

Men Arrested at Courthouse Say They Were Sent to Test Its Security

The two men were arrested late at night after alarms went off, according to documents. The state said it “did not intend, or anticipate, those efforts to include the forced entry into a building.”



By Christine Hauser

Sept. 16, 2019

Two men who said they worked for a company hired by the state to test the security of a courthouse in central Iowa were arrested after they broke in to the county building last week as part of what they say was their work, according to court documents.

On Friday, they will appear in the same building, but this time to face felony charges.

The two men, Justin L. Wynn, of Naples, Fla., 29, and Gary Demercurio, 43, of Bothell, Wa., are scheduled to appear then in the District Court of Iowa in Adel. They will each face charges of third-degree burglary, a felony, and possession of burglary tools, an aggravated misdemeanor, Chuck C. Sinnard, the Dallas County Iowa attorney, said on Monday.

Iowa's State Court Administration, which oversees the functioning of the state's judicial branches, said in a statement on Wednesday that it had hired a company "to test the security of the court's electronic records."

"The company was asked to attempt unauthorized access to court records through various means to learn of any potential vulnerabilities," the statement said. It said that a "penetration test is one of many measures used to ensure electronic court documents are secure."

But it added that the administration "did not intend, or anticipate, those efforts to include the forced entry into a building."

"State Court Administration does not condone forcible entry into any building as a part of cyber-security or any other type of testing," the statement said.

The state administration apologized to the county board of supervisors and to law enforcement, and said it would cooperate with investigators.

Just after midnight on Sept. 11, alarms went off at the Dallas County Courthouse, which houses the district court and other courts, in Adel, a town about 20 miles west of Des Moines. Court documents say that county deputies were told that two men were seen walking around on the third floor.

The men came to the door when deputies arrived, the documents say. They were identified as Mr. Wynn and Mr. Demercurio, and had "multiple" burglary tools as part of their work on a security company's plan, the charging document says. Mr. Demercurio told the deputies that part of the job was to "check out law enforcement response time," the documents say. The company was not identified in the documents.

The men "stated that they were 'contracted' to break into the building" and to "check the security of the building," the charging documents say. The two men were arrested, jailed and released on bond of \$50,000, the documents and county

jail records say. “Dallas County had no knowledge of this security company” or “their plan,” the documents say.

The State Court Administration hired Coalfire Labs to test the security of the court’s electronic records, said Steven Davis, a spokesman for the state judicial branch. When asked about Mr. Wynn and Mr. Demercurio on Monday, a spokesman for Coalfire said the company would be releasing a statement.

Mr. Sinnard said that the appearance by the two men in court would be rescheduled if prosecutors file a trial information document, similar to an indictment, before Sept. 20.

It was not immediately clear if the two men had lawyers. Mr. Wynn declined to comment when reached by telephone on Monday. There was no reply to a voicemail left for Mr. Demercurio at a telephone number listed in his name.

Iowa’s State Court Administration also said in the statement that it had been made aware of a break-in at the Polk County Historic Courthouse in nearby Polk County on Sept. 9 that was similar in nature to the break-in at the Dallas County Courthouse.

Christine Hauser is a reporter, covering national and foreign news. Her previous jobs in the newsroom include stints in Business covering financial markets and on the Metro Desk in the police bureau. More about Christine Hauser