

# Deputy U.S. Marshal Pleads Guilty to Obtaining Cell Phone Location Information Unlawfully

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**For Immediate Release**

Office of Public Affairs

A deputy U.S. Marshal pleaded guilty today to misusing a law enforcement service to obtain cell phone location information for personal use.

According to court documents, Adrian Pena, 49, of Del Rio, Texas, used a law enforcement service to locate individuals with whom Pena had personal relationships and their spouses. Pena obtained the cell phone data by uploading blank and random documents to a system operated by Securus Technologies exclusively for authorized law enforcement purposes. Pena falsely certified that those documents were official and that they granted Pena permission to obtain the individuals' data.

"Adrian Pena abused his position as a deputy U.S. Marshal when he used a law enforcement service to locate the cell phones of personal associates and their spouses, and then lied to cover up his illegal actions," said Assistant Attorney General Kenneth A. Polite, Jr. of the Justice Department's Criminal Division. "As this prosecution demonstrates, the Justice Department and our partners are committed to holding accountable any official who violates the public's trust and misuses sensitive law enforcement capabilities for personal ends."

Pena also lied to law enforcement during the investigation. When Pena was asked, "Other than yourself, have you ever pinged anybody using the system? You know, family members, friends, ex-girlfriend?," Pena falsely responded, "No." After the interview, Pena attempted to cover up his illegal actions by asking one of the individuals for a notarized letter. Pena then drafted a statement in the individual's name and caused the individual to sign it. The statement falsely stated that the individual granted Pena unlimited access to the individual's social media and cell phone data, including call history, text messages, and cell phone location data.

"We trust law enforcement officers to act with integrity. Instead, Pena abused his access to sensitive information for personal gain," said Special Agent in Charge Cloey C. Pierce of the Department of Justice Office of the Inspector General (DOJ-OIG) Dallas Field

Office. "The DOJ-OIG is committed to rooting out those who abuse their power and bringing them to justice."

Pena pleaded guilty to unlawfully obtaining confidential phone records. He faces a maximum penalty of 10 years in prison. A sentencing date has not yet been set. A federal district court judge will determine any sentence after considering the U.S. Sentencing Guidelines and other statutory factors.

The DOJ-OIG is investigating the case.

Deputy Chief Robert Heberle and Trial Attorney Nicole Lockhart of the Criminal Division's Public Integrity Section (PIN) are prosecuting the case, with substantial assistance from PIN Trial Attorney Alexander Gottfried.