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LDAD Files Ethics Complaint against FBI Special Agent Hugh Raymond Evans

Lawyers Defending American Democracy, along with a group of prominent lawyers, has filed an ethics complaint with the Disciplinary Commission of the Alabama State Bar against Hugh Raymond Evans, a member of the Alabama bar who serves as a special agent of the Federal Bureau of Investigation.

The complaint concerns the sworn affidavit Mr. Evans submitted to a U.S. Magistrate Judge in January 2026 to obtain a search warrant for 2020 election records held by Fulton County, Georgia. The FBI executed the warrant on January 28, 2026, seizing more than 650 boxes of ballots and other election materials. The complaint alleges that the affidavit withheld from the court material information: that Georgia election authorities had already investigated and rejected the very allegations on which it relied – a critical fact that was not included in the affidavit.

The complaint alleges that:

- Mr. Evans's affidavit rested on five claimed "defects" in Fulton County's handling of the 2020 election that were essentially the same allegations previously reviewed by the Georgia Secretary of State's Investigations Division and the Georgia State Election Board.
- Those Georgia authorities, in investigations concluded in 2022 and 2024, found the allegations unsubstantiated, "simply incorrect," or immaterial to the accuracy of the election results. One concerned ballot images that Georgia law did not require counties to retain in 2020.
- The affidavit did not disclose to the Magistrate Judge the existence of those investigations or their findings, presenting the allegations as credible when state authorities had concluded otherwise.

The complaint states that these omissions violated Alabama Rules of Professional Conduct 8.4(c), which prohibits conduct involving dishonesty, deceit, or misrepresentation, and 8.4(d), which prohibits conduct prejudicial to the administration of justice. Although Mr. Evans was acting as an FBI agent rather than as a lawyer, the Alabama rules apply to members of the bar whether or not the conduct occurs in the course of representing a client, and disciplinary authorities elsewhere have sanctioned lawyer-law enforcement officers for omitting material facts from sworn affidavits.

The complaint also describes the harm to the public from the seizure, which drew national attention after the involvement of Director of National Intelligence Tulsi Gabbard and President Trump, and from election denialism more broadly. Despite the FBI assigning some 260 analysts

to examine the seized records, no further legal action has been taken in the more than eight months since the seizure. The complaint asks the Commission to investigate and impose appropriate discipline.

“A search warrant affidavit is a sworn statement to a judge, and a judge can only be as fair as the facts put in front of her. Telling a court only the half of the story that supports a search is not candor. Lawyers who hold a bar license carry that duty of honesty with them, whatever badge they wear,” said Jim Moliterno an LDAD volunteer and a principal author of the complaint.

Scott Harshbarger, the chair of LDAD’s board and a former two-term Attorney General, noted, “The seizure of a county’s election records by federal agents is an extraordinary step. When it rests on claims that state election officials had already investigated and rejected, and the court is never told so, public confidence in both our elections and our courts suffers. That conduct deserves a full investigation.”

The ethics complaint is available here.

Lawyers Defending American Democracy (LDAD) is a nonprofit, nonpartisan organization that mobilizes lawyers to protect democracy, the rule of law, and the justice system. LDAD remains a pioneer in the meticulous work of preparing and filing detailed ethics complaints with state bar disciplinary authorities, seeking to hold accountable attorneys who have violated the rules of professional responsibility in service of efforts to undermine core principles of our Constitution and the rule of law. LDAD frequently files in coalition with key partners, including renowned ethics practitioners, and seeks accountability *only* where the record, legally and factually, strongly supports the case that an investigation by the state disciplinary authorities is merited.

In 2026, LDAD has participated in the filing of ethics complaints against former Attorney General Pamela Bondi, then Acting Attorney General Todd Blanche, a personal lawyer to the President, Boris Epshteyn, Senior DOJ official Drew Ensign, United States Attorney Jeannine Pirro, and FBI agent and attorney Hugh Evans.

Detailed information about LDAD’s past accountability work can be reviewed in its 2025 Year-End Report: Meeting the Moment in an Unprecedented Year, its 2024 Year-End Report: A Year in Review, and Defending Democracy: Our First Four Years.

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Lawyers Defending American Democracy (LDAD) is a nonpartisan 501(c)(3) organization composed of attorneys, law professors, former judges, and former government officials dedicated to preserving the rule of law, constitutional democracy, and the independence of the legal profession. LDAD's work includes filing amicus briefs, authoring Calls to Action, presenting public education programs, and encouraging lawyers and the public to speak out against threats to the rule of law and our democratic institutions. LDAD's nationwide Meeting the Moment *initiative mobilizes lawyers across the country to engage with their communities in defense of constitutional democracy. For more information, visit* ***www.ldad.org***