September 29, 2003

U.S. Department of Justice
United States Attorney
Southern District of California
Carol C. Lam
San Diego, California
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President of San Diego Computer Security Company Indicted in Conspiracy to Gain Unauthorized Access into Government Computers

United States Attorney Carol C. Lam announced today the arrest and subsequent unsealing of an indictment charging one defendant with conspiracy to gain unauthorized access to government, agency or protected computers and obtaining information for financial gain. BRETT EDWARD O'KEEFE is charged in a six-count indictment with engaging in a conspiracy to access military, government and private sector computers. The indictment alleges that the defendant was the President of Forensic Tec Solutions, a computer security company located in San Diego, California. It is alleged in the indictment that the object of the conspiracy was for O'KEEFE and his co-conspirators to gain unauthorized access to government and military computers, copy computer files and take these files to the media in order to generate public visibility for his company. This would, in turn, lead to new clients and increased profits. It is further alleged that an additional object of the conspiracy was for O'KEEFE and his co-conspirators to gain unauthorized access to private sector computers to copy information. The defendant would then use this information to contact the victim companies in an attempt to solicit their business.

According to the indictment, O'KEEFE and his co-conspirators possessed without authorization files belonging to the following Government agencies: National Aeronautics and Space Administration (NASA), United States Army, United States Navy, Department of Energy and National Institutes of Health.

O'KEEFE will be arraigned before United States Magistrate Judge Nita L. Stormes on September 30, 2003, at 10:30 a.m.

These arrests are the result of a year-long investigation which began after agents from the Army Criminal Investigative Division and the Federal Bureau of Investigation executed a federal search warrant at the Forensic Tec offices on August 16, 2002. The investigation was conducted both locally and nationally by agents and investigators from the FBI, United States Army, United States Navy, Department of Energy, and NASA and with assistance from the San Diego Regional Criminal Forensics Laboratory.

DEFENDANT

Brett Edward O'Keefe Date of Birth: 7/10/67 Residence: San Diego, CA SUMMARY OF CHARGES Number of Defendants: One Number of Counts: Six

Violations:

Conspiracy to Gain Unauthorized Access into Government, Agency or Protected Computers and Obtain Information for Financial Gain in violation of 18 U.S.C. § 371. Obtaining Information Without Authorization From a Protected Computer Through an Interstate Communication for Financial Gain in violation of 18 U.S.C. § 1030 (a)(2)(B), (a)(2)(C) and (c)(2)(B)(i).

Obtaining Information Without Authorization From a Computer of a Department or Agency of the United States for Financial Gain in violation of 18 U.S.C. § 1030 (a)(2)(B) and (c)(2)(B)(i).

All charges carry a maximum penalty of five years imprisonment and/or a $250,000 fine.

AGENCIES Federal Bureau of Investigation, United States Army-Computer Crime Investigative Unit of the Criminal Investigative Division, Department of Defense-Office of the Inspector General, United States Navy, Department of Energy-Office of the Inspector General, National Aeronautics and Space Administration-Office of the Inspector General, San Diego Regional Criminal Forensics Laboratory An indictment itself is not evidence that the defendant committed the crimes charged. The defendant is presumed innocent until the Government meets its burden in court of proving guilt beyond a reasonable doubt.

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