

Former High-Ranking DEA Special Agent And Current DEA Agent Convicted For Bribery Scheme

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For Immediate Release

U.S. Attorney's Office, Southern District
of New York

DEA Agent John Costanzo Jr. Convicted of Accepting Bribes from Former DEA Assistant Special Agent in Charge Manuel Recio in Exchange for Sharing of Sensitive, Nonpublic DEA Information

Damian Williams, the United States Attorney for the Southern District of New York, announced yesterday that JOHN COSTANZO JR., a Drug Enforcement Administration (“DEA”) Special Agent currently on leave, and MANUEL RECIO, a former DEA Assistant Special Agent in Charge, were convicted of conspiracy to bribe a public official, conspiracy to commit honest services wire fraud, and honest services wire fraud, for a scheme in which RECIO funneled tens of thousands of dollars to COSTANZO in exchange for COSTANZO providing sensitive law enforcement information to assist RECIO in recruiting clients for defense lawyers. In addition, COSTANZO was convicted of accepting bribes from RECIO, and RECIO was convicted of giving bribes to COSTANZO. The verdict followed a 12-day trial before U.S. District Judge J. Paul Oetken.

U.S. Attorney Damian Williams said: “John Costanzo, a DEA Special Agent on leave, and Manuel Recio, a former DEA Assistant Special Agent in Charge, trafficked sensitive, nonpublic, confidential law enforcement information in exchange for cash and other valuable financial benefits. In doing so, they endangered public safety by

disclosing the timing of sealed indictments and arrests of DEA targets. Recio and Costanzo were convicted by a unanimous jury for their brazen violation of the public's trust and for providing information that could have put their former colleagues and others in harm's way. This case underscores that corruption in the ranks of any law enforcement agency will be met with zero tolerance, and we stand with the overwhelming majority of law enforcement officers who carry out their service with integrity and honor."

According to the evidence presented in court during the trial:

JOHN COSTANZO JR. is a DEA special agent most recently assigned to DEA Headquarters. He was a Group Supervisor in the DEA's Miami Field Office until June 2019. MANUEL RECIO is a former DEA special agent who retired as the Assistant Special Agent in Charge for the Miami Field Office in November 2018. Upon his retirement, RECIO began operating his own business, which provided private investigative services to criminal defense attorneys and also helped defense attorneys to recruit clients. From around the time of RECIO's retirement through around November 2019, RECIO agreed with COSTANZO to provide benefits to COSTANZO in exchange for COSTANZO providing RECIO with nonpublic information about DEA investigations. COSTANZO provided RECIO with information about nonpublic investigations, such as the identities of individuals charged and the anticipated timing of indictments and arrests, and intelligence which COSTANZO obtained from the Narcotics and Dangerous Drugs Information System ("NADDIS"), a DEA database that contains information about individuals who are or have been under investigation by the DEA. RECIO paid COSTANZO for this information, which RECIO used to help recruit new clients for criminal defense attorneys.

Among the benefits paid to COSTANZO were a \$2,500 payment made in November 2018, shortly after RECIO's retirement from the DEA, which was funneled to COSTANZO through a company owned by a close family member of COSTANZO. At the same time that this payment was made, RECIO began asking COSTANZO to run searches in NADDIS to provide RECIO with nonpublic DEA information about DEA targets and investigations. Following that initial payment, RECIO and others continued to provide benefits to COSTANZO, including tens of thousands of dollars that were funneled from RECIO through a company created by a DEA task force officer and \$50,000 that was paid to COSTANZO through a close family member for COSTANZO's purchase of a condominium in January and February 2019.

In return, COSTANZO continued to provide nonpublic DEA information to RECIO, including information about the timing of forthcoming indictments and information about DEA arrest

plans of particular targets. COSTANZO also searched NADDIS for names of particular individuals requested by RECIO on dozens of occasions during the scheme and provided RECIO with information and assistance with particular charged defendants represented by attorneys for whom REICO was working. During the scheme, COSTANZO and RECIO took steps to conceal the existence of the scheme, including by structuring the payments from RECIO to COSTANZO through third parties and through COSTANZO's use of a cellphone provided by RECIO for communications related to the scheme.

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COSTANZO JR., 48, of Arlington, Virginia, and RECIO, 54, of Miami, Florida, were each convicted of one count of conspiracy to commit bribery, which carries a maximum term of five years in prison, and one count of receiving or paying a bribe, respectively, which carries a maximum term of 15 years in prison. COSTANZO and RECIO were also convicted of one count of conspiracy to commit honest services wire fraud and one count of honest services wire fraud, each of which carries a maximum term of 20 years in prison.

The maximum potential sentences in this case are prescribed by Congress and is provided here for informational purposes only, as any sentencing of the defendants will be determined by the judge.

Mr. Williams praised the outstanding investigative work of the Federal Bureau of Investigation and the Department of Justice Office of the Inspector General and thanked the DEA's Office of Professional Responsibility for its support in this matter.

The prosecution is being handled by the Office's Money Laundering and Transnational Criminal Enterprises Unit. Assistant U.S. Attorneys Mathew Andrews, Emily Deininger, Sheb Swett, Nathan Rehn, and Sarah Mortazavi are in charge of the prosecution, with the assistance of Paralegal Specialists Dean Iannuzzelli and Nerlande Pierre.

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Topic

PUBLIC CORRUPTION