

## Ex-FBI Agent Admits Lying

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LOS ANGELES, CA -- A former **FBI** agent charged with allowing classified documents to fall into the hands of his lover a woman suspected of being a Chinese double agent pleaded guilty yesterday to lying about the affair.

James J. Smith, 60, also agreed to cooperate with the government investigation. Bookspan U.S. District Judge Florence Marie Cooper said Smith faces up to five years in prison at his sentencing in January. But outside court, defense attorney Brian Sun said the sentencing guidelines indicate that his client would serve no more than six months and perhaps no time. Mr. Sun emphasized that his client admitted only that he had a sexual relationship with Katrina Leung and that he lied to the **FBI** about it.

He did not plead guilty to any counts involving mishandling of classified information. Smith was the longtime handler of Mrs. Leung, a naturalized U.S. citizen and socialite who was recruited 20 years ago to work for the **FBI** by gathering intelligence during her frequent business trips to China. Prosecutors say she began working for China in about 1990. The former **FBI** agent originally was charged with gross negligence amid accusations he allowed Mrs. Leung access to classified materials and with fraud amid accusations he filed false reports to **FBI** headquarters about her reliability. He faced 40 years in prison if convicted of those charges.

The charge to which he pleaded guilty making a false statement was added in February. Mrs. Leung, 50, is charged with taking classified documents from Smith's briefcase. She has not been accused of relaying that information to China. She faces up to 14 years in prison if convicted of illegally copying and possessing national security papers that she intended to use, or could have used, to harm the interests of the United States. She has denied the charges and is awaiting trial. Her attorneys, Janet Levine and John Vandeveld, were in court for Smith's plea. "We are happy for James J. Smith and wish him well because, as far as we are concerned, he did nothing worthy of a criminal prosecution, but neither did Katrina Leung," the attorneys said.

"Although we may have to fight to the end because the **FBI** has tried to protect its own and shift blame for their mistakes to Katrina, an outsider, a Chinese-American and a woman, we are confident that this case is much ado about nothing and Katrina Leung will be vindicated," they added. Smith, whose wife and son were in court, stood before the judge and recounted his **FBI** career, which began in 1970, his recruitment of Mrs. Leung, and the beginning of a sexual affair with her in 1983, which continued until his arrest last year.

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