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**FORMER FBI AGENT SENTENCED IN MANHATTAN FEDERAL
COURT TO ONE YEAR AND ONE DAY IN PRISON FOR MAKING
FALSE STATEMENTS**

Preet Bharara, the United States Attorney for the Southern District of New York, announced that ADRIAN BUSBY, a former Special Agent with the New York Division of the Federal Bureau of Investigation ("FBI"), was sentenced today in Manhattan federal court to one year and one day in prison for making false statements. BUSBY was convicted in November 2011 after a five-day jury trial. U.S. District Judge Harold Baer, Jr. presided over the trial and imposed today's sentence.

Manhattan U.S. Attorney Preet Bharara said: "Adrian Busby told lie after lie to cover up his ethical breaches, betraying both his oath of office and his fellow agents. His punishment is both appropriate and just."

According to the trial evidence and other documents filed in the case:

In early 2008, BUSBY signed up a woman who was the target of an identity theft case being prosecuted by the New York City Police Department ("NYPD") and the Queens County District Attorney's Office as an FBI confidential source (the "Confidential Source"). When he signed up the Confidential Source, BUSBY certified on an FBI form that she was not the subject or target of any investigation. In fact, mere days before making this representation on the form, BUSBY had called both the lead NYPD detective and the Queens Assistant D.A. investigating the identity theft case to try to convince them to halt an ongoing investigation of the Confidential Source. Notwithstanding BUSBY's efforts, the Confidential Source was ultimately indicted and convicted on felony charges in Queens County.

BUSBY was intimately involved with the Confidential Source and helped her prepare her defense by divulging confidential witness reports and grand jury materials, in violation of FBI rules. For example, BUSBY supplied the Confidential Source and her defense attorney with copies of confidential FBI and Internal Revenue Service ("IRS") reports of interviews he and other agents had conducted as part of a separate federal mortgage fraud investigation related to her case, and supplied them with secret information gathered pursuant to federal grand jury subpoenas. In addition, he unsuccessfully lobbied his supervisor and an Assistant U.S. Attorney in another office for permission to testify on the Confidential Source's behalf at her trial, and

repeatedly asked the Assistant U.S. Attorney to ask the Queens Assistant D.A. to dismiss the case against her. After the Confidential Source was convicted at trial, BUSBY contacted the main witness who had testified against her, and insisted that the witness submit to an interview with him at his FBI office.

In December 2009, when BUSBY's supervisor learned that confidential FBI and IRS reports had been disclosed to the Confidential Source's attorney, she confronted BUSBY, who denied having done so. He subsequently put that denial in writing, stating that he must have accidentally left copies of the reports in the lawyer's office. As BUSBY's actions were coming under closer scrutiny, allegations came to light that he had had an inappropriate sexual relationship with the Confidential Source. When his supervisor asked about these allegations, BUSBY denied them as well.

In April 2011, after the U.S. Department of Justice Office of Inspector General ("DOJ-OIG") began investigating him, BUSBY attended a meeting with DOJ-OIG and a prosecutor with the U.S. Attorney's Office for the Southern District of New York. During that meeting, BUSBY claimed that he had not known the Confidential Source was under investigation when he signed her up, and that he did not begin any sexual relationship with her until after she was no longer an FBI source. BUSBY also repeated his false claim that he had not intentionally given any FBI or IRS reports to her attorney.

BUSBY was charged and convicted of making four false statements: (i) lying to the FBI on the January 2008 form opening the Confidential Source; (ii) lying to the FBI in December 2009 about whether he had intentionally given FBI reports to the Confidential Source's attorney; (iii) lying to DOJ-OIG in April 2011 about whether he knew the Confidential Source was under investigation when he had signed her up as a source; and (iv) lying to DOJ-OIG in April 2011 about whether he had intentionally given the FBI reports to the Confidential Source's attorney. The evidence presented at trial included text messages BUSBY sent the defense attorney and witness testimony, including testimony from the defense attorney.

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In addition to the prison term, Judge Baer sentenced BUSBY, 38, of El Paso, Texas, to one year of supervised release and ordered him to pay a \$400 special assessment fee. BUSBY is scheduled to surrender on May 15, 2012.

Mr. Bharara thanked the DOJ-OIG and the Queens County District Attorney's Office for their assistance in the investigation.

The case is being handled by the Office's Public Corruption Unit. Assistant U.S. Attorneys Alvin Bragg and Sarah McCallum are in charge of the prosecution.

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