Department of Justice

Office of Public Affairs

FOR IMMEDIATE RELEASE Friday, November 12, 2010

Tennessee Man Sentenced for Illegally Accessing Former Governor Sarah Palin's E-Mail Account and Obstruction of Justice

WASHINGTON – David C. Kernell, 23, today was sentenced to one year and one day in prison for intentionally accessing without authorization the e-mail account of former Alaska governor Sarah Palin and obstruction of justice, announced Assistant Attorney General Lanny A. Breuer of the Criminal Division and U.S. Attorney William C. Killian for the Eastern District of Tennessee. U.S. District Judge Thomas W. Phillips also imposed a three-year term of supervised released. In imposing the prison sentence, Judge Phillips recommended service at Midway Sanction Center, but noted that the Bureau of Prisons would decide where Kernell would serve his sentence.

On April 30, 2010, after a week-long trial, a jury found Kernell guilty of one count of misdemeanor unauthorized access to obtain information from a computer and one count of obstruction of justice. The jury found Kernell not guilty of wire fraud. The jury could not reach a verdict on the identity theft charge and the judge declared a mistrial as to that charge.

According to evidence presented at trial, on Sept. 16, 2008, Kernell, a resident of Knoxville, Tenn., obtained unauthorized access to former Gov. Palin's personal e-mail account by resetting the account password. Evidence showed that after answering a series of security questions that allowed him to reset the password and gain access to the e-mail account, Kernell read the contents of the account and made screenshots of the e-mail directory, e-mail content and other personal information. Kernell posted screenshots of the e-mails and other personal information to a public website. Kernell also posted the new e-mail account password that he had created, thus providing access to the account by others.

Evidence at trial showed that Kernell became aware on Sept. 16, 2008, after the illegal entry into the email account, of a possible FBI investigation. Evidence showed that Kernell began a series of deletions of records and documents with the intent to impede an anticipated FBI investigation.

The case was prosecuted by Assistant U.S. Attorney Mark Krotoski currently detailed to the Criminal Division's Computer Crime and Intellectual Property Section (CCIPS) and Assistant

U.S. Attorney Greg Weddle of the U.S. Attorney's Office for the Eastern District of Tennessee. CCIPS Trial Attorney Josh Goldfoot provided significant assistance. The case was investigated by the FBI's Anchorage, Alaska, and Knoxville field offices.