

17 (U) OTHERWISE ILLEGAL ACTIVITY (OIA)

17.1 (U) OVERVIEW

(U//FOUO) Otherwise Illegal Activity (OIA) is conduct in the course of duties by an FBI employee (to include an undercover employee (UCE)) or a confidential human source (CHS) which constitutes a crime under local, state, or federal law if engaged in by a person acting without authorization. OIA can be authorized for an FBI employee or CHS to obtain information or evidence necessary for the success of an investigation under the following limited circumstances: (i) when that information or evidence is not reasonably available without participation in the OIA; (ii) [REDACTED]

[REDACTED] or (iii) when necessary to prevent serious bodily injury or death. Certain types of OIA cannot be authorized, such as participation in conduct that would constitute an unlawful investigative technique (e.g., an illegal wiretap) or participation in an act of violence. In this context, "participation in an act of violence" does not include acts taken in self-defense and defense of others by the FBI employee or CHS because such actions would not be illegal.