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DEPUTY U.S. MARSHAL CHARGED WITH ILLEGALLY DISCLOSING INFORMATION ABOUT PROTECTED ORGANIZED CRIME WITNESS

CHICAGO – A Deputy U.S. Marshal was taken into custody today on a federal felony theft charge for allegedly illegally disclosing highly sensitive, confidential information about a federally-protected organized crime witness. The defendant, **John Thomas Ambrose**, was charged in a criminal complaint filed today with theft of government property for allegedly revealing information relating to the status, substance of cooperation, and travel of cooperating witness/defendant Nicholas Calabrese, while Calabrese was in the United States Marshals Service’s Witness Security Program (WSP), also known as “WITSEC.”

Ambrose, 38, a deputy marshal since January 1998, was a supervisory inspector of the U.S. Marshals Service’s Great Lakes Regional Fugitive Task Force. He was placed on administrative leave last September when he was questioned by federal agents conducting this investigation. He was scheduled to appear at 1:30 p.m. today before U.S. Magistrate Judge Michael Mason in U.S. District Court. He surrendered voluntarily earlier today at the FBI’s Chicago office, announced Robert D. Grant, Special Agent-in-Charge of the Chicago Office of the Federal Bureau of

Investigation, Gary S. Shapiro, First Assistant United States Attorney for the Northern District of Illinois, and U.S. Marshal Kim R. Widup.

“While this defendant’s conduct in revealing closely guarded and highly sensitive information regarding a protected witness constitutes an egregious breach of his law enforcement duties, the investigation, so far, has not uncovered any evidence that either this witness or any other was ever in danger, and there is no evidence that any attempt was made to harm any protected witness,” Mr. Shapiro said. “I remain confident in the integrity of the United States Marshals Service and the government’s Witness Security Program, and am grateful for the Marshals Service full participation in the investigation with the FBI, which allowed the investigation to reach this successful outcome.”

Mr. Grant said: “I am also confident that the Witness Security Program remains a vitally important resource for law enforcement and that its effectiveness is not diminished by this isolated problem. The Marshals Service participation was integral to this investigation and we didn’t hesitate to ask them to join the investigation once it began to focus on this defendant.”

According to the FBI’s detailed complaint affidavit, Nicholas Calabrese admitted to the government that he was a “made” member of the “Chicago Outfit” (also known as the “Chicago Mob”) and has provided federal law enforcement with the most expansive overview ever of Chicago Outfit murders. In 2002, he agreed to cooperate in the investigation of alleged Outfit members, including his brother Frank Calabrese, Sr., and brothers James and Michael Marcello. Nicholas Calabrese was formally admitted to the WSP in August 2002, and he was moved to a secure prison facility within the U.S. Bureau of Prisons, based upon an application prepared by federal agents and prosecutors detailing his ability to testify about 16 murders in which he

participated and 22 other murders about which he had some secondary information from others. The application also provided an analysis of the significant danger posed to Nicholas Calabrese by members of the Chicago Outfit.

The ensuing investigation resulted in the April 2005 indictment of 14 defendants in *U.S. v. Nicholas Calabrese, et al.*, 02 CR 1050, which alleges, among other crimes, a 40-year racketeering conspiracy involving 18 previously unsolved Outfit murders, often of suspected government cooperators and witnesses, between 1970 and 1986. The case against 12 remaining defendants (two others are deceased) is scheduled for trial in May 2007.

As part of his cooperation, Nicholas Calabrese was brought to the Chicago area by WSP Inspectors on two occasions: first, on October 31 - November 1, 2002, for his then-sealed court arraignment, and, second, on May 20-22, 2003, when he assisted the FBI in locating some of the murder scenes and other relevant locations. Both of these trips involved highly secret travel details to which only a handful of government personnel were privy. During both of Nicholas Calabrese's stays in Chicago, Ambrose served on the night shift security detail assigned to protect him. The affidavit explains that the role of and chain of command of WSP Inspectors is distinct from that of Deputy U.S. Marshals. WSP Inspectors occasionally request supplemental security services from Deputy U.S. Marshals, such as Ambrose, but the Deputy Marshal's role is restricted to providing a limited support function.

Between January and June, 2003, the government intercepted 11 prison conversations between James and Michael Marcello when Michael visited James, ordinarily once or twice a month, at the federal prison in Milan, Mich., where James was incarcerated. The conversations indicated that Michael Marcello had an inside source of information concerning Nicholas Calabrese.

The affidavit states that James Marcello was highly interested in learning the nature of the government's continuing investigation into his alleged criminal activities. The content of the intercepted cryptic conversations indicated that Michael Marcello's source of information was someone within federal law enforcement who had access to WSP protectees. The content of the conversations also confirmed that the source of information had access to documents and material that only a small number of individuals within the federal government would be in a position to retrieve.

In approximately five of the recorded conversations, large portions of which were coded and whispered, Michael Marcello reported to James Marcello information relating to Nicholas Calabrese that allegedly was obtained from Ambrose – including information concerning Nicholas Calabrese's whereabouts, his status as a cooperator, and the level of his cooperation. These conversations - excerpts of which are contained in the affidavit – took place on January 30, March 6, March 24, April 24, and June 12, 2003.

The affidavit states that the intercepted conversations captured Michael Marcello providing James Marcello with current details concerning Calabrese's cooperation with the government, including non-public, sensitive matters regarding organized crime homicides that were the subject of Nicholas Calabrese's May 2003 trip to Chicago. This information would have been known to a very limited number of people, including federal law enforcement officers involved in providing security to Nicholas Calabrese on that trip.

In a recorded conversation on March 24, 2003, Michael Marcello identified his inside source of information regarding Calabrese as Ambrose, not by name, but by a description that could fit no other law enforcement officer. Michael Marcello told James Marcello that this source, whom he

referred to as “the Babysitter,” was the son of a deceased defendant prosecuted in the so-called “Marquette 10” case with then Chicago police officers Frank DeRango and Individual A. Ambrose’s father, Thomas Ambrose, was the lead defendant, and Frank DeRango and Individual A were co-defendants, in *U.S. v. Ambrose, et al.*, a police corruption case commonly referred to as “the Marquette 10” case. Thomas Ambrose died in prison while serving his sentence after being convicted of bribery.

According to telephone records cited in the affidavit, on May 23, 2003, (the last day of the second Calabrese detail) Ambrose placed a 14-minute phone call to Individual A’s work telephone number. The call was made within hours of Ambrose completing his last night shift of the Calabrese protection detail, and phone records show no other calls over three minutes between Ambrose and Individual A for months prior to and after this 14-minute call, according to the complaint.

During other recorded conversations, Michael Marcello indicated that his source had access to information provided to the government by Nicholas Calabrese. According to the complaint, Ambrose’s fingerprints were recovered just last summer from the originals of the confidential documents maintained by WSP personnel in a secure location. These highly-confidential documents were within Nicholas Calabrese’s WSP file, which included details provided by Nicholas Calabrese regarding organized crime.

The January 30, 2003, recorded conversation between James and Michael Marcello was the first time that they were heard discussing Nicholas Calabrese’s cooperation. During Nicholas Calabrese’s October 31 - November 1, 2002, visit to Chicago, records concerning him, including his background, criminal history/involvement, names of individuals about whom he had provided information, murders about which he had provided first and second-hand information, and names

of individuals who could potentially pose a threat to him, were maintained in a locked cabinet within the control room located inside the secure WSP facility in Chicago.

According to the affidavit, on June 22, 2006, WSP personnel provided the FBI with the secured WSP Production File concerning Nicholas Calabrese. The FBI performed a latent fingerprint examination of the paperwork contained in this file, and two latent fingerprints identified as Ambrose's were found on two of the original WSP documents. One of the documents was included in the WSP application for Nicholas Calabrese's admission into the WSP, and Ambrose's fingerprint was found on the last page which included the signature of the U.S. Attorney.

The government is being represented by Assistant U.S. Attorneys T. Markus Funk, John Scully and Mitchell Mars.

If convicted, each charge carries a maximum penalty of 10 years in prison and a \$250,000 fine. The Court, however, would determine the appropriate sentence to be imposed.

The public is reminded that a complaint contains only charges and is not evidence of guilt. The defendant is presumed innocent and is entitled to a fair trial at which the government has the burden of proving guilt beyond a reasonable doubt.

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