



JEFFREY A. TAYLOR
United States Attorney for the
District of Columbia

Judiciary Center
555 Fourth Street, NW
Washington, D.C. 20530

NEWS RELEASE

FOR IMMEDIATE RELEASE
Thursday May 14, 2009

For Information Contact:
Public Affairs
Channing Phillips (202) 514-6933
<http://www.usdoj.gov/usao/dc>

Former Federal Bureau of Investigation (FBI) Supervisory Special Agent Mark Rossini Sentenced for Criminally Accessing FBI Database

Washington, D.C. - Mark T. Rossini, a former Supervisory Special Agent of the Federal Bureau of Investigation ("FBI"), was sentenced today to one-year of probation after previously pleading guilty 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. 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., was sentenced on five counts of Criminal Computer Access in U.S. District Court for the District of Columbia by the Honorable Magistrate Judge John M. Facciola. Judge Facciola sentenced Rossini to one year of probation, and ordered him to perform 250 hours of community service, pay a \$5,000 fine, and refrain from obtaining a security clearance or employment with Federal, state, or local law enforcement without permission of the Court. Rossini, an FBI Special Agent since 1991, resigned from the FBI in November 2008 as part of his plea agreement.

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 were 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 actively being prosecuted in U.S. District Court for the Central District of California (Los Angeles). 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 to today represent separate and independent criminal acts of criminal computer access of the ACS system.

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 to 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 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 sentence, U.S. Attorney Taylor, and Inspector General Fine praised the hard work and persistence of the investigative agents involved in this matter, especially the Special Agents of the DOJ 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 prosecuted this matter.

###

09-118