October 16, 2006
OFFICE OF THE UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF CALIFORNIA
San Diego, California

United States Attorney
Carol C. Lam

For Further Information, Contact:
Assistant U. S. Attorney Mitch Dembin
619-557-5558

California Man Sentenced for Recklessly Damaging a Protected Computer Owned by his Former Employer

United States Attorney Carol C. Lam announced that Jay Vern Heim was sentenced today by United States District Judge Roger T. Benitez in federal court in San Diego. Judge Benitez first accepted as final Mr. Heim's previously tendered plea of guilty to a charge of recklessly damaging a protected computer, in violation of Title 18, United States Code, Section 1030(a)(5)(A)(ii).

According to Assistant U.S. Attorney Mitch Dembin, who prosecuted the case, in connection with his guilty plea Mr. Heim admitted that he was a founding partner and employee of Facility Automation Systems ("FAS"), a San Diego company that installs and maintains building automation systems. He left FAS in March 2005. Mr. Heim further admitted that on January 26, 2006, he used the username and password assigned to FAS for its Internet domain, facilityautomationsystems.com, and redirected all FAS Internet traffic, including electronic mail, to a server at Mr. Heim's new employer, the Moreno Valley Unified School District. Mr. Heim knew that redirecting the traffic to that server would make FAS' web site and electronic mail services inaccessible. The cost to FAS in lost productivity and restoring services exceeded $6,000.

Mr. Heim was sentenced to two years of probation and required to pay a $500 fine in addition to having to make restitution to his victim, Facility Automation Systems, in the amount of $6,050.

This case was investigated by Special Agents assigned to the Cybercrime Squad of the San Diego Division of the Federal Bureau of Investigation.

Case Number: 06cr1544BEN

DEFENDANT
Jay Vern Heim, Winchester, California, Age: 47

SUMMARY OF CHARGE
One Count - Title 18, United States Code, Section 1030(a)(5)(A)(ii) (Recklessly Causing Damage to a Protected Computer)

AGENCY
Federal Bureau of Investigation

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