

US INDICTS HAL MARTIN — BUT OFFERS NO HINT HE'S THE SOURCE FOR SHADOW BROKERS, OR ANYONE ELSE

After David Petraeus shared notebooks full of code word intelligence with his girlfriend (and boxes of other classified information), then lied about it to the FBI, the government let Petraeus off with two years of probation.

DOJ just indicted Hal Martin – the Booz Allen contractor who allegedly stole terabytes of NSA information – with 20 charges each carrying up to 10 years of punishment. The indictment includes no hint that Martin did anything but hoard the files he stole. There's no allegation he shared them with anyone (though, like Petraeus, he definitely kept very sensitive documents in highly insecure fashion).

Significantly, there's no mention of the Shadow Brokers or even a description of the hacking tools Martin allegedly stole (though that's likely because DOJ would draw up the indictment to avoid confirming that NSA even has hacking tools, much less the ones released to the public).

The only description of a document specifically targeting an adversary akin to the one described to the WaPo seems to target a terrorist organization, not Russia (meaning that they're not presenting evidence Martin preferentially collected information on Russia, though again, if he were, they might hide that).

G. A NSA anti-terrorism operational document concerning extremely sensitive U.S. planning and operations regarding global terrorists.

And the indictment alleges that Martin continued to steal documents up until 12 days before he was arrested, and significantly, three days

after the first Shadow Brokers post on August 13.

N. A USCYBERCOM document, dated August 17, 2016, discussing capabilities and gaps in capabilities of the U.S. military and details of specific operations.

It would be the height of folly for someone who *knew* he was the source for the Shadow Brokers to keep stealing documents after Shadow Brokers had gone public (though at that point, it wasn't clear precisely what Shadow Brokers was going to release).

Certainly, the way in which DOJ has charged this – larding on 20 different charges – suggests they're trying to coerce him into cooperating. The case against Chelsea Manning, which was partly an attempt to coerce Manning to testify against Julian Assange and Wikileaks, was very nearly parallel in the charging of many documents. In Manning's case, there was no way for her to cooperate to implicate Assange except to lie; there's nothing Assange did to elicit the files. That may be the case for Martin, too.

The big difference here is there's absolutely no hint that Martin shared any of this. Given the Petraeus and Hillary precedents, the government will have a difficult time coercing Martin further, given that Petraeus didn't even do prison time for hoarding and then *sharing* equally classified documents (albeit not as many of them).

Nevertheless, it appears that that DOJ is trying to coerce Martin to get information it offers no proof he even has.

Update: As it happens, DOJ indicted Hal Martin just over 4 hours before Jeff Sessions, who has refused to recuse himself in investigations of the Russian hack of the DNC, was confirmed as Attorney General. Again, there's no evidence whatsoever that DOJ has any evidence Martin was a source for Shadow Brokers, who are presumed to have a tie to the DNC hack. But if they suspect it, indicting Martin with such extensive charges before Sessions comes in will make it hard for

Sessions to reverse what seems to be an effort
to coerce Martin to reveal any tie to the hack.