

Former FBI Supervisory Special Agent Pleads Guilty to Criminally Accessing FBI Database

Washington, D.C.— December 8, 2008 — Mark T. Rossini, a former Supervisory Special Agent of the Federal Bureau of Investigation ("FBI"), pled guilty today to five separate counts of criminally accessing a sensitive FBI database for personal purposes, U.S. Attorney Jeffrey A. Taylor and Department of Justice (DOJ) Inspector General Glenn A. Fine announced today. The conviction was the result of investigative efforts that were initiated by a referral from the U.S. Attorney's Office for the Central District of California to the Department of Justice Office of the Inspector General.

Rossini, a resident of New York, N.Y., pled guilty to five counts of Criminal Computer Access in the U.S. District Court for the District of Columbia before the Honorable Magistrate Judge John M. Facciola, and faces a maximum sentence of up to five years of incarceration and a \$500,000 fine. According to the federal sentencing guidelines, Rossini would likely receive a sentence of between zero and 6 months. Rossini, an FBI Special Agent since 1991, has resigned from the FBI. Sentencing has been set for March 13, 2009.

According to the Statement of Offense to which Rossini pled guilty, between January 2007 and July 2007, Rossini made over 40 searches of the FBI's Automated Case Support System (ACS), which contains confidential, law-enforcement sensitive information that relates to historic and on-going criminal investigations initiated by, and supported by, the FBI. Each of these searches exceeded the defendant's authorized use of the ACS system, and was not part of any of his assigned work. Many of Rossini's improper searches related to the criminal case of United States v. Anthony Pellicano (Pellicano case), an on-going criminal case that is being prosecuted in the U.S. District Court for the Central District of California (Los Angeles). That case is pending sentencing. Rossini was never assigned to work on the Pellicano case, and he had no official reason to search the ACS for these records. By making these searches, and reviewing the result of these searches, Rossini obtained official and confidential information that he was not authorized to obtain. The five charges that Rossini pled guilty to today represent separate and independent criminal acts of criminal computer access of the ACS system.

As set forth in the Statement of Offense, on January 26, 2007, Rossini improperly downloaded a copy of a confidential informant's FBI report the contained information relevant to the Pellicano matter. Rossini provided a copy of the report to X, a person with whom Rossini had a close personal relationship. X also had a previous relationship with Anthony Pellicano, and X provided a copy of the FBI report to an attorney for Anthony Pellicano in San Francisco, California. The FBI report was filed by Mr. Pellicano's attorneys in the Pellicano case to the court that the United States was improperly withholding exculpatory information from the defense in that case. Unbeknownst to Mr. Pellicano's attorneys, in November 2006, the judge in the Pellicano case had previously ruled, *ex parte*, that the 302 report was not exculpatory to Mr. Pellicano's defense.

Despite news coverage of Rossini's possible connection the Pellicano case in July 2007, Rossini consistently informed his supervisors that those news stories were completely false. On February 25, 2008, Rossini was interviewed by agents from the DOJ Office of the Inspector General, and he intentionally lied to these agents. Among his false statements, Rossini falsely denied that he obtained FBI information without authorization, or that he provided any FBI information to persons outside of the FBI, or to X.

In announcing today's guilty plea, U.S. Attorney Taylor and Inspector General Fine praised the hard work and persistence of the investigative agents who worked this matter on behalf of the Department of Justice's Office of the Inspector General. In addition, they extended their thanks to the assistance provided by the U.S. Attorney's Office for the Southern District of California, particularly Assistant U.S. Attorney Robert Ciaffa, and Investigators Timothy Fitzsimmons and Jeremy Crider. They also acknowledged the efforts of Legal Assistant Lisa Robinson, as well as Assistant U.S. Attorney Tejpal S. Chawla who is prosecuting this matter.