



Department of Justice

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ATF AGENT SENTENCED ON MULTIPLE FELONY CHARGES INVOLVING THEFT, FRAUD AND FIREARMS VIOLATIONS

Clifford Dean Posey To Spend 37 Months in Federal Prison

RICHMOND, VIRGINIA -- A former special agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives who previously pled guilty to a variety of federal crimes that occurred in the course of his official duties, was sentenced this morning in the United States District Court for the Eastern District of Virginia.

Clifford Dean Posey, 43, of Chesapeake, Va., previously pled guilty to one count of wire fraud, one count of embezzlement, one count of possessing or receiving stolen firearms, one count of making a false statement and one count of money laundering. This morning in U.S. District Court, Posey was sentenced to 37 months in prison and two years of supervised release thereafter.

“When he became an ATF agent, Clifford Posey took an oath to uphold the law,” United States Attorney Timothy J. Heaphy said today. “Mr. Posey selfishly violated his oath and used his law enforcement power for personal gain. The law became an instrument of his greed, rather than a shield for those he was sworn to protect. For his violation of public trust, Mr. Posey has been justly held accountable.”

Posey has admitted that as part of his duties he came into possession of various items of property that were under his control, including but not limited to firearms, cigarettes, tobacco products and United States currency.

Beginning no later than 2007, Posey began falsifying documents relating to firearms under his custody and control in order to embezzle and convert them to his own use. On one occasion, Posey advertised for sale a firearm that had come into his custody of by virtue of his employment.

Posey admitted that during 2010 he assisted in the investigation of illegal cigarette trafficking. The defendant obtained the access code to a storage unit containing cigarettes intended for use in undercover tobacco investigations. The defendant later contacted two potential targets of the investigation and offered to undercut the negotiated ATF price, an action the defendant was not authorized to take and one he failed to disclose to ATF, as pursuant to protocol.

Beginning in July 2010, Posey was the lead case agent in an undercover tobacco investigation and, in that capacity, was entrusted with the custody and control of cigarettes and other tobacco products. Posey admitted that on four separate occasions from September 4 through November 19, 2010, he sold cigarettes in his control by virtue of his employment, retained the proceeds and failed to report the transactions to the ATF or any other law enforcement officers working on the investigation.

Posey admitted that he falsely submitted receipt and release reports to the ATF regarding firearms. The defendant claimed in the reports that several stolen firearms were either released to the rightful owner or destroyed, when in fact the defendant had taken possession of those firearms.

The investigation of the case was conducted by the Department of Justice's Office of the Inspector General, with the assistance of the ATF and the City of Hampton Police Department. Assistant United States Attorney Joseph Mott is prosecuting the case for the United States. This case is being handled by the United States Attorney's Office for the Western District of Virginia as a recusal matter from the United States Attorney's Office for the Eastern District of Virginia.

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