



Department of Justice

United States Attorney Sally Quillian Yates
Northern District of Georgia

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CONTACT: Gentry Shelnett

(404)581-6056

FAX (404)581-6160

FORMER POLICE OFFICER CONVICTED OF WITNESS TAMPERING AND OBSTRUCTION OF JUSTICE

Detective Worked for Polk County Police Department

Rome, GA - A jury in federal district court has returned a guilty verdict against MARK HOWELL SPARKS, 40, of Felton, Georgia on charges of witness tampering, obstruction of justice and possession of a motor vehicle with an altered vehicle identification number (VIN).

“The defendant was a police officer who encouraged a witness to withhold information about criminal activity from law enforcement authorities,” said United States Attorney Sally Quillian Yates. “He also obstructed a criminal investigation by tipping off targets of the investigation that the witness was wearing a recording device. The defendant was trying to protect friends who he knew were involved in criminal activity. But the citizens of Polk County employed the defendant as a police officer to protect them from the criminals, not for him to protect the criminals from the police. The defendant now faces time in federal prison for tampering with a witness and obstructing justice.”

According to United States Attorney Yates, the charges and other information presented in court, in June and July 2008, SPARKS was the supervisor of the detective squad at the Polk County Police Department when an investigation into chop shop activity in Polk County was opened by the FBI and the Polk County Police Department. SPARKS was directly involved in the investigation. SPARKS was personally acquainted with several of the potential targets of the investigation. Early on in the investigation SPARKS tipped off an individual that a search warrant was going to be executed at his residence and that detectives were looking for vehicles with altered vehicle identification numbers that the individual had sold to others. SPARKS later convinced the same individual to talk to FBI agents and Polk County detectives about the primary target of the investigation being involved in chop shop activity, but at the same time the individual was to withhold information he knew about SPARKS’ friends who were also operating chop shops. SPARKS did so in an effort to derail the investigation against his friends. Based upon Sparks’ encouragement, the individual told the FBI and Polk County

detectives about chop shop activity committed by one specific target, but intentionally withheld information about other targets.

The individual agreed to wear a recording device in an effort to gather evidence against the one target about whom he provided information. Later SPARKS obstructed the investigation by telling other targets of the investigation that the individual was recording conversations and that they should not talk to him. When the individual learned that SPARKS was telling others that the individual was cooperating and wearing a recording device, the individual told FBI agents and Polk County detectives the truth about SPARKS' efforts to obstruct the investigation.

Also evidence was presented that established that during the time that SPARKS was a police officer he knowingly drove a stolen Chevrolet pick up truck that had an altered VIN plate. When SPARKS was arrested on October 6, 2009, he confessed to driving the pick up truck knowing that it was stolen and knowing that it had an altered VIN. SPARKS resigned from the Polk County Police Department in October, 2009.

The jury acquitted SPARKS on charges that he maintained a chop shop and possessed motor vehicle parts with obliterated or removed VINs.

SPARKS was indicted on these charges on March 23, 2010.

SPARKS could receive a maximum sentence of 10 years in prison and a fine of up to \$250,000 on each of the witness tampering and possession of a motor vehicle with an altered VIN charges and a maximum sentence of 5 years in prison and a \$250,000 on the obstruction of justice charge. Sentencing is scheduled for Friday October 1, 2010 at 1:30 p.m. before United States District Judge Harold L. Murphy. In determining the actual sentence, the Court will consider the United States Sentencing Guidelines, which are not binding but provide appropriate sentencing ranges for most offenders.

This case was investigated by Special Agents of the Federal Bureau of Investigation, police officers with the Polk County Police Department and law enforcement officers with the Northwest Georgia Criminal Enterprise Task Force.

Assistant United States Attorney William L. McKinnon, Jr. is prosecuting the case.

For further information please contact Sally Q. Yates, United States Attorney, or F. Gentry Shelnett, Criminal Chief, through Linda Isaac at (404) 581-6056. The Internet address for the HomePage for the U.S. Attorney's Office for the Northern District of Georgia is www.justice.gov/usao/gan.