



U.S. Department of Justice

***United States Attorney
Eastern District of Arkansas***

FOR IMMEDIATE RELEASE
April 9, 2010

**CONTACT: Jane W. Duke
United States Attorney
501-340-2600**

**FORMER ATF SPECIAL AGENT INDICTED FOR
DRUG OFFENSES AND MONEY LAUNDERING**

Little Rock – Jane W. Duke, United States Attorney for the Eastern District of Arkansas; James E. Finch, Special Agent in Charge, Federal Bureau of Investigation (FBI), Oklahoma City Division; and Wayne D. Beaman, Special Agent in Charge, Department of Justice Office of the Inspector General, Dallas Field Office, announced today the arrest of Brandon Jay McFadden, a former special agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”). McFadden, age 33, of Lubbock, Texas, was indicted by a grand jury for the Northern District of Oklahoma on April 7, 2010. The four-count indictment, which remained sealed until McFadden’s initial appearance today, charges McFadden with conspiracy to distribute methamphetamine, cocaine, and marijuana; possessing methamphetamine with intent to distribute; possessing a firearm during a drug trafficking offense; and money laundering.

According to the indictment, from July 2002 through approximately September 2009, McFadden was employed as a special agent with the ATF and stationed at the ATF’s Resident Agency in Tulsa, Oklahoma. During that time, McFadden regularly investigated potential firearms and drug trafficking offenses. The indictment alleges that beginning in January 2007, and continuing through October 2008, McFadden conspired with other individuals to distribute marijuana, powder cocaine, and methamphetamine in the Northern District of Oklahoma. As part of that conspiracy, McFadden is alleged to have planted drug evidence on suspects; stolen drugs and money from suspects; and testified falsely in court. The money laundering count charges McFadden with using proceeds of the drug trafficking to purchase a Chevrolet Silverado on June 8, 2007.

“When any law enforcement officer betrays the oath to protect; serve; and uphold the law, he tarnishes the badge of all law enforcement, violates the trust of the people and therefore should be prosecuted to the fullest extent of the very laws he has broken,” said Finch.

"Department of Justice law enforcement officials are expected to maintain the highest level of integrity, and allegations that an official has engaged in criminal misconduct are vigorously investigated by the Office of the Inspector General," stated Beaman.

If convicted of the drug conspiracy, McFadden faces a potential sentence of not less than 10 years imprisonment and up to life. The offense of possessing methamphetamine with intent to distribute carries a potential sentence of not more than 20 years imprisonment. Under federal law, a conviction for carrying and possessing a firearm during and in relation to a drug trafficking offense carries a mandatory consecutive sentence of 5 years imprisonment. Finally, the offense of money laundering is punishable by up to 20 years imprisonment. Duke noted that the investigation is ongoing and additional charges and/or defendants are certainly possible.

This case was investigated by agents of the Federal Bureau of Investigation and the Department of Justice - Office of Inspector General. The United States Attorney's Office for the Eastern District of Arkansas was appointed by the Department of Justice to handle this matter upon the recusal of the United States Attorney's Office for the Northern District of Oklahoma. The case is being prosecuted by United States Attorney Jane Duke, Assistant United States Attorney Patrick Harris, and Assistant United States Attorney Patricia Harris.

An indictment is only an allegation of wrongdoing based on probable cause. A defendant is presumed innocent until such time as he or she is adjudged guilty either by plea or jury verdict.

###