

WHY WAS OMAR MATEEN RESEARCHING SPECIFIC LAW ENFORCEMENT OFFICES BEFORE HIS ATTACK?

Yesterday, I pointed out that the two informants the FBI apparently used against the Orlando killer, Omar Mateen, had not succeeded in getting him to do something they could arrest him for. Later yesterday, Olivier Knox asked Ranking Member of the House Intelligence Committee Adam Schiff about FBI's attempted sting, and Schiff confirmed FBI had tried one that "did not result in additional evidence that could be used to either keep the file open or bring charges."

Knox: The FBI in the past, when they've been alerted to people with potentially violent proclivities, potential terrorists, has dug into those cases and using informants has led people to take steps that led to their arrest, whether it's setting up a sting operation in which they pretend to sell them weapons or explosives or the rest of it. Why didn't that happen here?

Schiff: Well, it appears that it did happen here. I think the Director has acknowledged publicly that they ran a confidential source against this person to see whether he had any active intent to go beyond these expressions of radicalism, whether he was attempting to find confederates to work with him. And as a result of that nothing materialized. And that would indicate, at least it did seem to have indicated to the Bureau that the comments and the explanation that he gave for the comments may have had validity. So, in

fact, sometimes when you run a source against a target, they will make their expressions of criminal intent very clear and they'll take overt steps to carrying out a plot. Other times, it becomes clear that the person has no intent to commit harm and there's no basis to continue an investigation. Here, apparently, the use of the confidential source did not result in additional evidence that could be used to either keep the file open or bring charges.

I wish, with this confirmation, Schiff had committed to ask more questions about this. We need to try to understand why FBI's sting didn't work here, because if stings don't work for the actual terrorists FBI shouldn't be doing them (this is a point that bizarrely did not get raised in this apology for stings from Politico).

Among several potential explanations for why the attempted sting against Mateen did not work, I suggested that, "The process of being investigated – and interviewed 3 times – actually further pissed off Mateen, leading him closer to violence."

That possibility is one reason I'm very interested in this detail, from a story on Mateen's Facebook searches in the months leading up to his attack (Fox took it out of the story since last night but it remains in Ron Johnson's letter to Facebook).

My staff has also learned that Mateen apparently used Facebook to conduct frequent local law enforcement and FBI searches, including searching for specific law enforcement offices.

In addition to pledging allegiance to ISIS the morning of the attack and researching the San Bernardino couple, Mateen was closely tracking

local and FBI law enforcement.

Now, maybe he was just doing that because he wanted to get a job as a cop. Maybe he did it because he wanted to know who was tracking him.

But couple it with two more data points. First, FBI and Florida law enforcement are defying Florida's open records laws and withholding documents they normally would release quickly, including both Mateen's several 911 calls but also any records of prior investigation of him or his family.

The *Tampa Bay Times*, for instance, asked the Department of Agriculture for information about Mateen's security guard license, which he obtained almost a decade ago. A spokeswoman at the agriculture department says the FBI and Florida Department of Law Enforcement must authorize the information's release.

The *Times* also reached out to the Fort Pierce Police Department asking for all cases in which Mateen, his relatives and others were named as a suspect, victim or witness. In response to this routine request, the agency refused and said the documents are part of an active criminal investigation.

Two dozen media outlets have asked the Orlando Police Department for 911 calls and radio communications. The city will not release these communications.

Add in the news (which is likely periphery to Mateen's motivations but possibly not the refusal to share public records) that the cops responding to Mateen's attack may have killed some of the dead.

Orlando Police Chief John Mina and other law enforcement officers offered new details about the shooting, including the possibility that some victims may

have been killed by officers trying to save them.

"I will say this, that's all part of the investigation," Mina said. "But I will say when our SWAT officers, about eight or nine officers, opened fire, the backdrop was a concrete wall, and they were being fired upon."

[snip]

An off-duty police officer working at the club Sunday night was investigating an underage drinker outside when he heard gunshots inside, according to the law enforcement source. The off-duty officer ran inside the club and traded gunfire with Mateen, backed up soon by three other police officers, the source said.

The officers fired at Mateen, who retreated into a bathroom toward the rear of the club.

"Those additional officers made entry while the suspect was shooting," Mina said. "They forced him to stop shooting and retreat to the bathroom where we believe he had several hostages."

The SWAT team, at least, was in body armor. Yet even admitting the possibility cops added to the casualties doesn't explain how so many people got killed.

It is very important we understand what relationship FBI – and other law enforcement – had with Mateen leading up to the attack, partly to learn whether his attack was partly backlash against these serial attacks. Yet, amid a flood of self-serving leaks from the FBI, that's one thing we're not getting.