

June 16, 2016



Judge Jennifer Klemetsrud Puhl
Nominee to the United States Court of Appeals for the Eighth Circuit

President Obama nominated Jennifer Puhl to the Eighth Circuit Court of Appeals on January 28, 2016. If confirmed, Puhl would be North Dakota's first female federal judge at any level and the third woman ever to serve on the Eighth Circuit. Puhl currently serves as an Assistant U.S. Attorney in the District of North Dakota, a position she has held for the past 14 years. Upon her nomination, President Obama remarked that Puhl has "shown unwavering integrity and an outstanding commitment to public service."¹

Biography

Jennifer Klemestrud Puhl was born in Devils Lake, North Dakota in 1974. She graduated *magna cum laude* from the University of North Dakota in 1997 with a B.A. in English and graduated *cum laude* from the University of North Dakota School of Law in 2000.

After law school, Puhl served as a law clerk for North Dakota Supreme Court Justice Mary Muehlen Maring. Following her clerkship, she worked for a year at the law firm Kennedy & Graven in Minneapolis. Puhl returned to North Dakota in 2002 to join the United States Attorney's Office for the District of North Dakota. She has served as an Assistant United States Attorney there for the last 14 years, becoming a Criminal Supervisor in the Fargo office in 2015. During her many years of service at the U.S. Attorney's Office, Puhl has held a number of leadership positions including Computer Hacking and Intellectual Property Coordinator, National Security Cyber Specialist, Human Trafficking Coordinator, and Project Safe Childhood Coordinator.²

Legal Experience and Expertise

Puhl's 14 years of public service in the U.S. Attorney's office has given her substantial experience prosecuting complex fraud schemes, child pornography, and human trafficking.

Puhl's prosecution of one fraud scheme resulted in over \$6 million of victim restitution.³ The scheme started when one individual created an off-shore company posing as an international bank trading program. He hired a second individual to promote the fake program, inducing North Dakota residents to invest millions of dollars. The North Dakota Securities Commission sent a

¹ White House Press Release, *President Obama Nominates Jennifer Klemetsrud Puhl to Serve on the United States Court of Appeals* (Jan. 28, 2016) <https://www.whitehouse.gov/the-press-office/2016/01/29/president-obama-nominates-jennifer-klemetsrud-puhl-serve-united-states>.

² *Id.*

³ *Id.* at 24.

cease and desist letter to the promoter, who agreed to pay restitution—but then started yet another fraudulent investment scheme with a third individual in order to make the restitution payments. Puhl prosecuted the promoter, who after a two-week trial was convicted of 22 counts of wire fraud, money laundering, and conspiracy. He was sentenced to 12 years in prison and ordered to pay \$2 million in restitution. She also prosecuted the third individual, resulting in a seven-year sentence and \$1.3 million in restitution. The individual who opened the off-shore company pleaded guilty and was sentenced to five years in prison and ordered to pay \$3 million in restitution. For her work on the case, Puhl was awarded the Internal Revenue Service Award for Outstanding Service.⁴

Puhl has also argued successfully before the court to which she is nominated. She represented the United States in the district court and before the Eighth Circuit against a man who pleaded guilty to several child pornography charges, but later challenged the search of his house that led to the charges.⁵ Law enforcement officials discovered the man was downloading child pornography by using a computer system which connected to peer-to-peer networks and made a pornographic file available for download. The computer system tracked the IP addresses of the people who downloaded the file using “hash values”—a digital fingerprint found on all image files. They matched the IP address to the defendant’s computers, obtained a warrant, and searched his house—seizing over 1,000,000 pictures and 4,000 videos, including a video of the defendant engaged in sexual activity with a young girl.⁶ After he pleaded guilty and was sentenced to 30 years in prison, the defendant challenged the search of his house. He argued that there was no probable cause for the search because law enforcement didn’t view any of his files before getting the warrant and entering his house; they had only seen the “hash values” associated with his files. Puhl successfully argued in the district court and before the Eighth Circuit that there was probable cause for the search and defendant’s convictions were upheld.⁷ The use of hash values was an issue of first impression for the Eighth Circuit.⁸

These are just two examples from Puhl’s many years of experience seeking justice for victims of fraud, sexual exploitation, theft, manslaughter, and other crimes. Based on her experience, Puhl speaks frequently to professional groups and community members about her work and has been particularly outspoken on the need to punish human traffickers, not sex workers.⁹

Professional and Community Activities

Puhl is a member of the National Association of Assistant United States Attorneys, the North Dakota Bar Association, and the North Dakota Bar Association Women Lawyers Section.

⁴ *Id.* at 3.

⁵ *United States v. Cartier*, 543 F.3d 442 (8th Cir. 2008).

⁶ *Id.* at 445.

⁷ *Id.*; *United States v. Cartier*, No. 2:06-cr-73, 2007 U.S. Dist. LEXIS 7119 (D.N.D. Jan. 30, 2007).

⁸ White House Press Release, *President Obama Nominates Jennifer Klemetsrud Puhl to Serve on the United States Court of Appeals* (Jan. 28, 2016) <https://www.whitehouse.gov/the-press-office/2016/01/29/president-obama-nominates-jennifer-klemetsrud-puhl-serve-united-states>.

⁹ Andrew Sheeler, *Bismarck hosts state’s first summit on human trafficking*, BISMARCK TRIBUNE (Nov. 13, 2014) http://bismarcktribune.com/news/local/crime-and-courts/bismarck-hosts-state-s-first-summit-on-human-trafficking/article_a2b9f4cc-6b90-11e4-a66a-d35afd43fb3f.html.

She is also an Executive Board Member for the Force to End Human Sexual Exploitation, a group working to end human trafficking in North Dakota, an Advisory Board Member to the North Dakota Human Trafficking Task Force, and a Coordinator for the Red River Valley Human Trafficking Response Team. She is also part of the North Dakota Children's Alliance; North Dakota InfraGard, an information-sharing partnership between the FBI and the private sector; and the Internet Crimes Against Children Task Force, a national network of law enforcement and prosecutorial agencies.

In addition to her many leadership roles related to her legal work, Puhl is a member of the local Parent-Teacher Association and volunteers with the Salvation Army and the Pioneer Daughters of North Dakota. She also mentors law students through the externship program at the University of North Dakota School of Law.