to the plaintiffs, “But they were also brave enough to call for the FBI to obey the law, including Title VII. Through their determination and leadership, and what we believe is a genuine desire by the FBI to turn the page on the past history of discrimination in new agent training, the parties have reached a settlement agreement that will provide a measure of relief for what these women experienced.”

In addition to monetary relief, the settlement agreement also provides that eligible class members may seek reinstatement to the FBI’s new agent training program. The FBI has also agreed to a fulsome review by two outside experts, who will work with the FBI to ensure that women seeking to become FBI agents face a fair evaluation process. This includes the eligible class members who may seek reinstatement. The settlement agreement will become effective only after approval by the U.S. District Court for the District of Columbia.

“Unfortunately, some in the settlement class may not seek reinstatement because in the years since their dismissal, they have rebuilt their careers and families elsewhere,” said **David J. Shaffer** of **David Shaffer Law PLLC**, who originally filed the suit. “As a result, the FBI has deprived itself of some genuinely exceptional talent. Nevertheless, these women should be incredibly proud of what they have accomplished in holding the FBI accountable.”

Plaintiffs in [Bird, et al. v. Garland, Case No. 1:19-cv-01581 \(D.D.C.\)](#) are represented by Christine E. Webber, Joseph M. Sellers, Rebecca A. Ojserkis, and Dana Busgang of Cohen Milstein Sellers & Toll PLLC and David J. Shaffer of David Shaffer Law PLLC. When David Shaffer filed the initial complaint in May 2019, he received support from the Times Up Legal Defense Fund at the National Women’s Law Center. Cohen Milstein joined as lead counsel in June 2019.

Media Request: This case has garnered significant media coverage. While certain plaintiffs are available to talk to the media, we ask that you respect their privacy. All media requests should be directed to our media team: cohenmilstein@berlinrosen.com

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About Cohen Milstein Sellers & Toll PLLC

Cohen Milstein Sellers & Toll PLLC, a premier U.S. plaintiffs’ law firm, with over 100 attorneys across eight offices, champions the causes of real people—workers, consumers, small business owners, investors, and whistleblowers—working to deliver corporate reforms and fair markets for the common good. We have litigated landmark civil rights and employment disputes before the highest courts in the nation and continue to actively shape civil rights and employment law in the United States. For more information, please visit <https://www.cohenmilstein.com>.

About David Shaffer Law PLLC

David Shaffer specializes in civil rights cases on behalf of women, minorities, and individuals with disabilities in nation-wide class actions against federal law enforcement agencies, such as the FBI, ATF, and Secret Service, as well as individuals with disabilities in seeking accommodations in the workplace. For more information, please visit: <https://davidshafferlaw.com/>, email to david.shaffer@davidshafferlaw.com, or call directly to 202-210-7424.