



DEPARTMENT OF HOMELAND SECURITY
UNITED STATES SECRET SERVICE
WASHINGTON, D.C. 20223

Freedom of Information Act & Privacy Act Branch
Communications Center
245 Murray Lane, S.W., Building T-5
Washington, D.C. 20223

Date: NOV 20 2013

Kevin Poulsen
Wired.Com
520 Third Street
San Francisco, CA 94107

File Number: 20130322

Dear Requester:

This is the third interim release in response to your Freedom of Information Act/Privacy Act (FOIA/PA) request dated January 14, 2013, and received by the United States Secret Service (USSS) on February 4, 2013, for information pertaining to Aaron Swartz.

Enclosed are approximately 406 pages of responsive documents and two compact disks and one video disk from Secret Service records. In efforts to provide you with the greatest degree of access authorized by law, we have considered the reference material under the FOIA regulations, Title 5 U.S.C § 552 and/or the PA regulations, Title 5 U.S.C. § 552a. Pursuant to the Acts, exemptions have been applied where deemed appropriate. The exemptions cited are marked below.

An enclosure to this letter explains the exemptions in more detail.

If this box is checked, deletions were made pursuant to the exemptions indicated below.

Section 552 (FOIA)

- | | | | | |
|---|---|---|--------------------------------------|--------------------------------------|
| <input type="checkbox"/> (b) (1) | <input type="checkbox"/> (b) (2) | <input type="checkbox"/> (b) (3) Statute: | | |
| <input type="checkbox"/> (b) (4) | <input checked="" type="checkbox"/> (b) (5) | <input checked="" type="checkbox"/> (b) (6) | <input type="checkbox"/> (b) (7) (A) | <input type="checkbox"/> (b) (7) (B) |
| <input checked="" type="checkbox"/> (b) (7) (C) | <input type="checkbox"/> (b) (7) (D) | <input type="checkbox"/> (b) (7) (E) | <input type="checkbox"/> (b) (7) (F) | <input type="checkbox"/> (b) (8) |

Section 552a (Privacy Act)

- (d) (5) (j) (2) (k) (1) (k) (2) (k) (3) (k) (5) (k) (6)

FARON PARAMORE (GPA)

From: (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) @mail.house.gov
Sent: Friday, February 01, 2013 10:57 AM
To: FARON PARAMORE (GPA)
Subject: RE: U.S. Secret Service - Swartz briefing today.

2157 Rayburn. Yes, I'm the contact now that (b)(6) is out. A bunch of my guys are out, so I'm covering a lot. Give a call if you need anything in advance. (b)(6),(b)(7)(C)

-----Original Message-----

From: FARON PARAMORE (GPA) [mailto:(b)(6),(b)(7)(C)@usss.dhs.gov]
Sent: Friday, February 01, 2013 10:53 AM
To: (b)(6),(b)(7)(C)
Subject: U.S. Secret Service - Swartz briefing today.
Importance: High

Good Morning (b)(6), hope you are well.

(b)(6),(b)(7)(C) I just received an email from (b)(6), informing me that he was out of the office today and that you would be our POC for the briefing this afternoon at 1pm.

Sir, can you please advise where we should meet you for the briefing at 1pm.

Thanks much.

Faron.

Faron K. Paramore
Deputy Assistant Director
Office of Congressional Affairs
United States Secret Service

Ph: (202) 406-5676 Main line
(b)(6),(b)(7)(C) Direct line
(b)(6),(b)(7)(C) Cell
(202) 406-5740 Fax

-----Original Message-----

From: FARON PARAMORE (GPA)
Sent: Friday, February 01, 2013 10:28 AM
To: (b)(6),(b)(7)(C)
Cc: FARON PARAMORE (GPA)
Subject: U.S. Secret Service - Swartz briefing today.
Importance: High

Good Morning (b)(6),(b)(7)(C) hope you are well.

Just left you a voice mail.

(b)(6),(b)(7)(C) couple of things.

1) Can I please get the building and room # of where the briefing will be held today.

2) When you have a chance, can you please give me a call OR let me know what is a good time to contact you concerning the 6E issue.

Our Chief Counsel's office has (b)(5)

(b)(5)

It is my understanding that DOJ will not be participating with the briefing this afternoon. That their briefing may take place at a later tbd time.

Respectfully, we (USSS) will provide information on our investigation. We will not speak to matters that fall under DOJ's purview.

Again, I think you will be pleased with the information we will provide.

Thanks much.

Faron.

Faron K. Paramore
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Office of Congressional Affairs
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FARON PARAMORE (GPA)

From: (b)(6),(b)(7)(C) [redacted]@mail.house.gov
Sent: Monday, January 28, 2013 9:25 AM
To: FARON PARAMORE (GPA)
Cc: (b)(6),(b)(7)(C) [redacted]
Subject: RE: Briefing

Hi Faron,

Thanks for the message. Hope you had a nice weekend as well.

As for the 6E concerns, public reports indicate that the charges were dropped (see below from the *L.A. Times*).

We look forward to seeing you on Friday.

Thanks,

(b)(6),(b)(7)(C) [redacted]

Feds drop charges against late Internet activist Aaron Swartz

Federal prosecutors in Boston have dropped charges against Internet activist Aaron Swartz after his death.
(Michael Francis McElroy / New York Times via Associated Press / January 30, 2009)

By Jessica Guynn

January 14, 2013, 10:38 a.m.

Federal prosecutors in Boston have dropped charges against Internet activist Aaron Swartz.

Swartz, 26, was found dead Friday in his New York apartment. He apparently had hanged himself.

Prosecutors filed the notice of dismissal on Monday.

Swartz's family blamed his death on "prosecutorial overreach."

The U.S. attorney's office could not be reached for comment.

Federal prosecutors alleged Swartz used MIT's computers to illegally access millions of academic articles through the JSTOR database, a subscription service for scholarly articles. He was indicted in 2011 and was scheduled to go to trial on 13 counts including computer fraud. Swartz faced the possibility of millions of dollars in fines and up to 35 years in prison.

The case was seen as a showdown pitting the government and commercial interests against Internet "freedom fighters."

MIT President L. Rafael Reif on Sunday appointed Hal Abelson, a professor of computer science and engineering and a founding director of Creative Commons and the Free Software Foundation, to "lead a thorough analysis of MIT's involvement."

As news spread over the weekend of Swartz's death, the Web collectively mourned for a brilliant young technologist and activist who wanted to set the world's information free yet could never escape his own demons.

Confided one friend: "I'm not surprised that this is how his life ended, and I bet many others feel the same way. So sad, he had so much potential and not enough joy in his life."

Swartz was just 14 when he helped create RSS, a tool that distributes online content. He was one of the founders of the social news site Reddit, which was bought by Conde Nast. But he was best known as an activist for free and open access to the world's information.

"Everything he did was aimed at world-changing and at activism," said friend and historian Rick Perlstein.

Now his death is being used to question government's aggressive criminal prosecution of Internet activists.

Anonymous allegedly hacked MIT's website and left a tribute for Swartz: "We do not consign blame or responsibility upon MIT for what has happened, but call for all those feel heavy-hearted in their proximity to this awful loss to acknowledge instead the responsibility they have — that we all have — to build and safeguard a future that would make Aaron proud."

From: FARON PARAMORE (GPA) [mailto:(b)(6),(b)(7)(C)@uss.s.dhs.gov]
Sent: Friday, January 25, 2013 3:47 PM
To: (b)(6),(b)(7)(C)
Cc: (b)(6),(b)(7)(C)
Subject: RE: Briefing

Good afternoon (b)(6),(b)(7)(C) hope you are well.

Friday, February 1, 2013 at 1pm should work well for us.

(b)(6),(b)(7)(C) we have absolutely no problem coming up to provide the briefing.

Our Boston Office is touching base with the US Attorney's Office up there, to see where we are with any 6E Grand Jury materials. If they dismiss / drop the charges then I think it would make the 6E issue "go away" and it would not be a concern at all.

Thanks much, hope you have a pleasant weekend.

Faron.

Faron K. Paramore
Deputy Assistant Director
Office of Congressional Affairs
United States Secret Service

Ph: (202) 406-5676 Main line
(b)(6),(b)(7)(C) Direct line
(b)(6),(b)(7)(C) Cell
(202) 406-5740 Fax

From: (b)(6),(b)(7)(C) [mailto:(b)(6),(b)(7)(C)@mail.house.gov]
Sent: Friday, January 25, 2013 1:58 PM
To: FARON PARAMORE (GPA)
Cc: (b)(6),(b)(7)(C)
Subject: RE: Briefing

Hi Faron,

Thanks for your voicemail.

We would like to schedule the briefing for 2/1/2013 at 1:00 p.m. at our offices. We will provide further information about the specific room.

Please let me know if that works.

Sincerely,

(b)(6),(b)(7)(C)

From: FARON PARAMORE (GPA) [mailto:(b)(6),(b)(7)(C)@uss.s.dhs.gov]
Sent: Thursday, January 17, 2013 12:11 PM
To: (b)(6),(b)(7)(C)
Cc: (C)
Subject: RE: Briefing

Good afternoon (b)(6),(b)(7)(C) hope you are well.

Thanks for the email.

Sure thing, be back in touch soon.

Thanks.

Faron.

Faron K. Paramore
Deputy Assistant Director
Office of Congressional Affairs
United States Secret Service

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(b)(6),(b)(7)(C) Cell
(202) 406-5740 Fax

From: (b)(6),(b)(7)(C) [mailto:(b)(6),(b)(7)(C)@mail.house.gov]
Sent: Thursday, January 17, 2013 11:54 AM
To: FARON PARAMORE (GPA)
Cc: (b)(6),(b)(7)(C)
Subject: Briefing

Hi Faron,

Thanks for speaking with us about the briefing. Please let us know when you have further information.

Sincerely,

(b)(6),(b)(7)(C)

**U.S. House of Representatives
Committee on Oversight and Government Reform
Darrell Issa, Chairman**

(b)(6),(b)(7)(C)

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FARON PARAMORE (GPA)

From: (b)(6),(b)(7)(C) (OLA) (b)(6),(b)(7)(C) @usdoj.gov
Sent: Tuesday, January 22, 2013 11:04 AM
To: FARON PARAMORE (GPA)
Cc: (b)(6),(b)(7)(C) @hq.dhs.gov
Subject: RE: U.S. Secret Service - Aaron Swartz case out of Boston

DAD Paramore:

Consult with outside agency.

(b)(6),(b)(7)(C)

Attorney Advisor
U.S. DEPARTMENT OF JUSTICE
Office of Legislative Affairs

(b)(6),(b)(7)(C) @SDOJ.gov

(b)(6),(b)(7)(C) - direct

-----Original Message-----

From: FARON PARAMORE (GPA) [mailto:(b)(6),(b)(7)(C)@usss.dhs.gov]
Sent: Tuesday, January 22, 2013 10:59 AM
To: (b)(6),(b)(7)(C) (OLA)
Cc: (b)(6),(b)(7)(C) @hq.dhs.gov
Subject: U.S. Secret Service - Aaron Swartz case out of Boston

Good Morning Ms (b)(6), hope you are well.

Ma'am, my name is Faron K. Paramore. I serve as the Deputy Assistant Director in the Office of Congressional Affairs for the U.S. Secret Service.

Last Thursday afternoon (1/17/13) I was contacted by a Mr. (b)(6),(b)(7)(C) professional staff with the House Oversight & Government Reform Committee (Majority Staff - Chairman Issa), requesting to receive a briefing from the U.S. Secret Service regarding our role / investigation of the Aaron Swartz case out of Boston, MA.

Ma'am, at your convenience would it be possible for me to give you a call to discuss this matter.

Thank you very much for your time.

Faron K. Paramore
Deputy Assistant Director
Office of Congressional Affairs
United States Secret Service

Ph: (202) 406-5676 Main line
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Note the Issa comments towards the end of the article <http://thehill.com/blogs/hillicon-valley/technology/277709-justice-department-defends-prosecution-of-activist-swartz>

* Previous TJX hacking case - Same prosecutor and the suspect also committed suicide:

<http://www.dailymail.co.uk/news/article-2262831/Revealed-Aaron-Swartz-prosecutor-drove-hacker-suicide-2008-named-cyber-crime-case.html>

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FARON PARAMORE (GPA)

From: (b)(6),(b)(7)(C) [mailto:(b)(6),(b)(7)(C)@HQ.DHS.GOV]
Sent: Tuesday, January 22, 2013 11:03 AM
To: FARON PARAMORE (GPA)
Subject: RE: From Time.com: Aaron Swartz's Suicide Triggers Response from Top U.S. Lawmakers

checking

From: FARON PARAMORE (GPA) [mailto:(b)(6),(b)(7)(C)@uss.s.dhs.gov]
Sent: Tuesday, January 22, 2013 10:53 AM
To: (b)(6),(b)(7)(C)
Cc: WILLIAMS LYNDA R
Subject: RE: From Time.com: Aaron Swartz's Suicide Triggers Response from Top U.S. Lawmakers

(b)(6),(b)(7)(C) Does DHS OLA have any concerns with us providing us a briefing to the OGR STAFF on this issue?

NOTE: We (USSS) will ONLY talk about our role in investigating this case. We will NOT speak to any aspect of "Plea Agreements" etc.

Thx. Faron

Faron K. Paramore
Deputy Assistant Director
Office of Congressional Affairs
United States Secret Service

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(202) 406-5740 Fax

From: (b)(6),(b)(7)(C) [mailto:(b)(6),(b)(7)(C)@HQ.DHS.GOV]
Sent: Tuesday, January 22, 2013 10:41 AM
To: FARON PARAMORE (GPA)
Subject: RE: From Time.com: Aaron Swartz's Suicide Triggers Response from Top U.S. Lawmakers

Hi Faron -

I hope you are resting from the wonderful and what seemed to be a well coordinated inauguration. I apologized, I told you Friday I would send you my POCs for DoJ Congressional (below). (b) is an atty and works in all areas of DoJ where I believe (b) may specialize in illicit drugs but both should be able to point you in the right direction.

(b)(6),(b)(7)(C) [mailto:(b)(6),(b)(7)(C)@usdoj.gov]
(C) [mailto:(b)(6),(b)(7)(C)@usdoj.gov]

From: FARON PARAMORE (GPA) [mailto:(b)(6),(b)(7)(C)@uss.s.dhs.gov]
Sent: Friday, January 18, 2013 3:40 PM
To: (b)(6),(b)(7)(C)
Cc: PARAMORE FARON K
Subject: From Time.com: Aaron Swartz's Suicide Triggers Response from Top U.S. Lawmakers

Good afternoon (b)(6),(b)(7)(C) hope you are well.

(b)(6),(b)(7)(C) just left you a v/m.

Over the last year and a half our Boston Field Office / New England Electronics Crimes Task Force was working a cyber case. Our Suspect was a Mr. Aaron Swartz's. Long story short - Swartz killed himself about a week ago. His federal trial was suppose to start in a month or so.

NOW, there have been numerous articles on the web about how the "Federal Gov't" was heavy handed in this case.

Late yesterday afternoon I received a call from Chairman Issa's staff requesting to receive a briefing possible next week.

Want to make sure DHS is in the loop on what actually happened.

Also, we will need to coordinate with DOJ Congressional Affairs on this. The USSS will ONLY speak to our role in this case. DOJ (The U.S. Attorneys Office has a big part in this also).

Please give me a call when you have a moment so I can brief you.

See links below.

Thanks. Faron.

Faron K. Paramore
Deputy Assistant Director
Office of Congressional Affairs
United States Secret Service

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(b)(6),(b)(7)(C) Direct line
(b)(6),(b)(7)(C) Cell
(202) 406-5740 Fax

From: (b)(6),(b)(7)(C) (GPA)
Sent: Thursday, January 17, 2013 1:46 PM
To: FARON PARAMORE (GPA)
Cc: LYNDA WILLIAMS (GPA); (b)(6),(b)(7)(C) (GPA); (b)(6),(b)(7)(C) (GPA); (b)(6),(b)(7)(C) (GPA)
Subject: FW: From Time.com: Aaron Swartz's Suicide Triggers Response from Top U.S. Lawmakers

Faron,

Here are some -- see attached.

Also - Here are a couple more things that (b)(6),(b)(7)(C) found:

- Note the Issa comments towards the end of the article
<http://thehill.com/blogs/hillicon-valley/technology/277709-justice-department-defends-prosecution-of-activist-swartz>
- Previous TJX hacking case - Same prosecutor and the suspect also committed suicide:
<http://www.dailymail.co.uk/news/article-2262831/Revealed-Aaron-Swartz-prosecutor-drove-hacker-suicide-2008-named-cyber-crime-case.html>

Let us know what else you need.

Thanks,

(b)(6),(b)(7)(C)

-----Original Message-----

From: (b)(6),(b)(7)(C) (GPA)
Sent: Thursday, January 17, 2013 1:39 PM
To: (b)(6),(b)(7)(C) (GPA)
Subject: FW: From Time.com: Aaron Swartz's Suicide Triggers Response from Top U.S. Lawmakers

<http://crooksandliars.com/karoli/unanswered-question-why-was-secret-service->

<http://www.justice.gov/usao/ma/news/2011/July/SwartzAaronPR.html>

-----Original Message-----

From: FARON PARAMORE (GPA)
Sent: Thursday, January 17, 2013 1:35 PM
To: (b)(6),(b)(7)(C) (GPA)
Cc: LYNDA WILLIAMS (GPA); (b)(6),(b)(7)(C) (GPA); (b)(6),(b)(7)(C) (GPA)
Subject: FW: From Time.com: Aaron Swartz's Suicide Triggers Response from Top U.S. Lawmakers

(b)(6),(b)(7)(C) can you pull down any / all articles you can find on the internet concerning this guy

Mr. Aaron Swartz.

Issa's office just called and are looking for a briefing tbd time next week.

Thx. Faron.

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Deputy Assistant Director
Office of Congressional Affairs
United States Secret Service

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-----Original Message-----

From: EDWIN DONOVAN (GPA)
Sent: Thursday, January 17, 2013 12:54 PM
To: HUGH DUNLEAVY (INV); JANE MURPHY (INV); PAUL MORRISSEY (GPA); LEE FIELDS (INV); JONATHAN BARTLETT (CID)
Cc: (b)(6),(b)(7)(C) (GPA); (b)(6),(b)(7)(C) (GPA); (b)(6),(b)(7)(C) (GPA); (b)(6),(b)(7)(C) (GPA); FARON PARAMORE (GPA); (b)(6),(b)(7)(C) (GPA); LYNDA WILLIAMS (GPA)
Subject: From Time.com: Aaron Swartz's Suicide Triggers Response from Top U.S. Lawmakers

Attached is an article from Time.com discussing Aaron Swartz's suicide and reaction from some members of Congress.

Link to article: <http://business.time.com/2013/01/16/aaron-swartzs-suicide-triggers-response-from-us-lawmakers/>

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(b)(6),(b)(7) usdoj.gov

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To: FARON PARAMORE (GPA)
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Subject: FW: From Time.com: Aaron Swartz's Suicide Triggers Response from Top U.S. Lawmakers

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<http://thehill.com/blogs/hillicon-valley/technology/277709-justice-department-defends-prosecution-of-activist-swartz>
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Let us know what else you need.

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(b)(6),(b)(7)(C)

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<http://www.justice.gov/usao/ma/news/2011/July/SwartzAaronPR.html>

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Cc: LYNDA WILLIAMS (GPA); (b)(6),(b)(7)(C) (GPA); (b)(6),(b)(7)(C) (GPA)
Subject: FW: From Time.com: Aaron Swartz's Suicide Triggers Response from Top U.S. Lawmakers

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Cc: (b)(6),(b)(7)(C) (GPA); (b)(6),(b)(7)(C) (GPA); (b)(6),(b)(7)(C) (GPA); (b)(6),(b)(7)(C) (GPA); FARON PARAMORE (GPA); (b)(6),(b)(7)(C) (GPA); LYNDA WILLIAMS (GPA)
Subject: From Time.com: Aaron Swartz's Suicide Triggers Response from Top U.S. Lawmakers

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FARON PARAMORE (GPA)

From: FREDERICK SELLERS (INV)
Sent: Thursday, January 17, 2013 2:12 PM
To: FARON PARAMORE (GPA)
Subject: Re: Articles regarding Aaron Swartz

Thanks.

From: FARON PARAMORE (GPA)
Sent: Thursday, January 17, 2013 02:11 PM Eastern Standard Time
To: HUGH DUNLEAVY (INV); FREDERICK SELLERS (INV)
Cc: (b)(6),(b)(7)(C) (GPA); EDWIN DONOVAN (GPA); PAUL MORRISSEY (GPA)
Subject: Articles regarding Aaron Swartz

Just fyi.

Quotes from several Hill folks in the HILL clip below.

Faron.

Faron K. Paramore
Deputy Assistant Director
Office of Congressional Affairs
United States Secret Service

Ph: (202) 406-5676 Main line
(b)(6),(b)(7)(C) Direct line
Cell
(202) 406-5740 Fax

From: (b)(6),(b)(7)(C) (GPA)
Sent: Thursday, January 17, 2013 1:46 PM
To: FARON PARAMORE (GPA)
Cc: LYNDA WILLIAMS (GPA); (b)(6),(b)(7)(C) (GPA); (b)(6),(b)(7)(C) (GPA); (b)(6),(b)(7)(C) (GPA)
Subject: FW: From Time.com: Aaron Swartz's Suicide Triggers Response from Top U.S. Lawmakers

Faron,

Here are some -- see attached.

Also - Here are a couple more things that (b)(6) found:

- Note the Issa comments towards the end of the article
<http://thehill.com/blogs/hillicon-valley/technology/277709-justice-department-defends-prosecution-of-activist-swartz>
- Previous TJX hacking case - Same prosecutor and the suspect also committed suicide:
<http://www.dailymail.co.uk/news/article-2262831/Revealed-Aaron-Swartz-prosecutor-drove-hacker-suicide-2008-named-cyber-crime-case.html>

Let us know what else you need.

Thanks,

(b)(6),(b)(7)

-----Original Message-----

From: (b)(6),(b)(7)(C) (GPA)
Sent: Thursday, January 17, 2013 1:39 PM
To: (b)(6),(b)(7)(C) (GPA)
Subject: FW: From Time.com: Aaron Swartz's Suicide Triggers Response from Top U.S. Lawmakers

<http://crooksandliars.com/karol1/unanswered-question-why-was-secret-service->

<http://www.justice.gov/usao/ma/news/2011/July/SwartzAaronPR.html>

-----Original Message-----

From: FARON PARAMORE (GPA)
Sent: Thursday, January 17, 2013 1:35 PM
To: (b)(6),(b)(7)(C) (GPA)
Cc: LYNDA WILLIAMS (GPA); (b)(6),(b)(7)(C) (GPA); (b)(6),(b)(7)(C) (GPA)
Subject: FW: From Time.com: Aaron Swartz's Suicide Triggers Response from Top U.S. Lawmakers

(b)(6),(b)(7) can you pull down any / all articles you can find on the internet concerning this guy

Mr. Aaron Swartz.

Issa's office just called and are looking for a briefing tbd time next week.

Thx. Faron.

Faron K. Paramore
Deputy Assistant Director
Office of Congressional Affairs
United States Secret Service

Ph: (202) 406-5676 Main line
(b)(6),(b)(7)(C) Direct line
Cell
(202) 406-5740 Fax

-----Original Message-----

From: EDWIN DONOVAN (GPA)
Sent: Thursday, January 17, 2013 12:54 PM
To: HUGH DUNLEAVY (INV); JANE MURPHY (INV); PAUL MORRISSEY (GPA); LEE FIELDS (INV); JONATHAN BARTLETT (CID)
Cc: (b)(6),(b)(7)(C) (GPA); (b)(6),(b)(7)(C) (GPA); (b)(6),(b)(7)(C) (GPA); (b)(6),(b)(7)(C) (GPA); FARON PARAMORE (GPA); (b)(6),(b)(7)(C) (GPA); LYNDA WILLIAMS (GPA)
Subject: From Time.com: Aaron Swartz's Suicide Triggers Response from Top U.S. Lawmakers

Attached is an article from Time.com discussing Aaron Swartz's suicide and reaction from some members of Congress.

Link to article: <http://business.time.com/2013/01/16/aaron-swartzs-suicide-triggers-response-from-us-lawmakers/>

FARON PARAMORE (GPA)

From: FARON PARAMORE (GPA)
Sent: Friday, February 01, 2013 10:13 AM
To: (b)(6),(b)(7)(C)@usdoj.gov
Cc: FARON PARAMORE (GPA)
Subject: J-102-775-600710-S - Final Draft of INV Requested Swartz Investigation Synopsis
Attachments: Swartz INV Brief 1-29-2013.pdf

Importance: High

Sir, here you go.

Thanks much.

Faron.

Faron K. Paramore
Deputy Assistant Director
Office of Congressional Affairs
United States Secret Service

Ph: (202) 406-5676 Main line
(b)(6),(b)(7)(C) Direct line
Cell
(202) 406-5740 Fax

memorandum

DATE: January 29, 2013
 REPLY TO: SAIC – Boston Field Office
 ACTION OF:
 SUBJECT: Aaron Swartz Investigation
 TO: AD – Office of Investigations

U.S. Secret Service
 775.210
 J-102-775-600710-S

Reference is made to the multiple telephone and electronic mail conversations regarding the above subject case, in particular the January 22, 2013, request by DAD Hugh Dunleavy, Office of Investigations, for additional information regarding the criminal investigation of Aaron Swartz.

Further reference is made to the multiple US Secret Service Investigative Reports in case number J-102-775-600710-S. The below information is being provided as a brief outline in said case as it relates to the criminal investigation. The Department of Justice and the US Attorney's Office, District of Massachusetts, is the appropriate entity to consult in reference to the prosecution and court proceedings in this case.

Aaron Swartz Investigation Background

September 24, 2010

Late during the night of September 24, 2010, an unidentified individual registered his computer on Massachusetts Institute of Technology's (MIT) campus and obtained a guest account on MIT's computer network. The individual did not provide his true identity at this or any subsequent time, and neither MIT personnel nor law enforcement officers knew the individual's name until his arrest months later. The individual registered his computer by specifying his name as "Gary Host," a pseudonym, and his e-mail address as ghost@mailinator.com, a disposable e-mail address by virtue of its requiring no initial e-mail registration and keeping no records of e-mail access. Before assigning the computer an Internet Protocol (IP) address, MIT's network automatically collected the computer's owner-created name — "ghost laptop" — and the unique identifying number associated with the computer's Internet networking hardware, known as the computer's Media Access Control (MAC) address. These are standard login and communication procedures.

MIT's Dynamic Host Configuration Protocol (DHCP) computer server then used a standard Internet protocol to assign the individual an IP address (18.55.6.215) for use while on the network. The network kept records of the computer's registration information, its IP and its MAC addresses. These records are standard computer-networking records, and did not include any computer commands that the individual typed in or ran, or any data that the computer downloaded.

September 25, 2010

The day after registering the "ghost laptop," the unidentified individual used the "ghost laptop" to systematically access and rapidly download an extraordinary volume of articles from JSTOR (short for Journal Storage, is a digital library founded in 1995. Originally containing digitized back issues of academic journals, it now also includes books and primary sources, and current issues of journals) by using a software program that sidestepped JSTOR's computerized limits on the volume of each user's downloads. The downloads and requests for downloads were so numerous, rapid, and massive that they impaired the performance of JSTOR's computers.

As JSTOR, and then MIT, became aware of these downloads and problems, both attempted to block the individual's computer from further communications. On the evening of September 25, 2010, after suffering hundreds of thousands of downloads from the ghost laptop, JSTOR temporarily ended the downloads by blocking network access from the computer at IP address 18.55.6.215.

The next day, however, the ghost laptop's user obtained a new IP address from MIT's network, changing the last digit in its IP address by one digit from 18.55.6.215 to 18.55.6.216. This defeated JSTOR's IP address block, enabling the ghost laptop to resume furiously downloading articles from JSTOR. This downloading continued until the middle of September 26, when JSTOR identified it and blocked communication from IP address 18.55.6.216 as well. The September 25 and 26 downloads had impaired JSTOR's computers and misappropriated significant portions of its archive. Because the download requests had originated from two MIT IP addresses that had begun with 18.55.6 — that is, 18.55.6.215 and 18.55.6.216 — JSTOR began blocking a broader range of MIT IP addresses on September 26. The new block prevented MIT researchers assigned MIT IP addresses 18.55.6.0 through 18.55.6.255 (as many as 253 computers) from performing research through JSTOR's archive for three to four days.

September 27, 2010

When JSTOR notified MIT of the continuing problems, MIT banned the "ghost laptop" from using its network as well. To do this, MIT terminated the ghost laptop's guest registration and prohibited the computer, as identified by its hardware MAC address, from being assigned a new IP address again through the guest registration process.

October 2, 2010

Less than a week after JSTOR and MIT had barred the ghost laptop from communicating with their networks, the unidentified individual obtained yet another guest connection for the ghost laptop on MIT's network. Having recognized that MIT or JSTOR had blocked his ghost laptop by recognizing its MAC address, the individual now manipulated the ghost laptop's MAC address to mislead MIT into believing that he was a new and different guest registrant.

October 8, 2010

The unidentified individual connected a second computer to MIT's network and created another guest account using pseudonyms similar to those he had used with the "ghost laptop". He registered the new computer under the name "Grace Host", a temporary email address of

ghost42@mailinator.com, and a computer client name of "ghost macbook."

October 9, 2010

The unknown individual activated the ghost laptop and the ghost macbook to download JSTOR's articles once again. The downloads came so fast and numerous that the individual again significantly impaired the operation of some of JSTOR's computers.

Once again, MIT could not identify who was controlling these computers or where they were physically located, and JSTOR could not isolate the interloper to a consistent IP address that could be blocked. Consequently, JSTOR blocked access by and to every computer using an MIT IP address campus-wide for approximately three days, again depriving legitimate MIT users from accessing JSTOR's services. MIT blocked computers using the ghost laptop's and the ghost macbook's MAC addresses as well.

Nevertheless, between the end of October and January 6, 2011, the unidentified hacker obtained at least three new IP addresses and assigned his computer two new MAC addresses. He also moderated the speed of the downloads, which made them less noticeable to JSTOR. The exfiltration of JSTOR's collection was nonetheless extreme. During this period, the individual downloaded well over a million of JSTOR's articles.

Because the hacker had modified the speed of his downloads, JSTOR did not notice his latest downloads until around December 25, 2010. Once detected, however, JSTOR provided MIT with the hacker's latest IP address. Now that MIT's network security personnel had a more robust set of network tools, they could consult network traffic routing records and trace the IP address back to a concrete physical location on campus.

January 4, 2011

An MIT network security analyst traced the hacker's IP address to a network switch located in a basement wiring closet in MIT's Building 16. Building 16's street level doors have no-trespassing signs posted on them. The wiring closet is protected by a pair of locked steel doors. The closet is generally locked, but at that time its lock could be forced by a quick jerk of its double doors. When MIT personnel entered the closet, they found a cardboard box with a wire leading from it to a computer network switch.

Hidden under the box was the ghost laptop, an Acer-brand laptop, connected to a separate hard drive for excess storage. The network cable connected the laptop to the network switch, thus giving the laptop Internet access. The laptop's direct connection to the network switch was unusual because MIT does not connect computers directly to those switches.

LAW ENFORCEMENT IS NOTIFIED

January 4, 2011

MIT personnel called the MIT Police to the scene, who, in turn, called a USSS New England Electronic Crimes fulltime Task Force Officer (TFO) directly. The TFO is a Detective from Cambridge Police. Three members of the task force respond to the scene, a USSS Special

Agent, a Boston Police Detective who is a fulltime TFO and the Cambridge Police TFO who received the call. A Cambridge Police Crime Scene Unit was summoned to the scene for processing. Over the course of the morning and early afternoon of January 4th, MIT and law enforcement officers collaboratively took several steps to identify the perpetrator and learn what he was up to:

- (1) Cambridge Police crime scene specialists fingerprinted the laptop's interior and exterior and the external hard drive and its enclosure;
- (2) MIT placed and operated a video camera inside the closet, which, as discussed below, later recorded the hacker (subsequently identified as Aaron Swartz) entering the wiring closet and performing tasks within it;
- (3) The Secret Service opened the laptop and sought to make a copy of its volatile memory aka Random Access Memory (RAM), which would automatically be destroyed when the laptop's power was turned off, but the effort resulted in their seeing only the laptop's user sign-in screen;
- (4) MIT connected a second laptop to the network switch in order to record the laptop's communications, a type of recording often referred to as a "packet capture;"

(b)(3) Rule 6E

- (5) Beginning on January 4, 2011, MIT agreed to provide, and later provided, the Secret Service copies of network logs pertaining to the ghost laptop and ghost macbook between September 24, 2010 and January 6, 2011, some of which records were provided consensually, the remainder of which were provided pursuant to a subpoena.

By mid-day on January 4th, MIT and law enforcement personnel had completed their initial crime scene investigation. Experience led them to believe that merely removing the hacker's computer equipment would more than likely result in his renewing his efforts elsewhere. So, rather than take the hacker's equipment away, MIT and law enforcement instead restored the closet to its initial appearance upon discovery, and monitored who entered the closet and handled the laptop. MIT installed an IP camera in the closet to accomplish the monitoring. In this way, the hacker would not necessarily know that his criminal tools had been discovered, his identity might be uncovered, and he could be stopped.

Within an hour of their departure, the unidentified hacker returned. After entering the wiring closet and shutting the doors behind him, the hacker replaced the hard drive connected to the laptop with a new one he took from his backpack, and then concealed his equipment once again underneath the cardboard box. This activity was captured by the video camera that was installed inside the wiring closet.

Agents made notification to the US Attorney's Office, District of Massachusetts, regarding the facts of the investigation.

January 6, 2011

The unknown subject hacker returned to the wiring closet yet again. This time, worried about being identified, the hacker covered his face with his bicycle helmet as he entered the closet. Once inside and with the door closed, the hacker disconnected the laptop and placed it, the external hard drive, and the network cable in his backpack. As he left, he again hid his face with his bicycle helmet. This activity was also captured by the camera installed within the wiring closet. By January 6, 2011, the hacker had downloaded a major portion of the six to seven million articles then contained in JSTOR's digitized database.

Shortly after 2:00pm on January 6, 2011, MIT Police (b)(6), (b)(6), (b)(7)(C) who had been involved in the investigation, was heading down Massachusetts Avenue within a mile of MIT when he spotted a bicyclist who looked like the hacker caught on the wiring closet video.

(b)(6), (b)(7)(C) (b)(6), (b)(7)(C) identified himself as a police officer. After a brief exchange, the individual dropped his bike to the ground and ran away. The individual was chased, apprehended, arrested, and subsequently identified as Aaron Swartz. During a search incident to arrest, Cambridge police found a USB storage drive in Swartz's backpack, which they seized and stored as evidence.

Approximately an hour later, MIT technical staff used computer routing and addressing records to locate Swartz's ghost laptop and hard drive in the Student Information Processing Board's office in MIT's student center. Law enforcement found the equipment on the floor under a desk connecting it to the MIT network. The equipment was subsequently seized and stored as evidence by Cambridge Police. Aaron Swartz was charged by the Commonwealth in a criminal complaint alleging Breaking and Entering into MIT's property with intent to commit a felony, and was subsequently indicted by a Massachusetts grand jury for the same charge along with the theft of JSTOR's electronically processed or stored data, and accessing a computer system without authorization.

February 9, 2011

The Secret Service applied for and subsequently obtained a federal search warrant for Aaron Swartz's apartment, located at 950 Massachusetts Avenue in Cambridge.

February 11, 2011

Agents and a Task Force Officer executed the federal search warrant on Swartz's residence.

Immediately after the search of the residence was completed a second federal search warrant was applied for and issued for Swartz's worksite. That search warrant was executed on Swartz's work address, 124 Mount Auburn Street in Cambridge, The Safra Center for Ethics at Harvard Law School.

February 24, 2011

The Secret Service obtained a federal search warrant to seize and search the laptop, the hard drive in the enclosure and the USB storage device that was being secured within the Cambridge Police Evidence Unit.

February 25, 2011

The evidence is transferred from the Cambridge Police to the USSS Boston Field Office pursuant to the search warrant.

May 16, 2011

Swartz was served in hand, at his residence with a federal seizure and forfeiture warrant for the JSTOR property in his possession. Swartz refused to comply with the federal seizure and forfeiture warrant.

June 7, 2011

USSS BFO Agent responded to the Law Offices of Goode and Cormier, 83 Atlantic Ave Boston, MA. Attorney Goode was at the present time, Swartz's defense counsel. At that location USSS took custody of (4) four Hard Disk Drives (HDD) containing 8,989,635 articles (PDF's) that had been downloaded from the JSTOR website through MIT's network by Swartz.

July 14, 2011

Federal Grand Jury returns a true bill against Aaron Swartz for Wire Fraud, Computer Fraud and data theft.

July 19, 2011

Aaron Swartz is arrested and arraigned at the US District Court, District of Massachusetts in Boston, MA.

Again, the above is being provided as a brief synopsis of the criminal investigation involving Aaron Swartz. Questions concerning the above maybe directed to the case agent, SA [redacted] and TFO [redacted], Boston Field Office, New England Electronic Crimes Task Force.

Steven D. Ricciardi
Special Agent in Charge

FARON PARAMORE (GPA)

From: (b)(6),(b)(7)(C) (INV)
Sent: Thursday, January 31, 2013 11:29 AM
To: (b)(6),(b)(7)(C) (LEG)
Cc: dadinv; DONNA CAHILL (LEG); HUGH DUNLEAVY (INV); FARON PARAMORE (GPA)
Subject: J-102-775-600710-S - Final Draft of INV Requested Swartz Investigation Synopsis
Attachments: Swartz INV Brief 1-29-2013.pdf

Importance: High

(b)(6),(

Attached for OCC review is the BOS summary of the J-102-775-600710-S investigation. This summary was offered to the USAO BOS for review and was declined.

I am scheduled to appear before the House Oversight & Gov't Reform Committee (OGR) Chairman Issa Staff on Friday, February 1, 2013.

SAIC BOS advises that the synopsis contains only information available in the unsealed indictment of Suspect Swartz. Pending your review, GPA will likely push to its DOJ counterpart.

Call w/ questions. V/r Hugh

From: STEVEN RICCIARDI (BOS)
Sent: Wednesday, January 30, 2013 9:53 AM
To: HUGH DUNLEAVY (INV)
Cc: FREDERICK SELLERS (INV)
Subject: Final Draft of INV Requested Swartz Investigation Synopsis

Sir:

Attached is the final draft of the Swartz investigation synopsis. If you have any questions feel free to contact me or ASAC (b)(6),(b)(7)(C) at 617/565-5640.

Steven D. Ricciardi
Special Agent in Charge
United States Secret Service
Boston Field Office
617/565-5640

FARON PARAMORE (GPA)

From: HUGH DUNLEAVY (INV)
Sent: Wednesday, January 30, 2013 1:46 PM
To: FARON PARAMORE (GPA)
Cc: HUGH DUNLEAVY (INV)
Subject: Fw: Final Draft of INV Requested Swartz Investigation Synopsis
Attachments: Swartz INV Brief 1-29-2013.pdf

From: STEVEN RICCIARDI (BOS)
Sent: Wednesday, January 30, 2013 09:53 AM Eastern Standard Time
To: HUGH DUNLEAVY (INV)
Cc: FREDERICK SELLERS (INV)
Subject: Final Draft of INV Requested Swartz Investigation Synopsis

Sir:

Attached is the final draft of the Swartz investigation synopsis. If you have any questions feel free to contact me or ASAIC (b)(6),(b)(7)(C) at 617/565-5640.

Steven D. Ricciardi
Special Agent in Charge
United States Secret Service
Boston Field Office
617/565-5640

FARON PARAMORE (GPA)

From: FREDERICK SELLERS (INV)
Sent: Wednesday, January 30, 2013 10:04 AM
To: FARON PARAMORE (GPA)
Subject: Fw: Final Draft of INV Requested Swartz Investigation Synopsis
Attachments: Swartz INV Brief 1-29-2013.pdf

FYI:

From: STEVEN RICCIARDI (BOS)
Sent: Wednesday, January 30, 2013 09:53 AM Eastern Standard Time
To: HUGH DUNLEAVY (INV)
Cc: FREDERICK SELLERS (INV)
Subject: Final Draft of INV Requested Swartz Investigation Synopsis

Sir:

Attached is the final draft of the Swartz investigation synopsis. If you have any questions feel free to contact me or ASAIC (b)(6),(b)(7)(C) at 617/565-5640.

Steven D. Ricciardi
Special Agent in Charge
United States Secret Service
Boston Field Office
617/565-5640

FARON PARAMORE (GPA)

From: FREDERICK SELLERS (INV)
Sent: Tuesday, January 29, 2013 5:36 PM
To: FARON PARAMORE (GPA)
Subject: FW: Aaron Swartz Case INV Request
Attachments: Swartz INV Brief 1-29-2013.pdf

From: HUGH DUNLEAVY (INV)
Sent: Tuesday, January 29, 2013 4:59 PM
To: dadInv; invsp
Cc: HUGH DUNLEAVY (INV)
Subject: FW: Aaron Swartz Case INV Request

From: JONATHAN BARTLETT (CID)
Sent: Tuesday, January 29, 2013 4:06 PM
To: HUGH DUNLEAVY (INV)
Subject: FW: Aaron Swartz Case INV Request

From: (b)(6),(b)(7)(C) (CID)
Sent: Tuesday, January 29, 2013 4:04 PM
To: JONATHAN BARTLETT (CID); EDWARD LOWERY (PID)
Subject: FW: Aaron Swartz Case INV Request

From: (b)(6),(b)(7)(C) (CID)
Sent: Tuesday, January 29, 2013 3:23 PM
To: (b)(6),(b)(7)(C) (CID); (b)(6),(b)(7)(C) (CID)
Cc: (b)(6),(b)(7)(C) (CID)
Subject: Aaron Swartz Case INV Request

Good afternoon, Please see attachment.

Thank you,

SA (b)(6),(b)(7)(C)
United States Secret Service
Criminal Investigative Division

(b)(6),(b)(7)(C) Direct
Mobile

Email: (b)(6),(b)(7)(C)@uss.s.dhs.gov

From: (b)(6),(b)(7)(C) (BOS)
Sent: Tuesday, January 29, 2013 3:16 PM

To: (b)(6),(b)(7)(C) (CID)
Subject: RE: Aaron Swartz Case

Please see attached

From: (b)(6),(b)(7)(C) (CID)
Sent: Wednesday, January 23, 2013 10:18 AM
To: (b)(6),(b)(7)(C) (BOS)
Subject: Aaron Swartz Case

Good morning, Can you please give me a call regarding the INV request that was sent to your office yesterday regarding the above case?

Thank you,

SA (b)(6),(b)(7)(C)
United States Secret Service
Criminal Investigative Division
(b)(6),(b)(7)(C) Direct
Mobile
Email: (b)(6),(b)(7)(C)@uss.s.dhs.gov

FARON PARAMORE (GPA)

From: FARON PARAMORE (GPA)
Sent: Tuesday, January 29, 2013 9:45 AM
To: HUGH DUNLEAVY (INV); FREDERICK SELLERS (INV); JONATHAN BARTLETT (CID)
Cc: DONNA CAHILL (LEG); LYNDA WILLIAMS (GPA); (b)(6),(b)(7)(C) (GPA); (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) (GPA); (b)(6),(b)(7)(C) (GPA)
Subject: House Oversight & Gov't Reform Committee (OGR) Chairman Issa Staff request briefing this Friday, February 1, 2013 at 1pm
Attachments: Swartz Dismissal.pdf
Importance: High

Good Morning, hope you are well.

Last night I was contacted by Mr. (b)(6),(b)(7)(C) Professional Staff with the House Oversight & Gov't Reform Committee (Chairman Issa staffer) requesting to receive a briefing from the USSS concerning our investigative efforts in the Aaron Swartz case in Boston. Mr. (b)(6) requested we provide the briefing this Friday, February 1, 2013 at 1pm in their office on Capitol Hill.

The attendees at the briefing will be staff from the offices of the Members who sit on the Oversight & Government Reform Committee. There could be as many as 20 staffers in the room.

Mr. (b)(6) had already been contacted by DOJ Office of Congressional Affairs and advised that they will provide a briefing at a TBD date in the future. I informed Mr. (b)(6) that we were aware that the U.S. Attorney's Office in Boston had already dismissed the charges against Mr. Swartz as he is now deceased. I further advised Mr. (b)(6) that we were still trying to clarify IF – IF there were any issues or concerns regarding the 6E material. Lastly, I informed Mr. (b)(6) that we would ONLY discuss our investigative efforts and that any questions that fell under the purview of DOJ (proffers / plea agreements/ etc.) would have to be directed / answered by DOJ.

Mr. (b)(6) advised that he understood the USSS would ONLY discuss the investigative aspects of this case.

Can INV please confirm your availability to provide the requested briefing this Friday, February 1, 2013 at 1pm.

Respectfully,

Faron.

Faron K. Paramore
Deputy Assistant Director
Office of Congressional Affairs
United States Secret Service

Ph: (202) 406-5676 Main line
(b)(6),(b)(7)(C) Direct line
Cell
(202) 406-5740 Fax

From: FREDERICK SELLERS (INV)
Sent: Monday, January 28, 2013 12:13 PM
To: FARON PARAMORE (GPA); HUGH DUNLEAVY (INV)
Subject: FW: U.S. Attorney's Office in Boston drop charges against Aaron Swartz. Please see article below. Can we have BFO confirm with AUSA's office

FYI:

From: STEVEN RICCIARDI (BOS)
Sent: Monday, January 28, 2013 12:05 PM
To: FREDERICK SELLERS (INV)
Subject: RE: U.S. Attorney's Office in Boston drop charges against Aaron Swartz. Please see article below. Can we have BFO confirm with AUSA's office

Sir - Please see attached, SR

Steven D. Ricciardi
Special Agent in Charge
United States Secret Service
Boston Field Office
617/565-5640

From: FREDERICK SELLERS (INV)
Sent: Monday, January 28, 2013 11:58 AM
To: STEVEN RICCIARDI (BOS); HUGH DUNLEAVY (INV)
Cc: FREDERICK SELLERS (INV)
Subject: RE: U.S. Attorney's Office in Boston drop charges against Aaron Swartz. Please see article below. Can we have BFO confirm with AUSA's office

Thanks Steve for the quick response. If possible, at your convenience, can we get a scanned copy of the dismissal to assist with any "potential" conversations with Chief Counsel?

Again - Thanks!

Fred Sellers

From: STEVEN RICCIARDI (BOS)
Sent: Monday, January 28, 2013 11:26 AM
To: HUGH DUNLEAVY (INV); FREDERICK SELLERS (INV)
Cc: JONATHAN BARTLETT (CID); FARON PARAMORE (GPA); (b)(6),(b)(7)(C) (BOS)
Subject: RE: U.S. Attorney's Office in Boston drop charges against Aaron Swartz. Please see article below. Can we have BFO confirm with AUSA's office

Hugh & Fred:

I was advised that the charges have been dismissed, which is SOP, when a defendant is deceased prior to the completion of Judicial Action. I have a copy of the Dismissal order. In this case, Mr. Swartz was indicted (sealed) by a Grand Jury. Once there is an indictment it becomes public record, regulations regarding Rule 6E pertain just to the Grand Jury proceedings. (b)(6) Chief Counsel's Office (b)(6)

(b)(5)

Let me know if you need anything else, we should have the chronological outline to you very soon.

Best regards - Steve

Steven D. Ricciardi
Special Agent in Charge
United States Secret Service
Boston Field Office
617/565-5640

From: HUGH DUNLEAVY (INV)
Sent: Monday, January 28, 2013 10:37 AM
To: STEVEN RICCIARDI (BOS)
Cc: HUGH DUNLEAVY (INV); JONATHAN BARTLETT (CID)
Subject: Fw: U.S. Attorney's Office in Boston drop charges against Aaron Swartz. Please see article below. Can we have BFO confirm with AUSA's office
Importance: High

Pls confirm

From: FARON PARAMORE (GPA)
Sent: Monday, January 28, 2013 09:31 AM Eastern Standard Time
To: HUGH DUNLEAVY (INV); FREDERICK SELLERS (INV); JONATHAN BARTLETT (CID)
Cc: PAUL MORRISSEY (GPA); FARON PARAMORE (GPA); LYNDA WILLIAMS (GPA)
Subject: U.S. Attorney's Office in Boston drop charges against Aaron Swartz. Please see article below. Can we have BFO confirm with AUSA's office

Good Morning everyone, hope you are well.

Please see article below.

Looks like the US Attorney's Office in Boston dropped the charges against Aaron Swartz. Can we please have the Boston Field Office confirm this information.

If - If this is correct / true, this would also nullify our concerns regarding 6E material - I think.

Thanks. Faron.

Faron K. Paramore
Deputy Assistant Director
Office of Congressional Affairs
United States Secret Service

Ph: (202) 406-5676 Main line
(b)(6),(b)(7)(C) Direct line
Cell
(202) 406-5740 Fax

Feds drop charges against late Internet activist

Aaron Swartz

Federal prosecutors in Boston have dropped charges against Internet activist Aaron Swartz after his death. (Michael Francis McElroy / New York Times via Associated Press / January 30, 2009)

By Jessica Gwynn

January 14, 2013, 10:38 a.m.

Federal prosecutors in Boston have dropped charges against Internet activist Aaron Swartz.

Swartz, 26, was found dead Friday in his New York apartment. He apparently had hanged himself.

Prosecutors filed the notice of dismissal on Monday.

Swartz's family blamed his death on "prosecutorial overreach."

The U.S. attorney's office could not be reached for comment.

Federal prosecutors alleged Swartz used MIT's computers to illegally access millions of academic articles through the JSTOR database, a subscription service for scholarly articles. He was indicted in 2011 and was scheduled to go to trial on 13 counts including computer fraud. Swartz faced the possibility of millions of dollars in fines and up to 35 years in prison.

The case was seen as a showdown pitting the government and commercial interests against Internet "freedom fighters."

MIT President L. Rafael Reif on Sunday appointed Hal Abelson, a professor of computer science and engineering and a founding director of Creative Commons and the Free Software Foundation, to "lead a thorough analysis of MIT's involvement."

As news spread over the weekend of Swartz's death, the Web collectively mourned for a brilliant young technologist and activist who wanted to set the world's information free yet could never escape his own demons.

Confided one friend: "I'm not surprised that this is how his life ended, and I bet many others feel the same way. So sad, he had so much potential and not enough joy in his life."

Swartz was just 14 when he helped create RSS, a tool that distributes online content. He was one of the founders of the social news site Reddit, which was bought by Conde Nast. But he was best known as an activist for free and open access to the world's information.

"Everything he did was aimed at world-changing and at activism," said friend and historian Rick Perlstein.

Now his death is being used to question government's aggressive criminal prosecution of Internet activists.

Anonymous allegedly hacked MIT's website and left a tribute for Swartz: "We do not consign blame or responsibility upon MIT for what has happened, but call for all those feel heavy-hearted in their proximity to

this awful loss to acknowledge instead the responsibility they have — that we all have — to build and safeguard a future that would make Aaron proud."

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA

v.

AARON SWARTZ

)
)
)
)
)

Criminal No. 11-10260-NMG

DISMISSAL

Pursuant to FRCP 48(a), the United States Attorney for the District of Massachusetts, Carmen M. Ortiz, hereby dismisses the case presently pending against Defendant Aaron Swartz. In support of this dismissal, the government states that Mr. Swartz died on January 11, 2013.

Respectfully submitted,

1/14/13
Date

Carmen M. Ortiz
CARMEN M. ORTIZ
United States Attorney

Stephen P. Heymann
STEPHEN P. HEYMANN
Assistant U.S. Attorney

Leave to File Granted:

Nathaniel M. Gorton 1/14/13
Nathaniel M. Gorton, Judge
United States District Court

FARON PARAMORE (GPA)

From: FARON PARAMORE (GPA)
Sent: Monday, January 28, 2013 12:31 PM
To: LYNDIA WILLIAMS (GPA); (b)(6),(b)(7)(C) (GPA); (b)(6),(b)(7)(C) (GPA);
(b)(6),(b)(7)(C) (GPA); DONNA CAHILL (LEG)
Cc: PAUL MORRISSEY (GPA)
Subject: U.S. Attorney's Office in Boston drop charges against Aaron Swartz. Please see article below.
Can we have BFO confirm with AUSA's office
Attachments: Swartz Dismissal.pdf

FYI:

Copy of the Swartz dismissal attached.

Just fyi. Faron.

Faron K. Paramore
Deputy Assistant Director
Office of Congressional Affairs
United States Secret Service

Ph: (202) 406-5676 Main line
(b)(6),(b)(7)(C) Direct line
Cell
(202) 406-5740 Fax

From: FREDERICK SELLERS (INV)
Sent: Monday, January 28, 2013 12:13 PM
To: FARON PARAMORE (GPA); HUGH DUNLEAVY (INV)
Subject: FW: U.S. Attorney's Office in Boston drop charges against Aaron Swartz. Please see article below. Can we have BFO confirm with AUSA's office

FYI:

From: STEVEN RICCIARDI (BOS)
Sent: Monday, January 28, 2013 12:05 PM
To: FREDERICK SELLERS (INV)
Subject: RE: U.S. Attorney's Office in Boston drop charges against Aaron Swartz. Please see article below. Can we have BFO confirm with AUSA's office

Sir - Please see attached, SR

Steven D. Ricciardi
Special Agent In Charge
United States Secret Service
Boston Field Office
617/565-5640

From: FREDERICK SELLERS (INV)
Sent: Monday, January 28, 2013 11:58 AM
To: STEVEN RICCIARDI (BOS); HUGH DUNLEAVY (INV)
Cc: FREDERICK SELLERS (INV)
Subject: RE: U.S. Attorney's Office in Boston drop charges against Aaron Swartz. Please see article below. Can we have BFO confirm with AUSA's office

Thanks Steve for the quick response. If possible, at your convenience, can we get a scanned copy of the dismissal to assist with any "potential" conversations with Chief Counsel?

Again --Thanks!

Fred Sellers

From: STEVEN RICCIARDI (BOS)
Sent: Monday, January 28, 2013 11:26 AM
To: HUGH DUNLEAVY (INV); FREDERICK SELLERS (INV)
Cc: JONATHAN BARTLETT (CID); FARON PARAMORE (GPA); (b)(6),(b)(7)(C) (BOS)
Subject: RE: U.S. Attorney's Office in Boston drop charges against Aaron Swartz. Please see article below. Can we have BFO confirm with AUSA's office

Hugh & Fred:

I was advised that the charges have been dismissed, which is SOP, when a defendant is deceased prior to the completion of Judicial Action. I have a copy of the Dismissal order. In this case, Mr. Swartz was indicted (sealed) by a Grand Jury. Once there is an indictment it becomes public record, regulations regarding Rule 6E pertain just to the Grand Jury proceedings. (b)(5) Chief Counsel's Office (b)(5)
(b)(5) Let me know if you need anything else, we should have the chronological outline to you very soon.

Best regards - Steve

Steven D. Ricciardi
Special Agent in Charge
United States Secret Service
Boston Field Office
617/565-5640

From: HUGH DUNLEAVY (INV)
Sent: Monday, January 28, 2013 10:37 AM
To: STEVEN RICCIARDI (BOS)
Cc: HUGH DUNLEAVY (INV); JONATHAN BARTLETT (CID)
Subject: Fw: U.S. Attorney's Office in Boston drop charges against Aaron Swartz. Please see article below. Can we have BFO confirm with AUSA's office
Importance: High

Pls confirm

From: FARON PARAMORE (GPA)
Sent: Monday, January 28, 2013 09:31 AM Eastern Standard Time
To: HUGH DUNLEAVY (INV); FREDERICK SELLERS (INV); JONATHAN BARTLETT (CID)
Cc: PAUL MORRISSEY (GPA); FARON PARAMORE (GPA); LYNDY WILLIAMS (GPA)
Subject: U.S. Attorney's Office in Boston drop charges against Aaron Swartz. Please see article below. Can we have BFO confirm with AUSA's office

Good Morning everyone, hope you are well.

Please see article below.

Looks like the US Attorney's Office in Boston dropped the charges against Aaron Swartz. Can we please have the Boston Field Office confirm this information.

If - If this is correct / true, this would also nullify our concerns regarding 6E material - I think.

Thanks. Faron.

Faron K. Paramore
Deputy Assistant Director
Office of Congressional Affairs
United States Secret Service

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Feds drop charges against late Internet activist Aaron Swartz

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(Michael Francis McElroy / New York Times via Associated Press / January 30, 2009)

By Jessica Guynn

January 14, 2013, 10:38 a.m.

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Now his death is being used to question government's aggressive criminal prosecution of Internet activists.

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FARON PARAMORE (GPA)

From: FARON PARAMORE (GPA)
Sent: Tuesday, January 22, 2013 1:05 PM
To: PAUL MORRISSEY (GPA); JANE MURPHY (INV); HUGH DUNLEAVY (INV)
Cc: FARON PARAMORE (GPA); LYNDA WILLIAMS (GPA)
Subject: Call w/ DOJ regarding Aaron Swartz case / briefing to House Oversight & Gov't Reform Committee

Good afternoon, hope you are well.

Consult with outside agency.

Thanks much.

Faron.

Faron K. Paramore
Deputy Assistant Director
Office of Congressional Affairs
United States Secret Service

Ph: (202) 406-5676 Main line
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Cell
(202) 406-5740 Fax

FARON PARAMORE (GPA)

From: FARON PARAMORE (GPA)
Sent: Tuesday, January 22, 2013 10:59 AM
To: (b)(6),(b)(7)(C)@usdoj.gov
Cc: (b)(6),(b)(7)(C)@hq.dhs.gov
Subject: U.S. Secret Service - Aaron Swartz case out of Boston

Good Morning Ms (b)(6),(b)(7)(C) hope you are well.

Ma'am, my name is Faron K. Paramore. I serve as the Deputy Assistant Director in the Office of Congressional Affairs for the U.S. Secret Service.

Last Thursday afternoon (1/17/13) I was contacted by a Mr (b)(6),(b)(7)(C) professional staff with the House Oversight & Government Reform Committee (Majority Staff - Chairman Issa), requesting to receive a briefing from the U.S. Secret Service regarding our role / investigation of the Aaron Swartz case out of Boston, MA.

Ma'am, at your convenience would it be possible for me to give you a call to discuss this matter.

Thank you very much for your time.

Faron K. Paramore
Deputy Assistant Director
Office of Congressional Affairs
United States Secret Service

Ph: (202) 406-5676 Main line
(b)(6),(b)(7)(C) Direct line
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Note the Issa comments towards the end of the article <http://thehill.com/blogs/hillicon-valley/technology/277709-justice-department-defends-prosecution-of-activist-swartz>

• Previous TJX hacking case - Same prosecutor and the suspect also committed suicide:

<http://www.dailymail.co.uk/news/article-2262831/Revealed-Aaron-Swartz-prosecutor-drove-hacker-suicide-2008-named-cyber-crime-case.html>

FARON PARAMORE (GPA)

From: FARON PARAMORE (GPA)
Sent: Friday, January 18, 2013 3:40 PM
To: (b)(6),(b)(7)(C)@hq.dhs.gov
Cc: FARON PARAMORE (GPA)
Subject: From Time.com: Aaron Swartz's Suicide Triggers Response from Top U.S. Lawmakers
Attachments: Clips Extra January 14 2013.doc; Clips Extra January 15 2013.doc; Doc1.doc

Good afternoon (b)(6),(b) hope you are well.

(b)(6),(b) just left you a v/m.

Over the last year and a half our Boston Field Office / New England Electronics Crimes Task Force was working a cyber case. Our Suspect was a Mr. Aaron Swartz's. Long story short - Swartz killed himself about a week ago. His federal trial was suppose to start in a month or so.

NOW, there have been numerous articles on the web about how the "Federal Gov't" was heavy handed in this case.

Late yesterday afternoon I received a call from Chairman Issa's staff requesting to receive a briefing possible next week.

Want to make sure DHS is in the loop on what actually happened.

Also, we will need to coordinate with DOJ Congressional Affairs on this. The USSS will ONLY speak to our role in this case. DOJ (The U.S. Attorneys Office has a big part in this also).

Please give me a call when you have a moment so I can brief you.

See links below.

Thanks. Faron.

Faron K. Paramore
Deputy Assistant Director
Office of Congressional Affairs
United States Secret Service

Ph: (202) 406-5676 Main line
(b)(6),(b)(7)(C) Direct line
(b)(6),(b)(7)(C) Cell
(202) 406-5740 Fax

From: (b)(6),(b)(7)(C) (GPA)
Sent: Thursday, January 17, 2013 1:46 PM
To: FARON PARAMORE (GPA)
Cc: LYNDA WILLIAMS (GPA) (b)(6),(b)(7)(C) (GPA) (b)(6),(b)(7)(C) (GPA) (b)(6),(b)(7)(C) (GPA)
Subject: FW: From Time.com: Aaron Swartz's Suicide Triggers Response from Top U.S. Lawmakers

Faron,

Here are some -- see attached.

Also - Here are a couple more things that (b)(6),(b)(7)(C) found:

- Note the Issa comments towards the end of the article
<http://thehill.com/blogs/hillicon-valley/technology/277709-justice-department-defends-prosecution-of-activist-swartz>

- Previous TJX hacking case - Same prosecutor and the suspect also committed suicide:

<http://www.dailymail.co.uk/news/article-2262831/Revealed-Aaron-Swartz-prosecutor-drove-hacker-suicide-2008-named-cyber-crime-case.html>

Let us know what else you need.

Thanks,

(b)(6),(b)(7)(C)

-----Original Message-----

From: (b)(6),(b)(7)(C) (GPA)
Sent: Thursday, January 17, 2013 1:39 PM
To: (b)(6),(b)(7)(C) (GPA)
Subject: FW: From Time.com: Aaron Swartz's Suicide Triggers Response from Top U.S. Lawmakers

<http://crooksandliars.com/karoli/unanswered-question-why-was-secret-service->

<http://www.justice.gov/usao/ma/news/2011/July/SwartzAaronPR.html>

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Cc: LYNDA WILLIAMS (GPA); (b)(6),(b)(7)(C) (GPA); (b)(6),(b)(7)(C) (GPA)
Subject: FW: From Time.com: Aaron Swartz's Suicide Triggers Response from Top U.S. Lawmakers

(b)(6),(b)(7)(C) can you pull down any / all articles you can find on the internet concerning this guy

Mr. Aaron Swartz.

Issa's office just called and are looking for a briefing tbd time next week.

Thx. Faron.

Faron K. Paramore
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-----Original Message-----

From: EDWIN DONOVAN (GPA)

Sent: Thursday, January 17, 2013 12:54 PM

To: HUGH DUNLEAVY (INV); JANE MURPHY (INV); PAUL MORRISSEY (GPA); LEE FIELDS (INV); JONATHAN BARTLETT (CID)

Cc: (b)(6),(b)(7)(C) (GPA); (b)(6),(b)(7)(C) (GPA); (b)(6),(b)(7)(C) (GPA); (b)(6),(b)(7)(C) (GPA); FARON PARAMORE (GPA); (b)(6),(b)(7)(C) (GPA); LYNDA WILLIAMS (GPA)

Subject: From Time.com: Aaron Swartz's Suicide Triggers Response from Top U.S. Lawmakers

Attached is an article from Time.com discussing Aaron Swartz's suicide and reaction from some members of Congress.

Link to article: <http://business.time.com/2013/01/16/aaron-swartzs-suicide-triggers-response-from-us-lawmakers/>

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Let us know what else you need.

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Faron K. Paramore
Deputy Assistant Director
Office of Congressional Affairs
United States Secret Service

Ph: (202) 486-5676 Main line
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Cc: (b)(6),(b)(7)(C) (GPA); (b)(6),(b)(7)(C) (GPA); (b)(6),(b)(7)(C) (GPA); (b)(6),(b)(7)(C) (GPA); FARON PARAMORE (GPA); (b)(6),(b)(7)(C) (GPA); LYNDA WILLIAMS (GPA)

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FROM TIME.COM

Aaron Swartz, the brilliant and mercurial young programmer who killed himself in Brooklyn last Friday, was memorialized in his hometown of Highland Park, Ill., Tuesday, as the shockwaves from his death reached Washington, D.C.

As Swartz's family and friends were grieving in Chicago, several Capitol Hill lawmakers expressed sadness and confusion over his death. One prominent U.S. lawmaker, Zoe Lofgren (D-Calif.), said she would introduce reforms to change the federal law at the heart of the case.

In a bill called "Aaron's Law," Lofgren aims to amend the Computer Fraud and Abuse Act (CFAA), which Massachusetts prosecutors used to charge Swartz with over 30 years in prison. Swartz's family has accused the Massachusetts U.S. Attorney's office with hounding the young activist over what they call a "victimless crime." Specifically, Lofgren's bill would amend the existing law to distinguish between a terms of service violation and a federal data theft crime.

"Lofgren's bill is a good start," Harvard professor Lawrence Lessig told TIME in a phone interview Wednesday morning. Lessig eulogized Swartz at the funeral Tuesday. Like many of Swartz's friends, Lessig hopes that something positive will come out of the young programmer's passing, he said.

"The CFAA was the hook for the government's bullying," Lessig wrote on Reddit, the hugely popular Internet activist hub that Swartz helped launch. "This law would remove that hook. In a single line: no longer would it be a felony to breach a contract. Let's get this done for Aaron — now." (Read Lofgren's bill here.)

(MORE: Aaron Swartz's Suicide Prompts MIT Soul-Searching)

Swartz faced over 30 years in prison on federal data-theft charges for downloading articles from the subscription-based academic research service JSTOR. In 2011, Swartz allegedly broke into a secure MIT computer closet and hooked up a laptop in order to download JSTOR files, before he was arrested by local authorities. JSTOR later settled its civil complaint with Swartz, but MIT did not follow suit, giving Massachusetts federal prosecutors the implicit green light to go ahead with the prosecution, Lessig says.

"The charges were ridiculous and trumped-up," Rep. Jared Polis (D-Colo.) told The Hill newspaper. "It's absurd that he was made a scapegoat. I would hope that this doesn't happen to anyone else." Polis called Swartz — who co-authored an early version of the popular Internet tool RSS at age 14 and would later become an early leader of Reddit — a "martyr."

At the funeral, Swartz's father Robert Swartz said his son was "killed by the government, and MIT betrayed all of its basic principles," according to the Associated Press. On Sunday, MIT president L. Rafael Reif announced an internal investigation into the school's involvement in



Swartz's suicide. Reif has asked Hal Abelson, a respected MIT professor, and a founding director of Creative Commons and the Free Software Foundation, to lead the probe.

House Oversight Committee Chairman Darrell Issa (R-Calif.) said he has opened an investigation of the Justice Department's case against Aaron Swartz, according to HuffPost. "I'm not condoning his hacking, but he's certainly someone who worked very hard," Issa told the news website.

"Had he been a journalist and taken that same material that he gained from MIT, he would have been praised for it. It would have been like the Pentagon Papers." (Not exactly: The Pentagon Papers were classified federal government documents. Swartz was accused of accessing scholarly articles on a university network.)

(MORE: Aaron Swartz, Tech Prodigy and Internet Activist, Is Dead at 26)

Rep. Issa, the chairman of the House Judiciary Committee, is a shrewd political operator who has worked with Internet activists in the past. Last year, Rep. Issa was instrumental in the defeat of controversial anti-piracy legislation, which Swartz worked to oppose. A conservative Republican, Issa has sensed the recent groundswell of Internet-based activism, and sought to align himself with it. Issa has made investigating U.S. government "over-reaching" a key part of his agenda.

Meanwhile, incoming Massachusetts senator Elizabeth Warren issued a statement praising Swartz. "When I met Aaron Swartz in 2010, I discovered a young man who was passionate, sharp, a little shy, and, above all, warm and good natured," Warren said in a statement to HuffPost. "He seemed like the kind of person who couldn't hurt a fly — he just had that kind of presence. Aaron made remarkable contributions to our world, and his advocacy for Internet freedom, social justice, and Wall Street reform demonstrated both the power of his ideas and the depth of his commitment. The world is a poorer place without Aaron."

In statement on Reddit, Rep. Lofgren said she wants to reform the Computer Fraud and Abuse Act (CFAA) in order to "prevent what happened to Aaron from happening to other Internet users." Lofgren, who represents Silicon Valley, is an outspoken voice on technology issues in the U.S. Congress.

"The government was able to bring such disproportionate charges against Aaron because of the broad scope of the wire fraud statute," Lofgren said. "It looks like the government used the vague wording of those laws to claim that violating an online service's user agreement or terms of service is a violation of the CFAA and the wire fraud statute."

Assistant U.S. Attorney Stephen Heymann, who works for Massachusetts U.S. Attorney Carmen Ortiz, has faced criticism over his handling of the case. According to Swartz's lawyer, Elliot Peters, Heymann was aiming for a "juicy looking computer crime cases and Aaron's case, sadly for Aaron, fit the bill," Peters told HuffPost. Peters told the website that he thought Heymann believed the Swartz case "was going to receive press and he was going to be a tough guy and read his name in the newspaper."

Read more: <http://business.time.com/2013/01/16/aaron-swartzs-suicide-triggers-response-from-us-lawmakers/#jxz2IPtES9y9>



At 19:35 hours Friday, January 11, 2013, it was reported to NYPD that Aaron Swartz had committed suicide. Detective (b)(6),(b)(7)(C) of Precinct 71 responded to (b)(6),(b)(7)(C)

(b) 11225. (b)(6),(b)(7)(C) Swartz's (b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

Aaron Swartz was identified and all indications thus far reveal that it was a suicide. (b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

No note was left but there were computers in the apartment. Due to dual ownership claims and no apparent foul play, the computers on scene were not seized.

The New York Medical Examiner's Office has listed it as an open case at this time.

Aaron Swartz was very outspoken that he suffered with depression and even wrote blog entries articulating suicide. He literally was a child prodigy and was clearly brilliant. He wrote script (source-code) that was purchased when he was 14 years old for \$ 4 million dollars and a few years later he wrote another code which Norton Antivirus purchased for \$ 1.5 million dollars. In 2008 he became politically active in cyber related activities, he authored the Guerilla Manifesto. The original website for this manifesto was removed by Aaron Swartz from his website shortly after his arrest; basically because it was a written motive to the crimes he was subsequently charged with.

This case was initiated in the Boston Field Office on January 4, 2011 when Detective (b)(6),(b)(7)(C) of Cambridge Police Department (full time member of the New England Electronic Crimes Task Force (NEECTF) who resides in the Boston Field Office on a daily basis) received a telephone call from the MIT Police stating there was an unauthorized laptop computer located in a computer closet on campus attached to a switch on the MIT network. The trial was scheduled to begin April 1, 2013 with suppression motions occurring January 25, 2013. During the past two years of litigation, Swartz went through three of the top defense counsel teams finally ending with Elliot Peters (who recently successfully defended Lance Armstrong in his doping case) of California.

The following is a copy of the synopsis of the facts presented by the U.S. Attorneys' Office in response to the defense council's filing for the suppression hearing:

Late during the night of September 24, 2010, an individual registered his computer on MIT's campus and obtained a guest account on MIT's computer network. The individual did not provide his true identity at this or any subsequent time, and neither MIT personnel nor law enforcement officers knew the individual's name until his arrest months later. The individual registered his computer by specifying his name as "Gary Host," a pseudonym, and his e-mail address as ghost@mailinator.com, a disposable e-mail address by virtue of its requiring no initial e-mail registration and keeping no records of e-mail access.³ Before assigning the computer an

IP address, MIT's network automatically collected the computer's owner-created name — "ghost laptop" — and the unique identifying number associated with the computer's Internet networking hardware, known as the computer's Media Access Control or "MAC" address.

These are standard login and communication procedures.

MIT's DHCP4 computer server then used a standard Internet protocol to assign the individual an IP address (18.55.6.215) for use while on the network. The network kept records of the computer's registration information, its IP address, and its MAC address. These records are standard computer-networking records, and did not include any computer commands that the individual typed in or ran, or any data that the computer downloaded. (Exs. 6, 7).

3 Mailinator advertised itself as a free e-mail service that would accept mail for any email address directed to mailinator.com without need for a prior registration or account; would automatically delete all e-mail after several hours, whether read or not; and would keep no logs (records) of e-mail access.

4 DHCP is the acronym for Dynamic Host Configuration Protocol.

On September 25, 2010, the day after registering the "ghost laptop," the individual used the "ghost laptop" to systematically access and rapidly download an extraordinary volume of articles from JSTOR by using a software program that sidestepped JSTOR's computerized limits on the volume of each user's downloads. The downloads and requests for downloads were so numerous, rapid, and massive that they impaired the performance of JSTOR's computers.

As JSTOR, and then MIT, became aware of these downloads and problems, both attempted to block the individual's computer from further communications. On the evening of September 25, 2010, after suffering hundreds of thousands of downloads from the ghost laptop, JSTOR temporarily ended the downloads by blocking network access from the computer at IP address 18.55.6.215.

The next day, however, the ghost laptop's user obtained a new IP address from MIT's

network, changing the last digit in its IP address by one from 18.55.6.215 to 18.55.6.216. This defeated JSTOR's IP address block, enabling the ghost laptop to resume furiously downloading articles from JSTOR. This downloading continued until the middle of September 26, when JSTOR spotted it and blocked communication from IP address 18.55.6.216 as well.

The September 25 and 26 downloads had impaired JSTOR's computers and misappropriated significant portions of its archive. Because the download requests had originated from two MIT IP addresses that had begun with 18.55.6 — that is, 18.55.6.215 and 18.55.6.216 — JSTOR began blocking a broader range of MIT IP addresses on September 26. The new block prevented MIT researchers assigned MIT IP addresses 18.55.6.0 through 18.55.6.255 (as many as 253 computers) from performing research through JSTOR's archive for three to four days.

5 Moreover, when JSTOR notified MIT of the problems, MIT, too, banned the "ghost laptop" from using its network. To do this, MIT terminated the ghost laptop's guest registration on September 27, 2010, and prohibited the computer, as identified by its hardware MAC address, from being assigned a new IP address again through the guest registration process.

On October 2, 2010, less than a week after JSTOR and MIT had barred the individual's ghost laptop from communicating with their networks, the individual obtained yet another guest connection for the ghost laptop on MIT's network. Having recognized that MIT or JSTOR had blocked his ghost laptop by recognizing its MAC address, the individual now manipulated the ghost laptop's MAC address to mislead MIT into believing that he was a new and different guest registrant.

Six days later, the individual connected a second computer to MIT's network and created another guest account using pseudonyms similar to those he had used with the "ghost laptop": he registered the new computer under the name "Grace Host", a temporary email address of ghost42@mailinator.com, and a computer client name of "ghost macbook."

On October 9, 2010, the Individual activated the ghost laptop and the ghost macbook to download JSTOR's articles once again. The downloads came so fast and numerous that the individual again significantly impaired the operation of some of JSTOR's computers. Once again, MIT could not identify who was controlling these computers or where they were physically located, and JSTOR could not isolate the interloper to a consistent IP address. A computer's MAC address is initially assigned by an equipment manufacturer, but can be misrepresented electronically by a knowledgeable user. The user altered the ghost laptop's MAC address to appear as 00:23:5a:73:5f:fc rather than the prior MAC address of 00:23:5a:73:5f:fb, that could be blocked. Consequently, JSTOR blocked access by every computer using an MIT IP address campus-wide for approximately three days, again depriving legitimate MIT users from accessing JSTOR's services. And MIT blocked computers using the ghost laptop's and the ghost macbook's MAC addresses as well.

Nevertheless, between the end of October and January 6, 2011, the hacker obtained at least three new IP addresses and assigned his computer two new MAC addresses. He also moderated the speed of the downloads, which made them less noticeable to JSTOR. The exfiltration of JSTOR's collection was nonetheless extreme: over this period, the individual downloaded well over a million of JSTOR's articles.

Because the hacker had modified the speed of his downloads, JSTOR did not notice his latest downloads until around Christmas, 2010. Once noticed, however, JSTOR provided MIT with the hacker's latest IP address. Now that MIT's network security personnel had a more robust set of network tools, they could consult network traffic routing records and trace the IP address back to a concrete physical location on campus.

So on January 4, 2011, an MIT network security analyst traced the hacker's IP address to a network switch located in a basement wiring closet in MIT's Building 16. Building 16's street level doors have no-trespassing signs posted on them. (Ex. 8). The wiring closet is protected by

a pair of locked steel doors. (Ex. 9). The closet is generally locked, but at that time its lock could be forced by a quick jerk of its double doors. When MIT personnel entered the closet, they found a cardboard box with a wire leading from it to a computer network switch. (Ex. 10).⁶

⁶ MIT personnel removed the box from the laptop at first, and then MIT personnel or law enforcement officers replaced the box on one or more occasions. The second photograph was taken after the box was replaced, not when it was initially found.

⁷ Hidden under the box was the ghost laptop, an Acer-brand laptop, connected to a separate hard drive for excess storage. (Ex. 11). The network cable connected the laptop to the network switch, thus giving the laptop Internet access. (Ex. 12). The laptop's direct connection to the network switch was unusual because MIT does not connect computers directly to those switches.

MIT called campus police to the scene, who, in turn, brought in the Cambridge Police and the Secret Service. Over the course of the morning and early afternoon of January 4th, MIT and law enforcement officers collaboratively took several steps to identify the perpetrator and learn what he was up to:

(1) Cambridge Police crime scene specialists fingerprinted the laptop's interior and exterior and the external hard drive and its enclosure;

(2) MIT placed and operated a video camera inside the closet, which, as discussed below, later recorded the hacker (subsequently identified as Aaron Swartz) entering the wiring closet and performing tasks within it;

(3) The Secret Service opened the laptop and sought to make a copy of its volatile memory (RAM), which would automatically be destroyed when the laptop's power was turned off, but the effort resulted in their seeing only the laptop's user sign-in screen;

(4) MIT connected a second laptop to the network switch in order to record the laptop's communications, a type of recording often referred to as a "packet capture;" the Secret Service subsequently concurred with the packet capture, none of which was turned over to officers until MIT was issued a subpoena after Swartz's arrest;

(5) Beginning on January 4, 2011, MIT agreed to provide, and later provided, the Secret Service copies of network logs pertaining to

⁷ From the time of law enforcement's arrival on January 4, 2011, through the suspect's

arrest and identification on January 6, 2011, the effort by MIT and law enforcement to identify the individual was both consensual and collaborative.

8 This second laptop is seen on a chair in Ex. 10.8 the ghost laptop and ghost macbook between September 24, 2010 and January 6, 2011, (b)(3) Rule 6E

(b)(3) Rule 6E

9 By mid-day on January 4th, MIT and law enforcement personnel had completed their initial crime scene investigation. Experience told them that merely removing the hacker's computer equipment would just result in his renewing his efforts elsewhere. So, rather than take the hacker's equipment away, MIT and law enforcement instead restored the closet to its initial appearance upon discovery, and monitored who entered it and handled the laptop. In this way, the hacker would not necessarily know that his criminal tools had been discovered, his identity might be uncovered, and he could be stopped.

The ruse worked. Within an hour of their departure, the hacker returned. After entering the wiring closet and shutting the doors behind him, (Ex. 13), the hacker replaced the hard drive connected to the laptop with a new one he took from his backpack, and then concealed his equipment once again underneath the cardboard box.

Two days later, on January 6, 2011, the hacker returned to the wiring closet yet again.

This time, worried about being identified, the hacker covered his face with his bicycle helmet as he entered the closet. (Ex. 14). Once inside and with the door closed, the hacker disconnected the laptop and placed it, the external hard drive, and the network cable in his backpack. (Ex. 15).

As he left, he again hid his face with his bicycle helmet. (Ex. 16).

By January 6, 2011, the hacker had downloaded a major portion of the 6 to 7 million articles then contained in JSTOR's digitized database.

As discussed below, both the law and MIT's policies and procedures allowed MIT to turn these records over consensually, but it also could, and at points did, insist upon a subpoena.

A little after 2:00 that afternoon, MIT Police (b)(6),(b)(7)(C) who had been

involved in the investigation, was heading down Massachusetts Avenue within a mile of MIT when he spotted a bicyclist who looked like the hacker caught on the wiring closet video.

(b)(6),(b)(7)(C) identified himself as a police officer. After a brief exchange, the individual dropped his bike to the ground and ran away. The individual was chased, apprehended, arrested, and identified as Aaron Swartz. During a search incident to arrest, Cambridge police found a USB storage drive in Swartz's backpack, which they seized and stored as evidence. Approximately an hour later, MIT technical staff used computer routing and addressing records to locate Swartz's ghost laptop and hard drive in the Student Information Processing Board's office in MIT's student center. Law enforcement found the equipment on the floor under a desk. (Ex. 17). The equipment was subsequently seized and stored as evidence by Cambridge Police.

Aaron Swartz was charged by the Commonwealth in a criminal complaint alleging breaking and entering into MIT's property with intent to commit a felony, and was subsequently indicted by a Massachusetts grand jury for the same charge along with stealing JSTOR's electronically processed or stored data, and accessing a computer system without authorization. While the Commonwealth pursued state charges, the U.S. Attorney's Office began a separate investigation on January 5, 2011. On February 9, 2011, the Secret Service obtained a warrant to search Swartz's apartment, followed by a warrant to search his office on February 11, 2011. Both were executed on February 11th. Also on February 9, 2011, the Secret Service obtained warrants to seize from the Cambridge Police and then search the laptop, the hard drive, and the USB storage device. These warrants were returned unexecuted and new warrants were obtained on February 24, 2011. On May 16, 2011, Swartz was served with a forfeiture warrant for property of JSTOR in his possession and refused to comply with the Court's warrant.¹⁰ Swartz was indicted federally for wire fraud, computer fraud, and data theft, which was followed by the present Superseding indictment on the same theories.

<http://www.rollingstone.com/politics/news/why-did-the-justice-system-target-aaron-swartz-20130123>

Why Did the Justice System Target Aaron Swartz?

26-year-old Internet activist's tragic suicide raises questions about prosecutorial overreach

By Steven Hsieh

Rolling Stone Magazine

January 23, 2013 3:49 PM ET

Hundreds of mourners filled the Great Hall at New York's Cooper Union on January 19th to honor the life of Aaron Swartz, the Internet activist who took his own life earlier this month at age 26.

Swartz was well-known in technology circles for helping develop the RSS web feed format and the popular site Reddit, among other accomplishments. At the time of his death, he was facing 13 felony charges and up to 50 years in prison; Prosecutors had accused him of using MIT's network to download too many scholarly articles from an academic database called JSTOR.

Swartz's friends and family have said they believe he was driven to his death by a justice system that hounded him needlessly over an alleged crime with no real victims. "[He was] forced by the government to spend every fiber of his being on this damnable, senseless trial," his partner Taren Stinebrickner-Kauffman said at the memorial, "with no guarantee that he could exonerate himself at the end of it."

Swartz's tragic death has already begun forcing lawmakers to start rethinking our draconian computer laws. And House Oversight Committee Chairman Darrell Issa (R-California) even promised an investigation of the Justice Department prosecutors who did their best to send a young Internet pioneer to prison.

Two zealous federal prosecutors handled Swartz's case: U.S. district attorney Carmen Ortiz and assistant attorney Stephen Heymann. In the days after his death, writers, tech experts, and many of Swartz's friends have called out Heymann and Ortiz for prosecutorial overreach. A White House petition demanding the removal of Ortiz garnered well over 25,000 signatures, reaching the level which guarantees an eventual response from the Obama administration.

Some of Swartz's advocates believe the prosecution sought excessive punishment to set an example in the age of Wikileaks and Anonymous.

"This was, in my opinion, part of a coordinated campaign to scare young Internet activists," says Roy Singham, ThoughtWorks chairman and a friend of Swartz.

It's worth reviewing the so-called crime which put Swartz in the government's crosshairs. From September 24th, 2010 to January 6th, 2011, he accessed MIT's network to scrape an "extraordinary volume of articles" from the academic database JSTOR. Initially, he used the university's open wireless network to grab the files. But after several attempts by JSTOR and MIT to block him, Swartz gained access to a restricted closet and directly hardwired his laptop to the network, leaving it there to pull data.

MIT personnel found Swartz's laptop on the morning of January 4th, 2011, and connected a second computer to the network switch to monitor Swartz's activity. They also fingerprinted Swartz's device and installed a camera in the closet to identify their culprit.

On the same day, the U.S. Secret Service took over the investigation. Court documents reveal that Secret Service agent Michael Prickett recommended MIT personnel leave Swartz's laptop in the closet for monitoring. All acquired data was eventually disclosed to the Secret Service.

On January 6th, 2011, MIT and Cambridge police, with the help of special agent Prickett, arrested Swartz on charges of breaking and entering with intent to commit a felony. As blogger Marcy Wheeler suggests, the early involvement of the Secret Service "makes it clear that this was a nationally directed effort to take down Swartz."

JSTOR chose not to pursue charges against Aaron Swartz – who not only returned all downloaded content, but also ensured it "was not and would not be used, copied, transferred or distributed." That didn't stop MIT and the feds from indicting Swartz on 13 felony charges and insisting on prison time.

Ortiz and Heymann charged Swartz under the Computer Fraud and Abuse Act, a 29-year-old law, notorious in the legal world for being broadly interpretable. They argued that Swartz accessed MIT and JSTOR computers without "authorization," despite MIT's extraordinarily open network policy and Swartz's legal access to JSTOR content.

Despite admitting that Swartz wasn't financially motivated by his act – and even after learning that the 26-year-old had battled depression – Ortiz and Heymann refused to offer a deal that didn't include at least six months of prison time and a guilty plea on all 13 charges. If Swartz chose not to label himself a felon for life, he'd risk the possibility of many years in the slammer.

Any probe into this case must raise serious questions about prosecutorial overreach by Ortiz and Heymann. Heymann's record, in particular, reeks of bullying and power-

hungry ambition. A damning report from the Huffington Post paints the assistant U.S. attorney – and head of his court's computer crimes task force – as a careerist who sought tough convictions to bolster his reputation. In 2008, Heymann prosecuted another hacking case that ended with a suicide.

But holding Heymann and Ortiz accountable, while necessary, won't be enough to stop the persecution of Internet activists and hacking culture in this country. It's time to have a serious conversation over whether Swartz's fight for free information truly warranted Secret Service investigation. Should participating in a DDoS attack, the Internet's equivalent of a sit-down strike, send someone to 30 months in prison? As Harvard professor Lawrence Lessig has put it, our government pursued Swartz as if he were a "9/11 terrorist."

Last month, Rolling Stone's Matt Taibbi noted the absurdity of HSBC bankers skating on serious drug money laundering charges while hundreds of thousands of Americans sit behind bars for petty drug offenses. The Secret Service's involvement in hunting down a 26-year-old charged with downloading too many scholarly articles is just another example of our justice system's chillingly warped priorities.

FIELD ACTIVITIES:

**Boston Field Office
New England Electronic Crimes Task Force**

MIT Network Intrusion Results in Federal Indictment and Arrest

On January 4, 2011, Massachusetts Institute of Technology (MIT) Police Department contacted the Boston Field Office and requested assistance from the New England Electronic Crimes Task Force (NEECTF) regarding an investigation into a network intrusion. The initial investigation identified Aaron Swartz as the primary suspect.

NEECTF agents determined that Aaron Swartz intruded into the MIT network without authorization. Swartz broke into a locked closet containing network components, connected his computer to the MIT computer network and downloaded documents from a not-for-profit archive of scientific journals and academic work, known as "JSTOR." Swartz avoided MIT's and JSTOR's electronic security and distributed a significant amount of JSTOR's archive through one or more file-sharing sites. Through investigative interviews and electronic forensic evidence, agents established that Swartz's un-authorized access impaired MIT computers, disabled servers, and deprived various JSTOR users from accessing research. Agents discovered JSTOR and MIT were unable to block Swartz's attacks, as Swartz continued his intrusions utilizing new methods for accessing JSTOR. Subsequently Swartz exploited MIT's computer system to steal over four million articles from JSTOR.

On July 14, 2011, Aaron Swartz was indicted in U.S. District Court, District of Massachusetts, charged with violations of Title 18, United States Code, Sections 2 (Aiding and Abetting), 1030a2 (Theft of Information From a Computer), 1030 a5B (Recklessly Damaging a Computer) and 1343 (Wire Fraud).

On July 19, 2011, Swartz surrendered to federal authorities and was arraigned before Magistrate Judge Judith G. Dein and released on \$100,000 bond.

On November 17, 2011, Swartz was also indicted in Middlesex Superior Court for breaking and entering in the daytime with intent to commit a felony, larceny over \$250 and unauthorized access to a computer network.

On November 30, 2011, Swartz was arraigned in Middlesex Superior Court for breaking and entering daytime, larceny over \$250 and unauthorized access to a computer network.

On November 12, 2012, a superseding indictment was rendered in the U.S. District Court, District of Massachusetts, for violations of Title 18, United States Code, Sections 2 (Aiding and Abetting), 1030 (Computer Fraud – unlawfully obtaining information from a protected computer and recklessly damaging a protected computer) and 1343 (Wire Fraud).

From November 2012 through January 2013, Boston agents and AUSA Stephen Heymann conduct witness preparation for the upcoming trial.

On January 11, 2013, Aaron Swartz committed suicide in Brooklyn, NY. The investigation is ongoing by New York City Police Department.

On February 6, 2013, a trial by jury in the U.S. District Court of Massachusetts was scheduled.

Case Agent: SA (b)(6),(b)(7)(C) (BOS)

Case Number: J-102-775-60071-S

HUGH DUNLEAVY (VPD)

From: HUGH DUNLEAVY (INV)
Sent: Saturday, January 12, 2013 2:25 PM
To: (b)(6),(b)(7)(C) (CID)
Cc: HUGH DUNLEAVY (INV)
Subject: Re: CID/CERT: Update for Case Support to Boston Field Office: Aaron Swartz Suicide Confirmed

Thx. Notification made to GPA earlier this morning. See following -

----- Original Message -----

From: STEVEN RICCIARDI (BOS)
Sent: Saturday, January 12, 2013 09:54 AM Eastern Standard Time
To: LEE FIELDS (INV); EDWIN DONOVAN (GPA)
Subject: Fw: Aaron Swartz (USSS Defendant Commits Suicide - awaiting positive ME ID)

Lee and Ed:

I was advised of this situation this morning, there could be some media attention regarding our defendant committing suicide. This case was about to go to Federal trial.

Our investigation revealed that Swartz had hacked into MIT servers and obtained gigabytes of data primarily dealing with technical manuals.

Please confirm with me that you received this info.

Thanks - Steve

Steven D. Ricciardi
Special Agent In Charge
United States Secret Service
Boston Field Office
(617) 565-5640

----- Original Message -----

From: (b)(6),(b)(7)(C) (BOS)
Sent: Saturday, January 12, 2013 09:29 AM Eastern Standard Time
To: STEVEN RICCIARDI (BOS)
Subject: Aaron Swartz

Steve.

Please call when you have a moment. We have information that the MIT defendant Aaron Swartz committed suicide last night. Blogs are confirming and the NYC ME is confirming they have a Aaron swartz. (b)(6),(b)(7)(C) is following up with NYC to ensure positive confirmation.

(b)(6),(b)(7)(C)

USSS - ASAIC

Boston Field Office

(b)(6),(b)(7)(C)

From: (b)(6),(b)(7)(C) (CID)

Sent: Saturday, January 12, 2013 02:21 PM Eastern Standard Time

To: (b)(6),(b)(7)(C) (CID)

Cc: JONATHAN BARTLETT (CID); HUGH DUNLEAVY (INV); EDWIN DONOVAN (GPA)

Subject: Re: CID/CERT: Update for Case Support to Boston Field Office: Aaron Swartz Suicide Confirmed

Thank you (b)(6),(b)(7)(C) I have copied the chain and GPA on this chain. Who is the case agent from Boston?

From: (b)(6),(b)(7)(C) (CID)

Sent: Saturday, January 12, 2013 02:08 PM

To: (b)(6),(b)(7)(C) (CID)

Subject: CID/CERT: Update for Case Support to Boston Field Office: Aaron Swartz Suicide Confirmed

(b)(6),(b)(7)(C)

We've been assisting the Boston Field Office in an investigation involving Aaron Swartz, the founder of Reddit, where he gained unauthorized access to MIT and stole data. Agents from the Boston Field Office arrested him while he was committing the crime.

It appears that he has committed suicide. Given that he is well known through his association with Reddit and Wired magazine I would not be surprised if there were to be media inquiries / coverage regarding his death.

R/

(b)(6),(b)(7)(C)

ATSAIC, Program Manager

CID/CERT

U.S. Secret Service

(b)(6),(b)(7)(C) (Desk)

(b)(6),(b)(7)(C) (Mobile)

412-268-9262 (Fax)

From: (b)(6),(b)(7)(C) @cambridgepolice.org

Sent: Saturday, January 12, 2013 10:32 AM Eastern Standard Time

To: (b)(6),(b)(7)(C) (BOS); (b)(6),(b)(7)(C) (BOS); (b)(6),(b)(7)(C) (BOS); (b)(6),(b)(7)(C) (BOS); (b)(6),(b)(7)(C) (BOS); (b)(6),(b)(7)(C) (BOS)

(b)(6),(b)(7)(C) (BOS); (b)(6),(b)(7)(C) (Gmail); (b)(6),(b)(7)(C) @gmail.com; (b)(6),(b)(7)(C) @gmail.com

(b)(6),(b)(7)(C) @gmail.com;

cc: (b)(6),(b)(7)(C) @mit.edu; (b)(6),(b)(7)(C) @MIT.EDU; (b)(6),(b)(7)(C) MIT

(b)(6),(b)(7)(C) @MIT.EDU; (b)(6),(b)(7)(C) @mit.edu; (b)(6),(b)(7)(C) @mit.edu; (b)(6),(b)(7)(C) (CID)

Subject: Aaron Swartz Suicide Confirmed

All Concerned,

This morning I was notified that Aaron Swartz committed suicide.

I have subsequently confirmed this report through The New York Medical Examiner's Office and NYPD's 71st Precinct Detectives.

At 19:35 hours yesterday, January 11, 2013, the incident was reported to NYPD. Detective (b) of the 71 responded to (b)(6),(b)(7)(C) Aaron Swartz was identified and all indications thus far reveal that it is a suicide (b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

The New York Medical Examiner's Office has it listed as an open case at this time.

Detective (b)(6) will be calling me with further information. As I get more I shall pass it on.

R/S,

(b)(6),(b)(7)(C)

Detective

Electronic Crimes Task Force

USSS Boston Field Office

10 Causeway Street (b)(6),(b)(7)

Boston, MA 02222

Desk: (b)(6),(b)(7)(C)

Cell: (b)(6),(b)(7)(C)

(b)(6),(b)(7)(C) cambridgepolice.org

HUGH DUNLEAVY (VPD)

From: HUGH DUNLEAVY (INV)
Sent: Monday, January 14, 2013 10:16 AM
To: JONATHAN BARTLETT (CID); invsp
Cc: HUGH DUNLEAVY (INV)
Subject: FW: MIT Case Boston
Attachments: July 21, 2011.docx

From: (b)(6),(b)(7)(C) (INV)
Sent: Monday, January 14, 2013 9:45 AM
To: JANE MURPHY (INV); HUGH DUNLEAVY (INV); FREDERICK SELLERS (INV)
Cc: (b)(6),(b)(7)(C) (INV); (b)(6),(b)(7)(C) (INV)
Subject: MIT Case Boston

For Situational Awareness, attached is the write-up for the case involving MIT and the Defendant Aaron Swartz, who committed suicide over the weekend.

(b)(6),(b)(7)(C)
Special Agent
United States Secret Service
Office of Investigations / Special Projects
Office: (b)(6),(b)(7)(C)
Cell: (b)(6),(b)(7)(C)

HUGH DUNLEAVY (VPD)

From: HUGH DUNLEAVY (INV)
Sent: Tuesday, January 16, 2013 7:24 AM
To: CYNTHIA TRIPLETT (TEC); [REDACTED] (TEC); MARK COPANZZI (IRM)
Cc: HUGH DUNLEAVY (INV); dadinv
Subject: BOS MIT Investigation
Attachments: July 21, 2011.docx

All,

FYSA – The USSS (BOS) was involved in the federal arrest and prosecution of defendant Aaron Swartz. Open source media reports hacker groups targeting MIT w/ retaliatory operations assumedly in response to defendant Swartz' suicide. [REDACTED] [REDACTED]

[REDACTED]

Reference is made to the attached and following open source media web links:

- Anonymous Hacks MIT Sites To Post Aaron Swartz Tribute, Call To Arms (The Washington Post) - http://www.washingtonpost.com/business/technology/anonymous-hacks-mit-sites-to-post-aaron-swartz-tribute-call-to-arms/2013/01/14/ff6f706c-5e44-11e2-9940-6fc488f3fec9_story.html?hpid=z10
- rememberaaronsw.tumblr.com/post/40372208044/official-statement-from-the-family-and-partner-of-aaron

Call w/ questions. V/r Hugh

HUGH DUNLEAVY (VPD)

From: HUGH DUNLEAVY (INV)
Sent: Tuesday, January 22, 2013 1:24 PM
To: STEVEN RICCIARDI (BOS); (b)(6),(b)(7)(C) (BOS)
Cc: HUGH DUNLEAVY (INV); JONATHAN BARTLETT (CID); dadInv
Subject: FW: Call w/ DOJ regarding Aaron Swartz case / briefing to House Oversight & Gov't Reform Committee (102-775-800710-S)

Gentlemen,

Reference the following. This congressional staff briefing will likely take place in the near future. I will represent the USSS. Please advise the assigned BOS AUSA and request the required 6e authority. In addition, BOS is requested to provide bulleted briefing points (separate from the case reports), organized by date, summarizing facts of USSS/ECTF and other LE specific involvement in this investigation.

i.e.:

- 26SEP2010 - MIT notified by JSTOR of
- 27SEP2010 - MIT identifies ip address xxx.xxxxx

The intent is to provide specific and factual USSS/LE investigation briefing and allow DOJ to speak to the associated judicial action (proffers, indictments, warrants, plea offers etc.) Call w/ questions. V/r Hugh

-----Original Message-----

From: FARON PARAMORE (GPA)
Sent: Tuesday, January 22, 2013 1:05 PM
To: PAUL MORRISSEY (GPA); JANE MURPHY (INV); HUGH DUNLEAVY (INV)
Cc: FARON PARAMORE (GPA); LYNDA WILLIAMS (GPA)
Subject: Call w/ DOJ regarding Aaron Swartz case / briefing to House Oversight & Gov't Reform Committee

Good afternoon, hope you are well.

SAIC Williams and I just spoke with Ms. (b)(6),(b)(7)(C) from DOJ's Office of Legislative Affairs.

Ms. (b)(6),(b) advised that they were also telephonically contacted by Chairman Issa's staff last Thursday afternoon, requesting to provide a briefing on the Swartz case.

Consult with outside agency.

I will advise the group of DOJ's decision once I hear back from Ms. (b)(6),(b)

Thanks much.

Faron.

Faron K. Paramore

**Deputy Assistant Director
Office of Congressional Affairs
United States Secret Service**

Ph: (202) 406-5676 Main line
(b)(6),(b)(7)(C) Direct line
Cell
(202) 406-5740 Fax

HUGH DUNLEAVY (VPD)

From: HUGH DUNLEAVY (INV)
Sent: Tuesday, January 22, 2013 1:37 PM
To: (b)(6),(b)(7)(C) (BOS)
Cc: STEVEN RICCIARDI (BOS)
Subject: Re: Call w/ DOJ regarding Aaron Swartz case / briefing to House Oversight & Gov't Reform Committee (102-775-600710-S)

No date at this time.

----- Original Message -----

From: (b)(6),(b)(7)(C) (BOS)
Sent: Tuesday, January 22, 2013 01:30 PM Eastern Standard Time
To: HUGH DUNLEAVY (INV)
Cc: STEVEN RICCIARDI (BOS)
Subject: RE: Call w/ DOJ regarding Aaron Swartz case / briefing to House Oversight & Gov't Reform Committee (102-775-600710-S)

Hugh,

We're on it. Do you have a date when you need the requested information?

Thanks,

(b)(6),(b)(7)(C)

Assistant Special Agent in Charge
Boston Field Office

(b)(6),(b)(7)(C) Call
Office

-----Original Message-----

From: HUGH DUNLEAVY (INV)
Sent: Tuesday, January 22, 2013 1:24 PM
To: STEVEN RICCIARDI (BOS); (b)(6),(b)(7)(C) (BOS)
Cc: HUGH DUNLEAVY (INV); JONATHAN BARTLETT (CID); dadinv
Subject: FW: Call w/ DOJ regarding Aaron Swartz case / briefing to House Oversight & Gov't Reform Committee (102-775-600710-S)

Gentlemen,

Reference the following. This congressional staff briefing will likely take place in the near future. I will represent the USSS. Please advise the assigned BOS AUSA and request the required 6e authority. In addition, BOS is requested to provide bulleted briefing points (separate from the case reports), organized by date, summarizing facts of USSS/ECTF and other LE specific involvement in this investigation.

i.e.:

- 26SEP2010 - MIT notified by JSTOR of
- 27SEP2010 - MIT identifies ip address xxx.xxxxx

The intent is to provide specific and factual USSS/LE investigation briefing and allow DOJ to speak to the associated judicial action (proffers, indictments, warrants, plea offers etc.) Call w/ questions. V/r Hugh

-----Original Message-----

From: FARON PARAMORE (GPA)
Sent: Tuesday, January 22, 2013 1:05 PM
To: PAUL MORRISSEY (GPA); JANE MURPHY (INV); HUGH DUNLEAVY (INV)
Cc: FARON PARAMORE (GPA); LYNDA WILLIAMS (GPA)
Subject: Call w/ DOJ regarding Aaron Swartz case / briefing to House Oversight & Gov't Reform Committee

Good afternoon, hope you are well.

SAIC Williams and I just spoke with Ms. (b)(6),(b)(7)(C) from DOJ's Office of Legislative Affairs.

Ms. (b)(6),(b) advised that they were also telephonically contacted by Chairman Issa's staff last Thursday afternoon, requesting to provide a briefing on the Swartz case.

Consult with outside agency.

I will advise the group of DOJ's decision once I hear back from Ms. (b)(6),(b)(7)(C)

Thanks much.

Faron.

Faron K. Paramore
Deputy Assistant Director
Office of Congressional Affairs
United States Secret Service

Ph: (202) 406-5676 Main line
(b)(6),(b)(7)(C) Direct line
Cell
(202) 406-5740 Fax

HUGH DUNLEAVY (VPD)

From: HUGH DUNLEAVY (INV)
Sent: Thursday, January 24, 2013 4:42 PM
To: STEVEN RICCIARDI (BOS); JONATHAN BARTLETT (CID)
Cc: HUGH DUNLEAVY (INV)
Subject: See Attached - Note BOS SA named
Attachments: Rolling Stone Magazine.23JAN2013.doc

Call w/ questions. V/r Hugh



HUGH DUNLEAVY (VPD)

From: HUGH DUNLEAVY (INV)
Sent: Thursday, January 24, 2013 6:14 PM
To: CYNTHIA TRIPLETT (TEC); (b)(6),(b)(7)(C) (TEC); MARK COPANZZI (IRM)
Cc: dadinv; HUGH DUNLEAVY (INV); JONATHAN BARTLETT (CID); (b)(6),(b)(7)(C) (CID); (b)(6),(b)(7)(C) (CID); (b)(6),(b)(7)(C) (CID)
Subject: RE: BOS MIT Investigation
Attachments: Rolling Stone Magazine.23JAN2013.doc
Importance: High

All,

Reference previous and attached. The attached open source media specifically cites the USSS and the BOS SA involvement in this investigation. While there continue to be (b)(5)

(b)(5)

Call w/ questions. V/r Hugh

From: HUGH DUNLEAVY (INV)
Sent: Tuesday, January 15, 2013 7:24 AM
To: CYNTHIA TRIPLETT (TEC); (b)(6),(b)(7)(C) (TEC); (b)(6),(b)(7)(C) (IRM)
Cc: HUGH DUNLEAVY (INV); dadinv
Subject: BOS MIT Investigation

All,

FYSA – The USSS (BOS) was involved in the federal arrest and prosecution of defendant Aaron Swartz. Open source media reports hacker groups targeting MIT w/ retaliatory operations assumedly in response to defendant Swartz' suicide. (b)(5)

(b)(5)

Reference is made to the attached and following open source media web links:

- http://www.washingtonpost.com/business/technology/anonymous-hacks-mit-sites-to-post-aaron-swartz-tribute-call-to-arms/2013/01/14/ff6f706c-5e44-11e2-9940-6fc488f3fec9_story.html?hpid=z10
- rememberaaronsw.tumblr.com/post/40372208044/official-statement-from-the-family-and-partner-of-aaron

Call w/ questions. V/r Hugh

HUGH DUNLEAVY (VPD)

From: HUGH DUNLEAVY (INV)
Sent: Thursday, January 24, 2013 6:32 PM
To: STEVEN RICCIARDI (BOS)
Cc: HUGH DUNLEAVY (INV); (b)(6),(b)(7)(C) (BOS); JONATHAN BARTLETT (CID)
Subject: RE: Call w/ DOJ regarding Aaron Swartz case / Briefing to House Oversight & Gov't Reform Committee (102-775-600710-5) - SUSPENSE NLT WED 30JAN2013

Gentlemen,

FYSA - Now appears to be FRI 01FEB2013 for the investigation briefing to House Oversight & Gov't Reform Committee. I will provide the USSS portion. Please plan to have the requested time line and bulleted briefing points by NLT WED 30JAN2013.

USSS GPA has been in contact w/ their DOJ equivalent. Please insure the BOS USAO is aware of the planned briefing, share w/ the USAO the time line and bulleted briefing points and request clearance for any potential 6e issues. The intent is for the USSS to brief investigative facts only. I will defer to DOJ to address any judicial action.

Call w/ questions. Thanks Hugh

-----Original Message-----

From: (b)(6),(b)(7)(C) (BOS)
Sent: Tuesday, January 22, 2013 1:30 PM
To: HUGH DUNLEAVY (INV)
Cc: STEVEN RICCIARDI (BOS)
Subject: RE: Call w/ DOJ regarding Aaron Swartz case / briefing to House Oversight & Gov't Reform Committee (102-775-600710-5)

Hugh,

We're on it. Do you have a date when you need the requested information?

Thanks,

(b)(6),(b)(7)(C)

Assistant Special Agent in Charge
Boston Field Office

(b)(6),(b)(7)(C) cell
office

-----Original Message-----

From: HUGH DUNLEAVY (INV)
Sent: Tuesday, January 22, 2013 1:24 PM
To: STEVEN RICCIARDI (BOS); (b)(6),(b)(7)(C) (BOS)
Cc: HUGH DUNLEAVY (INV); JONATHAN BARTLETT (CID); dadinv
Subject: FW: Call w/ DOJ regarding Aaron Swartz case / briefing to House Oversight & Gov't Reform Committee (102-775-600710-5)

Gentlemen,

Reference the following. This congressional staff briefing will likely take place in the near future. I will represent the USSS. Please advise the assigned BOS AUSA and request the required 6e authority. In addition, BOS is requested to provide bulleted briefing points (separate from the case reports), organized by date, summarizing facts of USSS/ECTF and other LE specific involvement in this investigation.

i.e.:

- 26SEP2010 - MIT notified by JSTOR of
- 27SEP2010 - MIT identifies ip address xxx.xxxxx

The intent is to provide specific and factual USSS/LE investigation briefing and allow DOJ to speak to the associated judicial action (proffers, indictments, warrants, plea offers etc.) Call w/ questions. V/r Hugh

-----Original Message-----

From: FARON PARAMORE (GPA)

Sent: Tuesday, January 22, 2013 1:05 PM

To: PAUL MORRISSEY (GPA); JANE MURPHY (INV); HUGH DUNLEAVY (INV)

Cc: FARON PARAMORE (GPA); LYNDA WILLIAMS (GPA)

Subject: Call w/ DOJ regarding Aaron Swartz case / briefing to House Oversight & Gov't Reform Committee

Good afternoon, hope you are well.

SAIC Williams and I just spoke with Ms. (b)(6),(b)(7)(C) from DOJ's Office of Legislative Affairs.

Ms. (b)(6),(b) advised that they were also telephonically contacted by Chairman Issa's staff last Thursday afternoon, requesting to provide a briefing on the Swartz case.

Consult with outside agency.

I will advise the group of DOJ's decision once I hear back from Ms. (b)(6),(b)

Thanks much.

Faron.

Faron K. Paramore
Deputy Assistant Director
Office of Congressional Affairs
United States Secret Service

Ph: (202) 486-5676 Main line
(b)(6),(b)(7)(C) Direct line
Cell
(202) 486-5740 Fax

HUGH DUNLEAVY (VPD)

From: HUGH DUNLEAVY (INV)
Sent: Thursday, January 24, 2013 7:09 PM
To: (b)(6),(b)(7)(C) (BOS)
Subject: RE: Call w/ DOJ regarding Aaron Swartz case / briefing to House Oversight & Gov't Reform Committee (102-775-600710-S) - SUSPENSE NLT WED 30JAN2013

Thx (b)(6).

-----Original Message-----

From: (b)(6),(b)(7)(C) (BOS)
Sent: Thursday, January 24, 2013 7:05 PM
To: HUGH DUNLEAVY (INV); STEVEN RICCIARDI (BOS); (b)(6),(b)(7)(C) (BOS)
Cc: JONATHAN BARTLETT (CID)
Subject: Re: Call w/ DOJ regarding Aaron Swartz case / briefing to House Oversight & Gov't Reform Committee (102-775-600710-S) - SUSPENSE NLT WED 30JAN2013

Boston copies. We'll have the briefing point to you prior to the deadline.

Thanks.

(b)(6),(b)(7)(C)

USSS - ASATC
Boston Field Office
(b)(6),(b)(7)(C) (c)

----- Original Message -----

From: HUGH DUNLEAVY (INV)
Sent: Thursday, January 24, 2013 06:31 PM
To: STEVEN RICCIARDI (BOS)
Cc: HUGH DUNLEAVY (INV); (b)(6),(b)(7)(C) (BOS); JONATHAN BARTLETT (CID)
Subject: RE: Call w/ DOJ regarding Aaron Swartz case / briefing to House Oversight & Gov't Reform Committee (102-775-600710-S) - SUSPENSE NLT WED 30JAN2013

Gentlemen,

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Call w/ questions. Thanks Hugh

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Cc: STEVEN RICCIARDI (BOS)

Subject: RE: Call w/ DOJ regarding Aaron Swartz case / briefing to House Oversight & Gov't Reform Committee (102-775-600710-S)

Hugh,

We're on it. Do you have a date when you need the requested information?

Thanks,

(b)(6),(b)(7)(C)

Assistant Special Agent in Charge
Boston Field Office

(b)(6),(b)(7)(C) Cell
Office

-----Original Message-----

From: HUGH DUNLEAVY (INV)
Sent: Tuesday, January 22, 2013 1:24 PM
To: STEVEN RICCIARDI (BOS); (b)(6),(b)(7)(C) (BOS)
Cc: HUGH DUNLEAVY (INV); JONATHAN BARTLETT (CID); dadinv
Subject: FW: Call w/ DOJ regarding Aaron Swartz case / briefing to House Oversight & Gov't Reform Committee (102-775-600710-S)

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i.e.:

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From: FARON PARAMORE (GPA)
Sent: Tuesday, January 22, 2013 1:05 PM
To: PAUL MORRISSEY (GPA); JANE MURPHY (INV); HUGH DUNLEAVY (INV)
Cc: FARON PARAMORE (GPA); LYNDA WILLIAMS (GPA)
Subject: Call w/ DOJ regarding Aaron Swartz case / briefing to House Oversight & Gov't Reform Committee

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Ms (b)(6),(b)(7)(C) advised that they were also telephonically contacted by Chairman Issa's staff last Thursday afternoon, requesting to provide a briefing on the Swartz case.

Consult with outside agency.

I will advise the group of DOJ's decision once I hear back from Ms. (b)(6),(b)(7)

Thanks much.

Faron.

Faron K. Paramore
Deputy Assistant Director
Office of Congressional Affairs
United States Secret Service

Ph: (202) 406-5676 Main line
(b)(6),(b)(7)(C) Direct line
Cell
(202) 406-5740 Fax

HUGH DUNLEAVY (VPD)

From: HUGH DUNLEAVY (INV)
Sent: Friday, January 25, 2013 1:58 PM
To: (b)(6),(b)(7)(C) (BOS)
Subject: RE: FREEDOM OF INFORMATION ACT & PRIVACY ACT REQUEST FILE # 20130262

Recv'd - thanks Hugh

-----Original Message-----

From: (b)(6),(b)(7)(C) (BOS)
Sent: Friday, January 25, 2013 1:49 PM
To: (b)(6),(b)(7)(C) (BOS); (b)(6),(b)(7)(C) (BOS)
Cc: (b)(6),(b)(7)(C) (BOS); STEVEN RICCIARDI (BOS); HUGH DUNLEAVY (INV)
Subject: FW: FREEDOM OF INFORMATION ACT & PRIVACY ACT REQUEST FILE # 20130262

(b)(6),(b)(7)

Please respond to this message via official message:

"Secret Service Case Number J-102-775-0060071-5, in the name of Aaron Swartz is still an open case. The requested information will be copied and will be held in the Boston Field Office until said case is closed. At that time, the requested information will be forwarded to Liaison Division for disclosure as deemed appropriate. "

Thanks,

(b)(6),(b)(7)(C)

Assistant Special Agent in Charge
Boston Field Office

(b)(6),(b)(7)(C) Cell
Office

-----Original Message-----

From: BOS
Sent: Friday, January 25, 2013 1:06 PM
To: (b)(6),(b)(7)(C) (BOS); (b)(6),(b)(7)(C) (BOS)
Cc: (b)(6),(b)(7)(C) (BOS); STEVEN RICCIARDI (BOS); (b)(6),(b)(7)(C) (BOS); (b)(6),(b)(7)(C) (BOS)
Subject: FW: FREEDOM OF INFORMATION ACT & PRIVACY ACT REQUEST FILE # 20130262

Response due by Noon on Monday 1/28/13.

-----Original Message-----

From: lia
Sent: Friday, January 25, 2013 11:49 AM
To: BOS
Subject: FREEDOM OF INFORMATION ACT & PRIVACY ACT REQUEST FILE # 20130262

//ROUTINE//

FM : FOIA/PA OFFICER, LIAISON DIVISION FILE: 177.060/177.070

TO : BOSTON FIELD OFFICE

SUBJ : FREEDOM OF INFORMATION ACT & PRIVACY ACT REQUEST

REFERENCE IS MADE TO THE INVESTIGATIVE MANUAL, SECTIONS 48 & 49.

PLEASE CONDUCT A CHECK OF YOUR RECORDS, TO INCLUDE EMAILS AND HANDWRITTEN NOTES, FOR INFORMATION CONCERNING THE FOLLOWING [INDIVIDUAL(S)/ORGANIZATION(S)/EVENT(S)]. IF YOUR FILES SHOW THAT YOU WERE THE CONTROLLING FIELD OFFICE, PLEASE NOTIFY THE FOIA/PA OFFICE BY OFFICIAL MESSAGE BEFORE NOON THE FOLLOWING WORKING DAY STATING THAT DOCUMENTS HAVE BEEN LOCATED. PLEASE NOTE, EVEN IF RESULTS ARE NEGATIVE, PLEASE NOTIFY OUR OFFICE.

COPIES OF THE ENTIRE FILE SHOULD BE IMMEDIATELY SENT, VIA FEDERAL EXPRESS, TO THE FOIA/PA OFFICE. PLEASE ENSURE THAT THE ENTIRE FILE IS PHOTOCOPIED AND ALL COPIES ARE LEGIBLE. INCLUDE ALL REVERSE SIDES, STANDARD FORMS, PHOTOS, AND HANDWRITTEN NOTES.

IF THE FIELD OFFICE FILE IS OPEN OR IF DISCLOSURE OF INFORMATION IN A CLOSED FILE COULD ADVERSELY AFFECT A PENDING INVESTIGATION OR PROSECUTION, PLEASE CONTACT THE FOIA/PA OFFICE AT (202) 406-5838 BEFORE COPIES OF THE FILE ARE FORWARDED.

ANY DELAY IN FORWARDING RESPONSIVE DOCUMENTS SHOULD BE REPORTED TO THE FOIA/PA OFFICE.

| NAME | DOB | SSN | CASE NO. |
|---------------|------------|-----------------|-------------------|
| SWARTZ, AARON | 11/08/1986 | *** - ** - 0493 | 102-775-0060071-S |

PLEASE INCLUDE THE FOIA/PA FILE NO. IN YOUR RESPONSE TO OUR OFFICE.

HEADQUARTERS/LIAISON DIVISION

(b)(6),(b) MILLS

HUGH DUNLEAVY (VPD)

From: HUGH DUNLEAVY (INV)
Sent: Monday, January 28, 2013 10:37 AM
To: STEVEN RICCIARDI (BOS)
Cc: HUGH DUNLEAVY (INV); JONATHAN BARTLETT (CID)
Subject: Fw: U.S. Attorney's Office in Boston drop charges against Aaron Swartz. Please see article below. Can we have BFO confirm with AUSA's office

Importance: High

Pls confirm

From: FARON PARAMORE (GPA)
Sent: Monday, January 28, 2013 09:31 AM Eastern Standard Time
To: HUGH DUNLEAVY (INV); FREDERICK SELLERS (INV); JONATHAN BARTLETT (CID)
Cc: PAUL MORRISSEY (GPA); FARON PARAMORE (GPA); LYNDA WILLIAMS (GPA)
Subject: U.S. Attorney's Office in Boston drop charges against Aaron Swartz. Please see article below. Can we have BFO confirm with AUSA's office

Good Morning everyone, hope you are well.

Please see article below.

Looks like the US Attorney's Office in Boston dropped the charges against Aaron Swartz. Can we please have the Boston Field Office confirm this information.

If - If this is correct / true, this would also nullify our concerns regarding 6E material - I think.

Thanks. Faron.

Faron K. Paramore
Deputy Assistant Director
Office of Congressional Affairs
United States Secret Service

Ph: (202) 406-5676 Main line
(b)(6),(b)(7)(C) Direct line
Cell
(202) 406-5740 Fax

Feds drop charges against late Internet activist Aaron Swartz

Federal prosecutors in Boston have dropped charges against Internet activist Aaron Swartz after his death.

(Michael Francis McElroy / New York Times via Associated Press / January 30, 2009)

By Jessica Guynn

January 14, 2013, 10:38 a.m.

Federal prosecutors in Boston have dropped charges against Internet activist Aaron Swartz.

Swartz, 26, was found dead Friday in his New York apartment. He apparently had hanged himself.

Prosecutors filed the notice of dismissal on Monday.

Swartz's family blamed his death on "prosecutorial overreach."

The U.S. attorney's office could not be reached for comment.

Federal prosecutors alleged Swartz used MIT's computers to illegally access millions of academic articles through the JSTOR database, a subscription service for scholarly articles. He was indicted in 2011 and was scheduled to go to trial on 13 counts including computer fraud. Swartz faced the possibility of millions of dollars in fines and up to 35 years in prison.

The case was seen as a showdown pitting the government and commercial interests against Internet "freedom fighters."

MIT President L. Rafael Reif on Sunday appointed Hal Abelson, a professor of computer science and engineering and a founding director of Creative Commons and the Free Software Foundation, to "lead a thorough analysis of MIT's involvement."

As news spread over the weekend of Swartz's death, the Web collectively mourned for a brilliant young technologist and activist who wanted to set the world's information free yet could never escape his own demons.

Confided one friend: "I'm not surprised that this is how his life ended, and I bet many others feel the same way. So sad, he had so much potential and not enough joy in his life."

Swartz was just 14 when he helped create RSS, a tool that distributes online content. He was one of the founders of the social news site Reddit, which was bought by Conde Nast. But he was best known as an activist for free and open access to the world's information.

"Everything he did was aimed at world-changing and at activism," said friend and historian Rick Perlstein.

Now his death is being used to question government's aggressive criminal prosecution of Internet activists.

Anonymous allegedly hacked MIT's website and left a tribute for Swartz: "We do not consign blame or responsibility upon MIT for what has happened, but call for all those feel heavy-hearted in their proximity to this awful loss to acknowledge instead the responsibility they have — that we all have — to build and safeguard a future that would make Aaron proud."

HUGH DUNLEAVY (VPD)

From: HUGH DUNLEAVY (INV)
Sent: Tuesday, January 29, 2013 4:59 PM
To: dadinv; invap
Cc: HUGH DUNLEAVY (INV)
Subject: FW: Aaron Swartz Case INV Request
Attachments: Swartz INV Brief 1-29-2013.pdf

From: JONATHAN BARTLETT (CID)
Sent: Tuesday, January 29, 2013 4:06 PM
To: HUGH DUNLEAVY (INV)
Subject: FW: Aaron Swartz Case INV Request

From: (b)(6),(b)(7)(C) (CID)
Sent: Tuesday, January 29, 2013 4:04 PM
To: JONATHAN BARTLETT (CID); EDWARD LOWERY (PID)
Subject: FW: Aaron Swartz Case INV Request

From: (b)(6),(b)(7)(C) (CID)
Sent: Tuesday, January 29, 2013 3:23 PM
To: (b)(6),(b)(7)(C) (CID); (b)(6),(b)(7)(C) (CID)
Cc: (b)(6),(b)(7)(C) (CID)
Subject: Aaron Swartz Case INV Request

Good afternoon, Please see attachment.

Thank you,

SA (b)(6),(b)(7)(C)
United States Secret Service
Criminal Investigative Division
(b)(6),(b)(7)(C) Direct
Mobile
Email: (b)(6),(b)(7)(C) [uss.s.dhs.gov](mailto:(b)(6),(b)(7)(C)@uss.s.dhs.gov)

From: (b)(6),(b)(7)(C) (BOS)
Sent: Tuesday, January 29, 2013 3:16 PM
To: (b)(6),(b)(7)(C) (CID)
Subject: RE: Aaron Swartz Case

Please see attached

From: (b)(6),(b)(7)(C) (CID)
Sent: Wednesday, January 23, 2013 10:18 AM
To: (b)(6),(b)(7)(C) (BOS)
Subject: Aaron Swartz Case

Good morning, Can you please give me a call regarding the INV request that was sent to your office yesterday regarding the above case?

Thank you,

SA (b)(6),(b)(7)(C)

United States Secret Service
Criminal Investigative Division

(b)(6),(b)(7)(C) Direct
Mobile

Email: (b)(6),(b)(7)(C) [uss.s.dhs.gov](mailto:(b)(6),(b)(7)(C)@uss.s.dhs.gov)

HUGH DUNLEAVY (VPD)

From: HUGH DUNLEAVY (INV)
Sent: Monday, January 14, 2013 10:15 AM
To: JONATHAN BARTLETT (CID); invsp
Cc: HUGH DUNLEAVY (INV)
Subject: FW: MIT Case Boston
Attachments: July 21, 2011.docx

From: (b)(6),(b)(7)(C) [INV]
Sent: Monday, January 14, 2013 9:45 AM
To: JANE MURPHY (INV); HUGH DUNLEAVY (INV); FREDERICK SELLERS (INV)
Cc: (b)(6),(b)(7)(C) [INV]; (b)(6),(b)(7)(C) [INV]
Subject: MIT Case Boston

For Situational Awareness, attached is the write-up for the case involving MIT and the Defendant Aaron Swartz, who committed suicide over the weekend.

(b)(6),(b)(7)(C)
Special Agent
United States Secret Service
Office of Investigations / Special Projects
Office (b)(6),(b)(7)(C)
Cell (b)(6),(b)(7)(C)

Criminal Investigative Division

Daily Report

July 21, 2011

*The information contained
in this document is
law enforcement sensitive.
Dissemination is prohibited
unless specifically authorized by the
United States Secret Service
Office of Investigations.*



Homeland
Security



RIF

FIELD ACTIVITIES:

Boston Field Office New England Electronic Crimes Task Force

MIT Network Intrusion Results in Federal Indictment and Arrest

On January 4, 2011, Massachusetts Institute of Technology (MIT) Police Department contacted the Boston Field Office and requested assistance from the New England Electronic Crimes Task Force (NEECTF) regarding an investigation into a network intrusion. The initial investigation identified Aaron Swartz as the primary suspect.

NEECTF agents determined that Aaron Swartz intruded into the MIT network without authorization. Swartz broke into a locked closet containing network components, connected his computer to the MIT computer network and downloaded documents from a not-for-profit archive of scientific journals and academic work, known as "JSTOR." Swartz avoided MIT's and JSTOR's electronic security and distributed a significant amount of JSTOR's archive through one or more file-sharing sites. Through investigative interviews and electronic forensic evidence, agents established that Swartz's un-authorized access impaired MIT computers, disabled servers, and deprived various JSTOR users from accessing research. Agents discovered JSTOR and MIT were unable to block Swartz's attacks, as Swartz continued his intrusions utilizing new methods for accessing JSTOR. Subsequently Swartz exploited MIT's computer system to steal over four million articles from JSTOR.

On July 19, 2011, Aaron Swartz was arrested and appeared in U.S. District Court, District of Massachusetts, charged with violations of Title 18, United States Code, Section 1343 (Wire Fraud), Section 1030a2 (Theft of Information From a Computer), Section 1030 a5B (Recklessly Damaging a Computer) and Section 2 (Aiding and Abetting). This case is continued pending further judicial action.

Case Agent: SA (b)(6),(b)(7)(C) (BOS)

Case Number: J-102-775-60071-S

HUGH DUNLEAVY (VPD)

From: HUGH DUNLEAVY (INV)
Sent: Tuesday, January 15, 2013 7:24 AM
To: CYNTHIA TRIPLETT (TEC); (b)(6),(b)(7)(C) (TEC); MARK COPANZZI (IRM)
Cc: HUGH DUNLEAVY (INV); dadinv
Subject: BOS MIT Investigation
Attachments: July 21, 2011.docx

All,

FYSA – The USSS (BOS) was involved in the federal arrest and prosecution of defendant Aaron Swartz. Open source media reports hacker groups targeting MIT w/ retaliatory operations assumedly in response to defendant Swartz' suicide. At this time, INV/CID has no criminal intelligence suggesting that USSS systems will be specifically targeted in response to defendant Swartz' suicide.

Reference is made to the attached and following open source media web links:

- **Anonymous Hacks MIT Sites To Post Aaron Swartz Tribute, Call To Arms (The Washington Post) -**
http://www.washingtonpost.com/business/technology/anonymous-hacks-mit-sites-to-post-aaron-swartz-tribute-call-to-arms/2013/01/14/ff6f706c-5e44-11e2-9940-6fc488f3fecf_story.html?hpid=z10
- rememberaaronsw.tumblr.com/post/40372208044/official-statement-from-the-family-and-partner-of-aaron

Call w/ questions. V/r Hugh

HUGH DUNLEAVY (VPD)

From: HUGH DUNLEAVY (INV)
Sent: Thursday, January 31, 2013 11:29 AM
To: (b)(6),(b)(7)(C)
Cc: dadinv; DONNA CAHILL (LEG); HUGH DUNLEAVY (INV); FARON PARAMORE (GPA)
Subject: J-102-775-600710-S - Final Draft of INV Requested Swartz Investigation Synopsis
Attachments: Swartz INV Brief 1-29-2013.pdf

Importance: High

b6 b7c

Attached for OCC review is the BOS summary of the J-102-775-600710-S investigation. This summary was offered to the USAO BOS for review and was declined.

I am scheduled to appear before the House Oversight & Gov't Reform Committee (OGR) Chairman Issa Staff on Friday, February 1, 2013.

SAIC BOS advises that the synopsis contains only information available in the unsealed indictment of Suspect Swartz. Pending your review, GPA will likely push to its DOJ counterpart.

Call w/ questions. V/r Hugh

From: STEVEN RICCIARDI (BOS)
Sent: Wednesday, January 30, 2013 9:53 AM
To: HUGH DUNLEAVY (INV)
Cc: FREDERICK SELLERS (INV)
Subject: Final Draft of INV Requested Swartz Investigation Synopsis

Sir:

Attached is the final draft of the Swartz investigation synopsis. If you have any questions feel free to contact me or ASAC (b)(6),(b)(7)(C) at (b)(6),(b)(7)(C)

Steven D. Ricciardi
Special Agent in Charge
United States Secret Service
Boston Field Office
617/565-5640

HUGH DUNLEAVY (VPD)

From: HUGH DUNLEAVY (INV)
Sent: Thursday, January 31, 2013 2:18 PM
To: (b)(6),(b)(7)(C)
Subject: Re: J-102-775-600710-S - Final Draft of INV Requested Swartz Investigation Synopsis

1430. Headed back from WH now

From: (b)(6),(b)(7)(C) (LEG)
Sent: Thursday, January 31, 2013 02:04 PM Eastern Standard Time
To: HUGH DUNLEAVY (INV)
Subject: RE: J-102-775-600710-S - Final Draft of INV Requested Swartz Investigation Synopsis

Hugh,

When you are ready I can walk over to your office and go over the doc.

From: HUGH DUNLEAVY (INV)
Sent: Thursday, January 31, 2013 11:29 AM
To: (b)(6),(b)(7)(C) (LEG)
Cc: dadinv; DONNA CAHILL (LEG); HUGH DUNLEAVY (INV); FARON PARAMORE (GPA)
Subject: J-102-775-600710-S - Final Draft of INV Requested Swartz Investigation Synopsis
Importance: High

(b)(6),(b)(7)(C)

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Call w/ questions. V/r Hugh

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Sent: Wednesday, January 30, 2013 9:53 AM
To: HUGH DUNLEAVY (INV)
Cc: FREDERICK SELLERS (INV)
Subject: Final Draft of INV Requested Swartz Investigation Synopsis

Sir:

Attached is the final draft of the Swartz investigation synopsis. If you have any questions feel free to contact me or ASAC (b)(6),(b)(7)(C) at 617/565-5640.

Steven D. Ricciardi
Special Agent in Charge
United States Secret Service

Boston Field Office
617/565-5640

RIF

HUGH DUNLEAVY (VPD)

From: HUGH DUNLEAVY (INV)
Sent: Thursday, January 31, 2013 2:19 PM
To: FARON PARAMORE (GPA)
Subject: Re: J-102-775-600710-S - Final Draft of INV Requested Swartz Investigation Synopsis

Tried. Call cell (b)(6),(b)(7)(C)

From: FARON PARAMORE (GPA)
Sent: Thursday, January 31, 2013 01:32 PM Eastern Standard Time
To: HUGH DUNLEAVY (INV)
Subject: Re: J-102-775-600710-S - Final Draft of INV Requested Swartz Investigation Synopsis

Hugh - faron here. Can you. Talk now???

(b)(6),(b)(7)(C)

From: FARON PARAMORE (GPA)
Sent: Thursday, January 31, 2013 12:34 PM Eastern Standard Time
To: HUGH DUNLEAVY (INV)
Subject: FW: J-102-775-600710-S - Final Draft of INV Requested Swartz Investigation Synopsis

Hugh - Faron here. Leaving HQ now going up to the Hill.

Again, please call me on my cell. I'm open until about 1:10pm.

(b)(6),(b)(7)(C)

Thanks.

Faron K. Paramore
Deputy Assistant Director
Office of Congressional Affairs
United States Secret Service

Ph: (202) 406-5676 Main line
(b)(6),(b)(7)(C) Direct line
Cell
(202) 406-5740 Fax

From: HUGH DUNLEAVY (INV)
Sent: Thursday, January 31, 2013 11:29 AM
To: (b)(6),(b)(7)(C) (LEG)
Cc: dadinv; DONNA CAHILL (LEG); HUGH DUNLEAVY (INV); FARON PARAMORE (GPA)
Subject: J-102-775-600710-S - Final Draft of INV Requested Swartz Investigation Synopsis
Importance: High

(b)(6),(b)(7)(C)

Attached for OCC review is the BOS summary of the J-102-775-600710-S investigation. This summary was offered to the USAO BOS for review and was declined.

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Call w/ questions. V/r Hugh

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Sent: Wednesday, January 30, 2013 9:53 AM
To: HUGH DUNLEAVY (INV)
Cc: FREDERICK SELLERS (INV)
Subject: Final Draft of INV Requested Swartz Investigation Synopsis

Sir:

Attached is the final draft of the Swartz Investigation synopsis. If you have any questions feel free to contact me or ASAI (b)(6), (b)(7)(C) t 617/565-5640.

Steven D. Ricciardi
Special Agent In Charge
United States Secret Service
Boston Field Office
617/565-5640

HUGH DUNLEAVY (VPD)

From: HUGH DUNLEAVY (INV)
Sent: Friday, February 01, 2013 2:20 PM
To: STEVEN RICCIARDI (BOS); (b)(6),(b)(7)(C) (BOS)
Cc: dadinv; JONATHAN BARTLETT (CID); EDWARD LOWERY (PID); HUGH DUNLEAVY (INV); FARON PARAMORE (GPA)
Subject: J-102-775-600710-S - Requested OGR staff briefing complete

All,

The requested briefing to the House Oversight & Gov't Reform Committee (OGR) Chairman Issa's Staff was re. the BOS NECTF investigation (J-102-775-600710-S) was completed by 1345 today.

Note - DOJ declined to attend.

No issues noted, No follow up or release of information requested, no indicated concern w/ the USSS investigation.

Thx to BOS and NECTF for the support. The BOS investigation withstood scrutiny on its own merits and on the solid investigations and work of the NECTF - well done.

Call w/ questions. V/r Hugh

From: STEVEN RICCIARDI (BOS)
Sent: Wednesday, January 30, 2013 09:53 AM Eastern Standard Time
To: HUGH DUNLEAVY (INV)
Cc: FREDERICK SELLERS (INV)
Subject: Final Draft of INV Requested Swartz Investigation Synopsis

Sir:

Attached is the final draft of the Swartz Investigation synopsis. If you have any questions feel free to contact me or ASAC (b)(6),(b)(7) at (b)(6),(b)(7)(C)

Steven D. Ricciardi
Special Agent in Charge
United States Secret Service
Boston Field Office
617/565-5640

HUGH DUNLEAVY (VPD)

Subject: DOJ Briefing: J-102-775-60071-S
Location: DOJ - 950 Pennsylvania Avenue, NW, (Visitor's Entrance on Constitution Avenue between 9th and 10th St., NW - Office of Legislative Affairs - Suite 1145

Start: Mon 2/11/2013 11:00 AM
End: Mon 2/11/2013 12:00 PM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: HUGH DUNLEAVY (INV)
Required Attendees: FARON PARAMORE (GPA)

Hugh – we are all set for the meeting with DOJ next Monday, February 11th at 11am. See below.

I'll send you a meeting request shortly.

Thanks. Faron.

Faron K. Paramore
Deputy Assistant Director
Office of Congressional Affairs
United States Secret Service

Ph: (202) 406-5676 Main line
(b)(6),(b)(7)(C) Direct line
Cell
(202) 406-5740 Fax

From: (b)(6),(b)(7)(C) (OLA) [mailto:(b)(6),(b)(7)(C)@usdoj.gov]
Sent: Wednesday, February 06, 2013 2:51 PM
To: FARON PARAMORE (GPA)
Subject: Monday, 2/11/13 at 11:00 am

Consult with outside agency.

(b)

(b)(6),(b)(7)(C)
Attorney Advisor
Office of Legislative Affairs
U.S. Department of Justice
(b)(6),(b)(7)(C)



(b)(6),(b)(7)(C) (CID)

From: (b)(6),(b)(7)(C) (CID)
Sent: Tuesday, January 22, 2013 4:05 PM
To: (b)(6),(b)(7)(C) (CID); (b)(6),(b)(7)(C) (CID); (b)(6),(b)(7)(C) (CID)
Cc: (CID)
Subject: Re: Call w/ DOJ regarding Aaron Swartz case / briefing to House Oversight & Gov't Reform Committee (102-775-600710-S)

(b)(6),(

Let's discuss this tomorrow when we all return.

Thank you,

(b)(6),
(b)(7)

----- Original Message -----

From: (b)(6),(b)(7)(C) (CID)
Sent: Tuesday, January 22, 2013 03:47 PM Eastern Standard Time
To: (b)(6),(b)(7)(C) (CID); (b)(6),(b)(7)(C) (CID); (b)(6),(b)(7)(C) (CID)
Cc: (b)(6),(b)(7)(C) (CID)
Subject: RE: Call w/ DOJ regarding Aaron Swartz case / briefing to House Oversight & Gov't Reform Committee (102-775-600710-S)

Sir,

We did provide the above summary for the SAIC regarding this case. Reference the attachment above. Just so I'm following in reference to the below...BOS is requested to provide bulleted briefing points (separate from the case reports) and will send to Regions and then ultimately to SP?

(b)(6),

-----Original Message-----

From: (b)(6),(b)(7)(C) (CID)
Sent: Tuesday, January 22, 2013 2:14 PM
To: JONATHAN BARTLETT (CID); (b)(6),(b)(7)(C) (CID); (b)(6),(b)(7)(C) (CID); (b)(6),(b)(7)(C) (CID)
Subject: Re: Call w/ DOJ regarding Aaron Swartz case / briefing to House Oversight & Gov't Reform Committee (102-775-600710-S)

Copy

----- Original Message -----

From: JONATHAN BARTLETT (CID)
Sent: Tuesday, January 22, 2013 02:11 PM Eastern Standard Time
To: (b)(6),(b)(7)(C) (CID); (b)(6),(b)(7)(C) (CID)
Subject: RE: Call w/ DOJ regarding Aaron Swartz case / briefing to House Oversight & Gov't Reform Committee (102-775-600710-S)

Coordinate with BOS.

-----Original Message-----

From: (b)(6),(b)(7)(C) (CID)

Sent: Tuesday, January 22, 2013 2:05 PM

To: JONATHAN BARTLETT (CID); (b)(6),(b)(7)(C) (CID)

Subject: Re: Call w/ DOJ regarding Aaron Swartz case / briefing to House Oversight & Gov't Reform Committee (102-775-600710-S)

Special Projects have a ongoing briefing.

(b)(6),(b)(7)(C)

Can you ensure that the briefing is provided to the SAIC?

B

----- Original Message -----

From: JONATHAN BARTLETT (CID)

Sent: Tuesday, January 22, 2013 01:25 PM Eastern Standard Time

To: (b)(6),(b)(7)(C) (CID)

Subject: Fw: Call w/ DOJ regarding Aaron Swartz case / briefing to House Oversight & Gov't Reform Committee (102-775-600710-S)

The Regions are working on bullet points for INV correct ?

SAIC Mark Bartlett

U.S. Secret Service

Criminal Investigative Division

----- Original Message -----

From: HUGH DUNLEAVY (INV)

Sent: Tuesday, January 22, 2013 01:23 PM Eastern Standard Time

To: STEVEN RICCIARDI (BOS); (b)(6),(b)(7)(C) (BOS)

Cc: HUGH DUNLEAVY (INV); JONATHAN BARTLETT (CID); dadinv

Subject: FW: Call w/ DOJ regarding Aaron Swartz case / briefing to House Oversight & Gov't Reform Committee (102-775-600710-S)

Gentlemen,

Reference the following. This congressional staff briefing will likely take place in the near future. I will represent the USSS. Please advise the assigned BOS AUSA and request the required 6e authority. In addition, BOS is requested to provide bulleted briefing points (separate from the case reports), organized by date, summarizing facts of USSS/ECTF and other LE specific involvement in this investigation.

i.e.:

- 26SEP2010 - MIT notified by JSTOR of
- 27SEP2010 - MIT identifies ip address xxx.xxxxx

The intent is to provide specific and factual USSS/LE investigation briefing and allow DOJ to speak to the associated judicial action (proffers, indictments, warrants, plea offers etc.) Call w/ questions. V/r Hugh

-----Original Message-----

From: FARON PARAMORE (GPA)

Sent: Tuesday, January 22, 2013 1:05 PM

To: PAUL MORRISSEY (GPA); JANE MURPHY (INV); HUGH DUNLEAVY (INV)

Cc: FARON PARAMORE (GPA); LYNDA WILLIAMS (GPA)

Subject: Call w/ DOJ regarding Aaron Swartz case / briefing to House Oversight & Gov't Reform Committee

Good afternoon, hope you are well.

SAIC Williams and I just spoke with Ms. (b)(6),(b)(7)(C) from DOJ's Office of Legislative Affairs.

Ms. (b)(6),(b)(7)(C) advised that they were also telephonically contacted by Chairman Issa's staff last Thursday afternoon, requesting to provide a briefing on the Swartz case.

Consult with outside agency.

I will advise the group of DOJ's decision once I hear back from Ms. (b)(6),

Thanks much.

Faron.

Faron K. Paramore
Deputy Assistant Director
Office of Congressional Affairs
United States Secret Service

Ph: (202) 406-5676 Main line
(b)(6),(b)(7)(C) Direct line
Cell
(202) 406-5740 Fax

(b)(6),(b)(7)(C) (CID)

From: (b)(6),(b)(7)(C) (CID)
Sent: Tuesday, January 22, 2013 3:48 PM
To: (b)(6),(b)(7)(C) (CID); (b)(6),(b)(7)(C) (CID); (b)(6),(b)(7)(C) (CID)
Cc: (b)(6),(b)(7)(C) (CID)
Subject: RE: Call w/ DOJ regarding Aaron Swartz case / briefing to House Oversight & Gov't Reform Committee (102-775-600710-S)
Attachments: FW: MIT Case Update

Sir,

We did provide the above summary for the SAIC regarding this case. Reference the attachment above. Just so I'm following in reference to the below...BOS is requested to provide bulleted briefing points (separate from the case reports) and will send to Regions and then ultimately to SP?

(b)(6),

-----Original Message-----

From: (b)(6),(b)(7)(C) (CID)
Sent: Tuesday, January 22, 2013 2:14 PM
To: JONATHAN BARTLETT (CID); (b)(6),(b)(7)(C) (CID); (b)(6),(b)(7)(C) (CID); (b)(6),(b)(7)(C) (CID)
Subject: Re: Call w/ DOJ regarding Aaron Swartz case / briefing to House Oversight & Gov't Reform Committee (102-775-600710-S)

Copy

----- Original Message -----

From: JONATHAN BARTLETT (CID)
Sent: Tuesday, January 22, 2013 02:11 PM Eastern Standard Time
To: (b)(6),(b)(7)(C) (CID); (b)(6),(b)(7)(C) (CID)
Subject: RE: Call w/ DOJ regarding Aaron Swartz case / briefing to House Oversight & Gov't Reform Committee (102-775-600710-S)

Coordinate with BOS.

-----Original Message-----

From: (b)(6),(b)(7)(C) (CID)
Sent: Tuesday, January 22, 2013 2:05 PM
To: JONATHAN BARTLETT (CID); (b)(6),(b)(7)(C) (CID)
Subject: Re: Call w/ DOJ regarding Aaron Swartz case / briefing to House Oversight & Gov't Reform Committee (102-775-600710-S)

Special Projects have a ongoing briefing.

(b)(6),(b)(7)(C)

Can you ensure that the briefing is provided to the SAIC?

B.

----- Original Message -----

From: JONATHAN BARTLETT (CID)

Sent: Tuesday, January 22, 2013 01:25 PM Eastern Standard Time

To: (b)(6),(b)(7)(C) (CID)

Subject: Fw: Call w/ DOJ regarding Aaron Swartz case / briefing to House Oversight & Gov't Reform Committee (102-775-600710-5)

The Regions are working on bullet points for INV correct ?

SAIC Mark Bartlett

U.S. Secret Service

Criminal Investigative Division

----- Original Message -----

From: HUGH DUNLEAVY (INV)

Sent: Tuesday, January 22, 2013 01:23 PM Eastern Standard Time

To: STEVEN RICCIARDI (BOS) (b)(6),(b)(7)(C) BOS

Cc: HUGH DUNLEAVY (INV); JONATHAN BARTLETT (CID); dadinv

Subject: FW: Call w/ DOJ regarding Aaron Swartz case / briefing to House Oversight & Gov't Reform Committee (102-775-600710-5)

Gentlemen,

Reference the following. This congressional staff briefing will likely take place in the near future. I will represent the USSS. Please advise the assigned BOS AUSA and request the required 6e authority. In addition, BOS is requested to provide bulleted briefing points (separate from the case reports), organized by date, summarizing facts of USSS/ECTF and other LE specific involvement in this investigation.

I.e.:

- 26SEP2010 - MIT notified by JSTOR of
- 27SEP2010 - MIT identifies ip address xxx.xxxxx

The intent is to provide specific and factual USSS/LE investigation briefing and allow DOJ to speak to the associated judicial action (proffers, indictments, warrants, plea offers etc.) Call w/ questions. V/r Hugh

-----Original Message-----

From: FARON PARAMORE (GPA)

Sent: Tuesday, January 22, 2013 1:05 PM

To: PAUL MORRISSEY (GPA); JANE MURPHY (INV); HUGH DUNLEAVY (INV)

Cc: FARON PARAMORE (GPA); LYNDA WILLIAMS (GPA)

Subject: Call w/ DOJ regarding Aaron Swartz case / briefing to House Oversight & Gov't Reform Committee

Good afternoon, hope you are well.

SAIC Williams and I just spoke with Ms (b)(6),(b)(7) from DOJ's Office of Legislative Affairs.

Ms (b)(6), advised that they were also telephonically contacted by Chairman Issa's staff last Thursday afternoon, requesting to provide a briefing on the Swartz case.

Consult with outside agency.

I will advise the group of DOJ's decision once I hear back from Ms. (b)(8),(b)

Thanks much.

Faron.

Faron K. Paramore
Deputy Assistant Director
Office of Congressional Affairs
United States Secret Service

Ph: (202) 406-5676 Main line

(b)(6),(b)(7)(C) Direct line

Cell

(202) 406-5740 Fax

(b)(6),(b)(7)(C) (CID)

From: (b)(6),(b)(7)(C) (CID)
Sent: Monday, January 14, 2013 12:24 PM
To: JONATHAN BARTLETT (CID)
Cc: HUGH DUNLEAVY (INV)
Subject: FW: MIT Case Update
Attachments: MIT Case Update.docx

Sir,

Reference the above for an updated synopsis regarding case # J-102-775-60071-S (BOS). Further, for situational awareness purposes based on discussion with the case SA according to the NYPD Detective via the Boston PD Detective this incident was clearly a suicide. According to case SA (b)(6),(b)(7)(C) stated the subject suffered from a history of depression issues.

Regards,

(b)(6),(

From: (b)(6),(b)(7)(C) (CID)
Sent: Monday, January 14, 2013 12:01 PM
To: (b)(6),(b)(7)(C) (INV) (b)(6),(b)(7)(C) (INV) (b)(6),(b)(7)(C) (INV)
Cc: CID.SP
Subject: MIT Case Update

See updates on the MIT investigation.

(b)(6),(b)(7)(C)
Special Agent
Criminal Investigative Division / Special Projects
Office: (b)(6),(b)(7)(C)
Cell: (b)(6),(b)(7)(C)

(b)(6),(b)(7)(C) (CID)

From: BOS
 Sent: Friday, January 21, 2011 2:59 PM
 To: CID
 Cc: ISD; BOS
 Subject: 775.510 Opening Report - Aaron Swartz (102-775-60071-S)

U.S. SECRET SERVICE INVESTIGATIVE REPORT

FROM: BOSTON FIELD OFFICE FILE: 102-775-60071-S
 TO: CRIMINAL INVESTIGATIVE DIVISION X-REF: N/A
 INFO: INVESTIGATIVE SUPPORT DIVISION SEIZURE#: N/A

SUBJECT: OPENING REPORT

CASE TITLE: AARON SWARTZ
 CASE TYPE: 775.510
 SECONDARY TYPES: 848.191, 848.304, 848.930
 CONTROLLING OFFICE: BOSTON FIELD OFFICE
 REPORT MADE BY: SA **(b)(6),(b)(7)(C)**
 DATE CASE OPENED: 01/07/11
 PREVIOUS REPORT: N/A
 REPORTING PERIOD: 01/04/11 - 01/21/11
 STATUS: CONTINUED

SYNOPSIS:

On 01/04/11, MIT police requested assistance from members of the New England Electronic Crime Task Force regarding an investigation into a computer that was found in a locked closet at MIT and was connected to the MIT Network without authorization. Further investigation revealed that a subject later identified as Aaron Swartz, intruded into the MIT network without authorization by making entry into a locked closet containing networking components for MIT networks, connecting a computer to the MIT network, and downloading documents from JSTOR.

On 01/06/11, Aaron Swartz was arrested by MIT Police and agents of the New England Electronic Crimes Task Force and charged with violation of Massachusetts General Law (MGL) for breaking and entering. The investigation of Swartz's unauthorized intrusion into the MIT network and the theft of documents from JSTOR continue.

Case continued in Boston.

DETAILS OF INVESTIGATION:

On 01/04/11, Detective **(b)(6),(b)(7)(C)** of the Cambridge, MA Police Department and a member of the New England Electronic Crimes Task Force, received a call from **(b)(6),(b)(7)(C)** **(b)(6),(b)(7)(C)** (MIT.EDU) of the Massachusetts Institute of Technology (MIT) Police Department, informing him that an unauthorized computer had been found in a wire closet on MIT grounds and that Network Traffic suggested that the computer was being used to download expensive technical journals without authorization. The computer was found in a wire closet in the basement of Building 16, the Dorrance Building (77 Massachusetts Avenue, Cambridge, MA) which houses the MIT Biological Engineering Department.

Continuing on 01/04/11, SA **(b)(6),(b)(7)(C)** Detective **(b)(6),(b)(7)(C)** and Detective **(b)(6),(b)(7)(C)** of the Boston Police Department, traveled to MIT and met with **(b)(6),(b)(7)(C)** of the

1/27/2011

On 01/03/11, (b)(6),(b)(7)(C) received an email from (b)(6),(b)(7)(C) forwarded from (b)(6),(b)(7)(C) informing him that that the excessive downloading of journals had begun again.

On 01/04/11, (b)(6),(b)(7)(C) emailed (b)(6),(b)(7)(C) the MIT (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C)@mit.edu) a (b)(6),(b)(7)(C) for Network and Infrastructure Services for MIT, asking them to further pinpoint the location of the computer downloading the journals. At 0806, (b)(6),(b)(7)(C) located a computer hidden by a box connected to a switch in a wire closet in the basement of building 16. The computer was also connected to an external hard drive. (b)(6),(b)(7)(C) established a packet capture of the same switch the computer was found attached to.

(b)(6),(b)(7)(C) also provided SA (b)(6),(b)(7)(C) with a copy of historical network flow data concerning IP addresses 18.55.6.240 and 18.55.7.240 from 12/14/10 to 01/04/11 and DHCP log information for computers registered as ghost-macbook and ghost-laptop.

SA (b)(6),(b)(7)(C) contacted SA (b)(6),(b)(7)(C) (CID) at the CERT Coordination Center at the Software Engineering Institute at Carnegie Mellon University. SA (b)(6),(b)(7)(C) provided SA (b)(6),(b)(7)(C) with instructions to upload the data to the CERT drop box.

On 01/06/11, at approximately 1232, video surveillance showed the individual later identified as Swartz return to the wire closet and remove the netbook and external hard drive. Later, (b)(6),(b)(7)(C) of the MIT Police Department called (b)(6),(b)(7)(C) of the MIT Police Department and stated that he had located the suspect later identified as Swartz riding his bicycle on Massachusetts Avenue near the intersection with Lee Street in Cambridge, Massachusetts. (b)(6),(b)(7)(C) and SA (b)(6),(b)(7)(C) responded to Lee Street to assist (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) attempted to interview Swartz, however Swartz jumped off of his bicycle and ran down Lee Street. (b)(6),(b)(7)(C) and SA (b)(6),(b)(7)(C) detained the suspect and he was subsequently placed under arrest. A search of the backpack the suspect was wearing revealed a U.S. passport in the name of Aaron Swartz and one (1) USB Thumb Drive. No computer was found in the backpack. Swartz was transported by Cambridge Police to Cambridge Police headquarters and subsequently charged with violation of Massachusetts General Law (MGL) for Breaking and Entering.

Also on 01/06/11, (b)(6),(b)(7)(C) checked the DHCP logs for computer registrations containing the word "ghost". ghost-laptop was identified as still being active on the MIT network using the same MAC address as used on 01/04/11 to download journals. (b)(6),(b)(7)(C) (b)(6),(b)(7)(C)@mit.edu) an MIT (b)(6),(b)(7)(C) traced ghost-laptop on the network to building W20 on the 5th floor. MIT Building W20 is the Stratton Student Center. (b)(6),(b)(7)(C) traveled to the Stratton Student Center and determined that the network drop location ghost-laptop connected to was the Student Information Processing Board office, room 557. (b)(6),(b)(7)(C) contacted (b)(6),(b)(7)(C) to inform him that they had traced the netbook to a room in the student center. SA (b)(6),(b)(7)(C) met (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) at the student center and found the Acer Aspire netbook and external hard drive unattended, under a table, powered on and connected to the MIT network by a cable. Using gloves, SA (b)(6),(b)(7)(C) examined the netbook. The netbook appeared to be frozen halfway in the shutdown state and all attempts to access a terminal on the machine were unsuccessful. It was determined it would not be possible to conduct live forensics or capture a snapshot of the memory of the computer in its current state. The laptop was placed in an evidence bag and turned over to MIT Police to be inventoried into evidence.

Continuing on 01/06/11, SA (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) traveled to Cambridge Police Headquarters to interview Swartz. At Cambridge Headquarters, SA (b)(6),(b)(7)(C) met (b)(6),(b)(7)(C) (b)(6),(b)(7)(C). (b)(6),(b)(7)(C) informed SA (b)(6),(b)(7)(C) that he represented Swartz and that his client would not make a statement. Swartz was not cooperative with investigators. Swartz initially refused to provide his name, date of birth and other biographical information.

On 01/10/11, SA (b)(6),(b)(7)(C) AUSA Heymann and (b)(6),(b)(7)(C) from JSTOR conducted a conference call to discuss the theft of material from JSTOR.

On 01/14/11, SA (b)(6),(b)(7)(C) Detective (b)(6), (b)(6),(b)(7)(C) and AUSA Heymann met at the MIT office of General Counsel with (b)(6),(b)(7)(C) Counsel for MIT.

JUDICIAL ACTION:

On 01/06/11, Aaron Swartz was arrested by MIT Police Department and charged with violation of Massachusetts General Law (MGL) Chapter 266, Section 18, Breaking and Entering.

On 01/06/11, SA (b)(6),(b)(7)(C) contacted AUSA Steven Heymann, District of Massachusetts, to brief him on the above investigation.

On 01/07/11, Aaron Swartz was arraigned in Cambridge, MA District Court for violation of MGL Chapter 266, Section 18, Breaking and Entering. The case was assigned docket number 1152CR0073.

SUSPECTS / DEFENDANTS:

SWARTZ, Aaron H. - SUSPECT

AKA: N/A
 RACE: White
 SEX: Male
 DOB: 11/08/1986
 SSN: (b)(6),(b)(7)(C)-1374
 FBI: 675304KD0
 SID: MA10556559
 HT: 5' - 06"
 WT: 120 lbs.
 EYES: Brown
 HAIR: Brown
 1599: Yes
 1599A: No
 PHOTO: Yes
 PRINTS: Yes
 POB: Chicago, IL
 DL/STATE:
 ADDRESS:
 EMAIL:
 DATABASE CHECKS: 01/07/11

EXAMS CONDUCTED:

ECSAP: Pending
 POLY: N/A
 FSD: N/A

DATABASE SEARCHES CONDUCTED:

MCI / CI: 01/07/11
 NCIC/NLETS: 01/07/11
 CCS/CFT: 01/07/11
 LOCAL LE: 01/07/11

EVIDENCE / CONTRABAND / PERSONAL PROPERTY:

All evidence in this case is currently being held at MIT Police Headquarters.

DISPOSITION:

Case continued pending further investigation and judicial action.

1/27/2011

USSS / BOSTON

(b)(6),(b)(7)(C)

/ RICCIARDI

Stephen Heymann held a conference call. (b)(6),(b) confirmed that JSTOR has licensing agreements with publishers to make journals and articles available on the JSTOR web site, and that some of those licensing agreements include revenue sharing with publishers in which the publishers will get a share of the fees JSTOR collects from institutions. (b)(6),(b) stated that some of the publishers allow for a direct fee to download an individual article, but some publishers do not want individual articles downloaded. (b)(6),(b) estimated that the value of the documents Swartz downloaded to be in excess of \$2 million. (b)(6),(b) stated that he believed the average cost of the articles was \$14.00. (b)(6),(b) stated that the first indication of an intrusion was a degradation of service for all customers. (b)(6),(b) stated that the software on the JSTOR site relies on cookies to track users and that Swartz must have found a way to delete the JSTOR cookies from his system prior to making a new request to download a document. (b)(6),(b) stated multiple download requests occurred simultaneously and that at times, hundreds of download requests were occurring concurrently. (b)(6),(b) confirmed that the JSTOR terms and conditions clearly prohibited the kind of downloading Swartz was doing.

On 02/03/11, SA (b)(6),(b)(7) and Detective (b)(6),(b) received the Acer Aspire netbook, hard drive enclosure, Western Digital hard drive contained in the enclosure, and a USB flash drive from MIT Police (b)(6),(b)(7)(C). SA (b)(6),(b)(7) and Detective (b)(6),(b) took the evidence items directly to Cambridge Police Headquarters. The evidence items were logged into Cambridge Police evidence and taken to the Cambridge Police Identification Unit. The Identification Unit began processing the items for fingerprints. The results of the analysis is pending.

On 02/04/11, SA (b)(6),(b)(7) Detective (b)(6),(b)(7)(C) of the Cambridge Police, (b)(6),(b)(7)(C) from the Massachusetts Institute of Technology, and AUSA Stephen Heymann held a conference call. (b)(6),(b) explained that he was driving to work on 01/04/11 when (b)(6),(b)(7)(C) called him and told him that he found a laptop connected to a switch. (b)(6),(b)(7)(C) explained that previously (b)(6),(b)(7)(C) had sent an email to (b)(6),(b) describing the switch he had traced the excessive downloading from JSTOR to. (b)(6),(b) explained that after (b)(6),(b) found the laptop connected to the switch, he started a packet capture on the same switch. (b)(6),(b) also explained that the switch the laptop was connected to was an entry switch, and that normally only edge switches should be plugged into the entry switch. (b)(6),(b) also explained that when (b)(6),(b)(7)(C) arrived, he used NMAP to discover that port 22 and 8092 were open on the laptop that was discovered. (b)(6),(b) said that he reviewed the packet capture and discovered 14 different IP addresses sending SSH traffic to the laptop. (b)(6),(b) believed that some of the IP addresses were SSH background noise, however he did note that (b)(6),(b)(7)(C) could be traced to the linerva server at MIT. The linerva server is a Linux dial up server run by the Student Information Processing Board at MIT. (b)(6),(b) stated that he was still working on analyzing the packet capture.

On 02/07/11, (b)(6),(b)(7)(C) told SA (b)(6),(b) that he noticed that on 01/06/11, the laptop used by Swartz was briefly registered on the MIT network from building 4 of MIT. (b)(6),(b) noticed that during that time the laptop communicated with IP addresses 174.129.66.198, 204.236.212.151 and 50.16.222.69. (b)(6),(b) stated that those IP addresses are associated with Amazon Elastic Compute Cloud, which is a web service that provides resizable compute capacity in the cloud.

Also on 02/07/11, (b)(6),(b)(7)(C) sent an email to AUSA Heymann to revise her estimate of how many documents were downloaded by Swartz. (b)(6),(b)(7)(C) stated that Swartz downloaded over 2.8 million documents in November and December of 2010. (b)(6),(b) also forwarded emails from (b)(6),(b)(7)(C) stating that the initial analysis of the activity indicated that the downloads were done systematically using sequential increases in stable URLs. The same email included a statement from (b)(6),(b)(7)(C) of JSTOR indicating that the downloading did not appear to be targeted towards research articles or any particular titles, collections, or disciplines. For the 2.8 million downloads in November and December of 2010, the breakdown was 1,385,569 research articles, 938,063 reviews, 62,127 news articles and 9,472 editorials.

On 02/11/11, SA (b)(6),(b)(7) ATSAIC (b)(6),(b)(7)(C) SA (b)(6),(b)(7)(C) SA (b)(6),(b)(7)(C) and

Detective (b)(6),(b)(7)(C) executed a federal search warrant on Swartz's residence located at (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) (b)(6),(b)(7)(C). Swartz was home at the time the search was executed. While the search was conducted, Swartz made statements to the effect of, what took you so long, and why didn't you do this earlier? The search team seized several items described in greater detail in the Evidence section of this report. After completing the search of Apartment 320, the search team returned to the first floor to search the storage locker allocated to apartment 320. While on the first floor, SA (b)(6),(b) observed Swartz leave the building, walk to the street and sprint away after he reached the street. After ascertaining that none of the items in the storage locker belonged to Swartz, the search team moved to (b)(6),(b)(7)(C) in (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) where the Harvard University, Edmond J. Safra Center for Ethics is located and Swartz is listed as a lab fellow. The search team observed Swartz at the Safra Center for Ethics. Harvard University Police secured Swartz's office while a federal search warrant was obtained. After the search warrant was obtained, the team searched Swartz's office at the Safra Center. SA (b)(6),(b) seized an Apple iMac computer and a Western Digital hard drive from Swartz's office.

On 02/25/11, Detective (b)(6),(b) received the Acer Aspire netbook, hard drive enclosure, Western Digital hard drive contained in the enclosure, and the USB flash drive from Cambridge Police Property Technician (b)(6),(b)(7)(C). Detective (b)(6),(b) took the evidence items directly to the ECSAP Lab Evidence Vault.

SUSPECTS/DEFENDANTS:

SWARTZ, Aaron H - SUSPECT

1599: Yes
1599A: No

(b)(6),(b)(7)(C) - SUBJECT

AKA: (b)(6),(b)(7)(C)
RACE:
SEX:
DOB:
SSN:
FBI:
SID:
HT:
WT:
EYES:
HAIR:
1599: No
1599A: No
PHOTO: No
PRINTS: No
POB:
DL/STATE:
ADDRESS: (b)(6),(b)(7)(C)
EMAIL:
DATABASE CHECKS: 02/24/11

(b)(6),(b)(7)(C) - SUBJECT

RACE: N/A
SEX: (b)(6),(b)(7)(C)
DOB:
SSN:
FBI: N/A
SID: N/A
HT: N/A
WT: N/A

EYES: (b)(6),(b)
 HAIR: (7)(C)
 1599: No
 1599A: No
 PHOTO: No
 PRINTS: No
 POB:
 DL/STATE:
 ADDRESS: (b)(6),(b)(7)(C)
 EMAIL:
 DATABASE CHECKS: 02/24/11

EXAMS CONDUCTED:

ECSAP: Ongoing
 Poly: N/A
 FSD: N/A

DATABASE SEARCHES CONDUCTED:

MCI / CI: 01/07/11
 NCIC/NLETS: 01/07/11
 CCS/CFT: 01/07/11
 LOCAL LE: 01/07/11

EVIDENCE / CONTRABAND / PERSONAL PROPERTY:

EVIDENCE SSF 1544 S/N: 102 2011 CE 31
 DATE OF INVENTORY: 02/11/11
 INVENTORY MADE BY: SA (b)(6),(b)
 DESCRIPTION OF ITEMS: Scientific Atlantic Modem SN# SM1565969
 Apple Multi Adapter SN# 6F9395M7ZU6
 Apple Multi Adapter SN# 6F7281NNU48
 Black Notebook Journal
 SEIZED / OBTAINED FROM: Aaron Swartz
 LOCATION: Boston Field Office Evidence Vault
 DISPOSITION: Held pending judicial action.

EVIDENCE SSF 1544 S/N: 102 2011 CE 32
 DATE OF INVENTORY: 02/11/11
 INVENTORY MADE BY: SA (b)(6),(b)
 DESCRIPTION OF ITEMS: Harvard University Earning Statement
 Earning Statement Addressed to Aaron Swartz
 Master's Thesis M-876 Lind
 Western Digital Mail-in Rebate Form
 SEIZED / OBTAINED FROM: Aaron Swartz
 LOCATION: Boston Field Office Evidence Vault
 DISPOSITION: Held pending judicial action.

EVIDENCE SSF 1544 S/N: 102 2011 CE 33
 DATE OF INVENTORY: 02/11/11
 INVENTORY MADE BY: SA (b)(6),(b)
 DESCRIPTION OF ITEMS: Wireless-G 2.4 GHz Broadband Router Linksys
 MacBook Mac OS X Install Disc one and two
 MacBook User Guide in Gray Cardboard case
 Apple Care Service Letter Dispatch R6276408
 Genius Bar Work Confirmation
 SEIZED / OBTAINED FROM: Aaron Swartz
 LOCATION: Boston Field Office Evidence Vault

3/2/2011

DISPOSITION: Held pending judicial action.

EVIDENCE SSF 1544 S/N: 102 2011 CE 34
DATE OF INVENTORY: 02/11/11
INVENTORY MADE BY: SA (b)(6),(b)(7)(C)
DESCRIPTION OF ITEMS: Nokia Cell Phone
T-Mobile, HTC G2 cell phone
12 Magnetic Media Tapes

SEIZED / OBTAINED FROM: Aaron Swartz
LOCATION: Boston Field Office Evidence Vault
DISPOSITION: Held pending judicial action.

EVIDENCE SSF 1544 S/N: 102 2011 CE 35
DATE OF INVENTORY: 02/11/11
INVENTORY MADE BY: SA (b)(6),(b)(7)(C)
DESCRIPTION OF ITEMS: Metallic Blue iPod
White iPod with carrying case
White iPod with serial number SA6330856UX8A
White iTalk
Black 16GB Thumb-drive

SEIZED / OBTAINED FROM: Aaron Swartz
LOCATION: Boston Field Office Evidence Vault
DISPOSITION: Held pending judicial action.

EVIDENCE SSF 1544 S/N: 102 2011 CE 36
DATE OF INVENTORY: 02/11/11
INVENTORY MADE BY: SA (b)(6),(b)(7)(C)
DESCRIPTION OF ITEMS: Fifty-four miscellaneous compact discs
Two hard drive enclosures
T-Mobile Sidekick
Sony Micro Vault

SEIZED / OBTAINED FROM: Aaron Swartz
LOCATION: Boston Field Office Evidence Vault
DISPOSITION: Held pending judicial action.

EVIDENCE SSF 1544 S/N: 102 2011 CE 37
DATE OF INVENTORY: 02/11/11
INVENTORY MADE BY: SA (b)(6),(b)(7)(C)
DESCRIPTION OF ITEMS: DVD-R with handwritten label
Pocket notebook
Pure Drive Quick start guide
Disk utility internal hard drive upgrade kit
Seagate Barracuda Hard Drive Installation Guide

SEIZED / OBTAINED FROM: Aaron Swartz
LOCATION: Boston Field Office Evidence Vault
DISPOSITION: Held pending judicial action.

EVIDENCE SSF 1544 S/N: 102 2011 CE 38
DATE OF INVENTORY: 02/11/11
INVENTORY MADE BY: SA (b)(6),(b)(7)(C)
DESCRIPTION OF ITEMS: Apple iMac Model A1311 serial number WB025AXGD87
Western Digital Hard Drive SN WMANN1006724

SEIZED / OBTAINED FROM: Aaron Swartz
LOCATION: Boston Field Office Evidence Vault
DISPOSITION: Held pending judicial action.

EVIDENCE SSF 1544 S/N: 102 2011 CE 39
DATE OF INVENTORY: 02/25/11
INVENTORY MADE BY: SA (b)(6),(b)(7)(C)
DESCRIPTION OF ITEMS: Acer Aspire One SN LUSAR0D0010011001E1601

3/2/2011

378

Rocketfish Enclosure with WD hard drive WNAZA1525575
HP USB Drive marked 0045SNKBT1 85102

SEIZED / OBTAINED FROM:
LOCATION:
DISPOSITION:

Cambridge Police
Boston Field Office Evidence Vault
Held pending judicial action.

DISPOSITION:

The San Francisco Field Office is requested to interview (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) to determine if Swartz discussed JSTOR or MIT with them, and if they had any knowledge of Swartz's downloading of documents from JSTOR. Prior to making contact with (b)(6),(b)(7) and (b)(6),(b)(7)(C) the San Francisco agent assigned this IOD is requested to contact Boston case agent (b)(6),(b)(7)(C) at (b)(6),(b)(7)(C) to further discuss this case.

Case continued pending further investigation and judicial action.

USSS / BOSTON

(b)(6),(b)(7)(C) / RICCIARDI

(b)(6),(b)(7)(C) (CID)

ORIGINAL

From: SFO
Sent: Thursday, June 23, 2011 4:38 PM
To: CID; BOS
Cc: ISD; SFO
Subject: CT 775.510 (102-775-60071-S) REPORT OF IOD - AARON SWARTZ (CLOSED)

IOD

//ROUTINE//

U.S. SECRET SERVICE INVESTIGATIVE REPORT

FROM: SAN FRANCISCO FIELD OFFICE FILE: 102-775-60071-S
TO: CRIMINAL INVESTIGATION DIVISION X-REF: N/A
BOSTON FIELD OFFICE SEIZURE#: N/A
INFO: INVESTIGATIVE SUPPORT DIVISION

SUBJECT: REPORT OF IOD

ACTUAL LOSS: \$TBD POTENTIAL LOSS: \$2,000,000.00

CASE TITLE: AARON SWARTZ
CASE TYPE: 775.510
SECONDARY TYPES: 848.191, 848.304, 848.930
CONTROLLING OFFICE: BOSTON FIELD OFFICE
REPORT MADE BY: SA (b)(6),(b)(7)(C) (b)(6),(b)(7)(C)
DATE CASE OPENED: 02/28/11
PREVIOUS REPORT: N/A
REPORTING PERIOD: 02/28/11 - 06/28/11
STATUS: CLOSED

SYNOPSIS:

The Boston Field Office requested the San Francisco Field Office (SFO) to interview (b)(6), (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) two known associates of Aaron Swartz to determine their knowledge of his activities.

After a discussion with Assistant United States Attorney (AUSA) Stephen Heymann, District of Massachusetts, and case agent (b)(6),(b)(7)(C) (BOS), it was decided that the interview of (b)(6),(b)(7)(C) was not necessary.

(b)(6),(b)(6) was interviewed regarding her knowledge of Aaron Swartz's recent activities.

Case closed in San Francisco.

DETAILS OF INVESTIGATION:

On 3/1/11, I participated in a conference call with SA (b)(6),(b)(6),(b)(7)(C) of the Boston Field Office (BOS) and AUSA Stephen Heymann. During this conversation, SA (b)(6),(b)(7)(C) and AUSA Heymann requested that I interview (b)(6),(b)(7)(C) first, and a decision on whether to interview (b)(6),(b)(7)(C) would be made at a later date.

On 3/9/11, I responded to (b)(6),(b)(7)(C) residence, (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) with (b)(6),(b)(7)(C) At this time, SA (b)(6),(b)(7)(C) and I interviewed (b)(6),(b)(7)(C)

stated that she received a phone call from Swartz, who asked her to call his lawyer and arrange bail for him, which she did. (b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C) When (b)(6),(b)(7)(C) was asked about any additional contact with Swartz, she advised that she didn't have any contact, but did hear that due to his arrest, he was no longer allowed on the MIT campus. Due to this restriction, (b)(6),(b)(7)(C) advised that she heard Swartz was upset because he would not be permitted to participate in an annual campus wide scavenger hunt, of which he participates in every year. (b)(6),(b)(7)(C) was asked if Swartz ever mentioned JSTOR records to her, and (b)(6),(b)(7)(C) advised that she has never heard Schwarz discuss JSTOR records. Please see the Memorandum of Interview dated 3/9/11 for additional details.

On 6/7/11, I contacted SA (b)(6),(b)(7)(C) regarding the interview of (b)(6),(b)(7)(C). SA (b)(6),(b)(7)(C) advised he was preparing to indict Aaron Swartz and will consult with AUSA Heymann to determine if an interview with (b)(6),(b)(7)(C) is necessary.

On 6/10/11, I was contacted by SA (b)(6),(b)(7)(C) who advised that after a discussion with AUSA Heymann the interview of (b)(6),(b)(7)(C) would not be necessary.

Case closed in San Francisco.

JUDICIAL ACTION:

No Judicial Action is being sought in the Northern District of California at this time.

SUSPECTS/DEFENDANTS:

SWARTZ, Aaron H - SUSPECT

1599: Yes
1599A: No

(b)(6),(b)(7)(C)

- SUBJECT

AKA: (b)(6),(b)(7)(C)
RACE:
SEX:
DOB:
SSN:
FBI:
SID:
HT:
WT:
EYES:
HAIR:
1599: No
1599A: No
PHOTO: No
PRINTS: No
POB:
DL/STATE:
ADDRESS: (b)(6),(b)(7)(C)
EMAIL:
DATABASE CHECKS: 02/24/11

(b)(6),(b)(7)(C)

- SUBJECT

AKA: N/A
RACE: White

SEX: (b)(6),(b)(7)(C)
DOB: [REDACTED]
SSN: [REDACTED]
FBI: N/A
SID: N/A
HT: N/A
WT: N/A
EYES: (b)(6),(b)(7)(C)
HAIR: (C)
1599: No
1599A: No
PHOTO: No
PRINTS: No
POB:
DL/STATE:
ADDRESS: (b)(6),(b)(7)(C)
EMAIL:
DATABASE CHECKS: 02/24/11

EXAMS CONDUCTED:

None.

DATABASE SEARCHES CONDUCTED:

None

EVIDENCE / CONTRABAND / PERSONAL PROPERTY:

None

DISPOSITION:

Case closed in San Francisco.

USBS/SAN FRANCISCO/jd

(b)(6),(b)(7)(C) /MITCHELL

ORIGINAL

(b)(6),(b)(7)(C) (CID)

From: BOS
Sent: Wednesday, June 29, 2011 9:40 AM
To: CID
Cc: ISD; BOS
Subject: CT 775.510 Aaron Swartz (102-775-60071-S)

U.S. SECRET SERVICE INVESTIGATIVE REPORT

FROM: BOSTON FIELD OFFICE FILE: 102-775-60071-S
TO: CRIMINAL INVESTIGATIVE DIVISION X-REF: N/A
INFO: INVESTIGATIVE SUPPORT DIVISION SEIZURE#: N/A

SUBJECT: REPORT OF CONTINUING INVESTIGATION

ACTUAL LOSS: \$TBD POTENTIAL LOSS: \$2,000,000.00

CASE TITLE: AARON SWARTZ
CASE TYPE: 775.510
SECONDARY TYPES: 848.191, 848.304, 848.930
CONTROLLING OFFICE: BOSTON FIELD OFFICE
REPORT MADE BY: SA (b)(6),(b)(7)(C)
DATE CASE OPENED: 01/07/11
PREVIOUS REPORT: 02/28/11
REPORTING PERIOD: 02/29/11 - 06/29/11
STATUS: CONTINUED

SYNOPSIS:

Investigation has determined Aaron Swartz intruded into the MIT network without authorization by breaking into a locked telecommunications closet containing hardware for the MIT network, connecting a computer to the MIT network and downloading documents from JSTOR.

Case continued in Boston.

DETAILS OF INVESTIGATION:

Reference is made to all previous reports in this case, the most recent of which is a Request for Investigation Other District (IOD) written by SA (b)(6),(b)(7)(C) on 02/28/11.

Reference is made to the Report of Investigation Other District written by SA (b)(6),(b)(7)(C) of the San Francisco Field Office on 06/23/11.

Reference is made to the conference call between SA (b)(6),(b)(7)(C) AUSA Stephen Heymann, SA (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) from the Computer Emergency Response Team Coordination Center at Carnegie Mellon University on 03/09/11.

Reference is made to the conference call between SA (b)(6),(b)(7)(C) AUSA Heymann, Detective (b)(6),(b)(7)(C) of the Cambridge Police, and (b)(6),(b)(7)(C) of MIT on 06/20/11.

Reference is made to the conference call between SA (b)(6),(b)(7)(C) AUSA Heymann, and (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) from JSTOR on 06/25/11.

On 03/09/11, SA (b)(6),(b)(7)(C) and SA (b)(6),(b)(7)(C) of the San Francisco Field Office interviewed (b)(6),(b)(7)(C). The details of the interview are described in a Memorandum of Interview written by SA (b)(6),(b)(7)(C). A copy of that NOI will be maintained in this case folder.

On 04/13/11, SA (b)(6),(b)(7)(C), Detective (b)(6),(b)(7)(C) and AUSA Reymann, interviewed (b)(6),(b)(7)(C) at the U.S. Attorney's office at 1 Courthouse Way, Boston, Massachusetts. Also present were (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) both attorneys with Fish and Richardson. The details of the interview are described in a Memorandum of Interview written by SA (b)(6),(b)(7)(C). A copy of that NOI will be maintained in this case folder.

On 05/12/11, SA (b)(6),(b)(7)(C) and Detective (b)(6),(b)(7)(C) interviewed (b)(6),(b)(7)(C) at the (b)(6),(b)(7)(C) Boston Massachusetts. The details of the interview are described in a Memorandum of Interview written by Detective (b)(6),(b)(7)(C). A copy of the NOI will be maintained in this case folder.

On 06/07/11, 4 Samsung Hard Drives were turned over to SA (b)(6),(b)(7)(C) at the offices of Good and Cormier located at 83 Atlantic Avenue in Boston Massachusetts.

SUSPECTS / DEFENDANTS:

SWARTZ, Aaron H. - SUSPECT
1599: Yes
1599A: No

(b)(6),(b)(7)(C) - SUBJECT
1599: No
1599A: No

(b)(6),(b)(7)(C) - SUBJECT
1599: No
1599A: No

EXAMS CONDUCTED:

RCSAP: Ongoing
Poly: N/A
FSD: N/A

DATABASE SEARCHES CONDUCTED:

MCI / CI: 01/07/11
NCIC/NLETS: 01/07/11
CCS/CFT: 01/07/11
LOCAL LE: 01/07/11

EVIDENCE / CONTRABAND / PERSONAL PROPERTY:

EVIDENCE SSF 1544 S/N: 102 2011 CE 81
DATE OF INVENTORY: 02/25/11
INVENTORY MADE BY: SA (b)(6),(b)(7)(C)
DESCRIPTION OF ITEMS: 16 CD contained in a mailing envelope
SEIZED / OBTAINED FROM: Aaron Swartz
LOCATION: Boston Field Office Evidence Vault
DISPOSITION: Held pending judicial action.

EVIDENCE SSF 1544 S/N: 102 2011 CE 82

DATE OF INVENTORY: 02/25/11
INVENTORY MADE BY: SA (b)(6),(b)(7)
DESCRIPTION OF ITEMS: Galaxy Metal Gear Box External Hard Drive
SEIZED / OBTAINED FROM: Aaron Swartz
LOCATION: Boston Field Office Evidence Vault
DISPOSITION: Held pending judicial action.

EVIDENCE SSF 1544 S/W: 102 2011 CE 119
DATE OF INVENTORY: 06/07/11
INVENTORY MADE BY: SA (b)(6),(b)(7)
DESCRIPTION OF ITEMS: 4 Samsung Hard Drives
SEIZED / OBTAINED FROM: Aaron Swartz
LOCATION: Boston Field Office ECSAP Vault
DISPOSITION: Held pending judicial action.

All other evidence remains in the Boston Field Office Evidence vault as previously reported.

DISPOSITION:

Case continued pending further investigation and judicial action.

USSS / BOSTON

(b)(6),(b)(7)(C) / RICCIARDI

ORIGINAL

(b)(6),(b)(7)(C) (CID)

From: BOS
Sent: Monday, August 01, 2011 1:38 PM
To: CID
Cc: ISD; BOS
Subject: 775.510 Notification of Federal Arrest - Aaron Swartz (J-102-775-60071-S)

U.S. SECRET SERVICE INVESTIGATIVE REPORT

FROM: BOSTON FIELD OFFICE **FILE:** J-102-775-60071-S
TO: CRIMINAL INVESTIGATIVE DIVISION **X-REF:** N/A
INFO: INVESTIGATIVE SUPPORT DIVISION **SEIZURE#:** N/A

SUBJECT: NOTIFICATION OF FEDERAL ARREST
AARON SWARTZ - Date of Arrest: 07/19/11

ACTUAL LOSS: \$TBD **POTENTIAL LOSS:** \$2,000,000.00

FEDERAL STATUTES VIOLATED - TITLE 18 UNITED STATES CODE

SECTION 1343 - WIRE FRAUD
SECTION 1030(a)(4) - COMPUTER FRAUD
SECTION 1030(a)(2) - THEFT OF INFORMATION FROM A COMPUTER
SECTION 1030(a)(5)(B) - RECKLESSLY DAMAGING A COMPUTER
SECTION 2 - AIDING AND ABETTING

CASE TITLE: AARON SWARTZ
CASE TYPE: 775.510
SECONDARY TYPES: 848.191, 848.304, 848.930
CONTROLLING OFFICE: BOSTON FIELD OFFICE
REPORT MADE BY: SA (b)(6),(b)(7)(C)
DATE CASE OPENED: 01/07/11
PREVIOUS REPORT: 06/29/11 - REPORT OF CONTINUING INVESTIGATION
REPORTING PERIOD: 06/30/11 - 08/01/11
STATUS: CONTINUED

SYNOPSIS:

Aaron Swartz was indicted in U.S. District Court for the District of Massachusetts for violations of Title 18 United States Code, Sections 1343 - Wire Fraud; 1030(a)(4) - Computer Fraud; 1030(a)(2) - Theft of Information From a Computer; 1030(a)(5)(B) - Recklessly Damaging a Computer; and Section 2 - Aiding and Abetting.

On 07/19/11, Swartz surrendered to federal authorities and was arraigned before Magistrate Judge Judith G. Dein.

Case continued in Boston.

DETAILS OF INVESTIGATION:

Reference is made to all previous reports in this case, the most recent of which is the Report of Continuing Investigation written by SA (b)(6),(b)(7)(C) on 06/29/11.

JUDICIAL ACTION:

On 07/14/11, Swartz was indicted in U.S. District Court for the District of Massachusetts for violations of Title 18 United States Code, Sections 1343 - Wire Fraud; 1030(a)(4) - Computer Fraud; 1030(a)(2) - Theft of Information From a Computer; 1030(a)(5)(B) - Recklessly Damaging a Computer; and 2 - Aiding and Abetting.

On 07/19/11, Swartz surrendered to federal authorities and was arraigned before Magistrate Judge Judith G. Dain. Swartz was released on \$100,00.00 bond.

SUSPECTS / DEFENDANTS:

SWARTZ, Aaron - DEFENDANT - ARRESTED (FEDERAL)

1599: Yes

1599A: No

(b)(6),(b)(7)(C) - SUBJECT

1599: Yes

1599A: No

(b)(6),(b)(7)(C) SUBJECT

1599: Yes

1599A: No

EXAMS CONDUCTED:

ECSAP: 05/20/11

Poly: N/A

FSD: N/A

DATABASE SEARCHES CONDUCTED:

MCI / CI: 01/07/11

NCIC/MLETS: 01/07/11

CCS/CPT: 01/07/11

LOCAL LE: 01/07/11

EVIDENCE / CONTRABAND / PERSONAL PROPERTY:

All evidence remains secured in the Boston Field Office Evidence vault as previously reported.

DISPOSITION:

Case continued pending further investigation and judicial action.

USSS / BOSTON

(b)(6),(b)(7)(C) RICCIARDI

ORIGINAL

(b)(6),(b)(7)(C) (CID)

From: BOS
Sent: Tuesday, November 29, 2011 3:49 PM
To: CID
Cc: ISD; BOS
Subject: 775.510 Aaron Swartz J-102-775-60071-S (Continued)

U. S. SECRET SERVICE INVESTIGATIVE REPORT

FROM: BOSTON FIELD OFFICE **FILE:** J-102-775-60071-S
TO: CRIMINAL INVESTIGATIVE DIVISION **X-REF:** N/A
INFO: INVESTIGATIVE SUPPORT DIVISION **SEIZURE#:** N/A

SUBJECT: REPORT OF CONTINUING INVESTIGATION

CASE TITLE: AARON SWARTZ
CASE TYPE: 775.510
SECONDARY TYPES: 848.191, 848.304, 848.930
CONTROLLING OFFICE: BOSTON FIELD OFFICE
REPORT MADE BY: SA (b)(6),(b)(7)(C)
DATE CASE OPENED: 01/07/11
PREVIOUS REPORT: 08/01/11 - NOTIFICATION OF FEDERAL ARREST
REPORTING PERIOD: 08/02/11 - 11/29/11
STATUS: CONTINUED

SYNOPSIS:

In addition to the federal charges pending in this case, Aaron Swartz was also indicted in Suffolk County, MA Superior Court for state charges to include breaking and entering in the daytime with intent to commit a felony, larceny over \$250 and unauthorized access to a computer network.

Case continued in Boston.

DETAILS OF INVESTIGATION:

Reference is made to all previous reports in this case, the most recent of which is the Report of Continuing Investigation written by SA (b)(6),(b)(7)(C) dated 08/01/11.

On 11/21/11, Aaron Swartz, along with attorneys Martin Weinberg and (b)(6),(b)(7)(C) came to the Boston Field Office to review evidence in this case as part of the discovery process. After the review, items approved for release by AUSA Stephen Heymann were turned over to attorney Weinberg.

On 11/23/11, SA (b)(6),(b)(7)(C) turned over the Apple iMac model A1311 with serial number WB025AXGDS7 that was seized from Harvard University pursuant to a federal search warrant on 02/11/11 to (b)(6),(b)(7)(C) of the Harvard University Police Department.

JUDICIAL ACTION:

On 11/17/11, Aaron Swartz was indicted in Suffolk Superior Court for two counts of breaking and entering in the daytime with intent to commit a felony, larceny over \$250, and three counts of unauthorized access to a computer network.

On 11/25/11, Assistant District Attorney **(b)(6),(b)(7)(C)** for the Middlesex District Attorney's Office emailed SA **(b)(6),(b)(7)(C)** to inform him that he expected Swartz to be arraigned on 11/30/11.

SUSPECTS / DEFENDANTS:

SWARTZ, Aaron - DEFENDANT - ARRESTED (FEDERAL)

1599: Yes
1599A: Yes
PHOTO: Yes
PRINTS: Yes

(b)(6),(b)(7)(C) - SUBJECT

1599: Yes
1599A: No

(b)(6),(b)(7)(C) - SUBJECT

1599: Yes
1599A: No

EXAMS CONDUCTED:

ECSAP: 05/20/11
Polygraph: N/A
PSD: N/A

DATABASE SEARCHES CONDUCTED:

MCI / CI: 01/07/11
NCIC/MLTS: 01/07/11
CCS/CFT: 01/07/11
LOCAL LE: 01/07/11

EVIDENCE / CONTRABAND / PERSONAL PROPERTY:

EVIDENCE SF 1544 S/N: 102 2011 CE 31
DATE OF INVENTORY: 02/11/11
INVENTORY MADE BY: SA **(b)(6),(b)(7)(C)**
DESCRIPTION OF ITEMS: Scientific Atlantic Modem SN# SM1565968
Apple Multi Adapter SN# 6F9395M72U6
Apple Multi Adapter SN# 6F7281NNU4S
Black Notebook Journal
SEIZED / OBTAINED FROM: Aaron Swartz
LOCATION: Boston Field Office Evidence Vault
DISPOSITION: Item 1 and 4 returned to Swartz's attorney, Martin Weinberg, on 11/21/11.

EVIDENCE SF 1544 S/N: 102 2011 CE 32
DATE OF INVENTORY: 02/11/11
INVENTORY MADE BY: SA **(b)(6),(b)(7)(C)**
DESCRIPTION OF ITEMS: Harvard University Warning Statement
Warning Statement Addressed to Aaron Swartz
Master's Thesis M-876 Lind
Western Digital Mail-in Rebate Form
SEIZED / OBTAINED FROM: Aaron Swartz
LOCATION: Boston Field Office Evidence Vault

DISPOSITION:

Items 1 - 5 returned to Swartz's attorney, Martin Weinberg, on 11/21/11.

EVIDENCE SSF 1544 S/N:

102 2011 CE 33

DATE OF INVENTORY:

02/11/11

INVENTORY MADE BY:

SA (b)(6)(b)

DESCRIPTION OF ITEMS:

Wireless-G 2.4 GHz Broadband Router Linksys
MacBook Mac OSX Install Disc one and two
MacBook User Guide in Gray Cardboard case
Apple Care Service Letter Dispatch R&276408
Genius Bar Work Confirmation

SEIZED / OBTAINED FROM:

Aaron Swartz

LOCATION:

Boston Field Office Evidence Vault

DISPOSITION:

Item 1 returned to Swartz's attorney, Martin Weinberg, on 11/21/11.

EVIDENCE SSF 1544 S/N: 102 2011 CE 35
DATE OF INVENTORY: 02/11/11
INVENTORY MADE BY: SA (b)(6),(b)(7)(C)
DESCRIPTION OF ITEMS: Metallic Blue iPod
White iPod with carrying case
White iPod with serial number BA6330856UX8A
White iTalk
Black 16GB Thumb-drive
SEIZED / OBTAINED FROM: Aaron Swartz
LOCATION: Boston Field Office Evidence Vault
DISPOSITION: Items 1 - 5 returned to Swartz's attorney, Martin Weinberg, on 11/21/11.

EVIDENCE SSF 1544 S/N: 102 2011 CE 36
DATE OF INVENTORY: 02/11/11
INVENTORY MADE BY: SA (b)(6),(b)(7)(C)
DESCRIPTION OF ITEMS: Fifty-four miscellaneous compact discs
Two hard drive enclosures
T-Mobile Sidekick
Sony Micro Vault
SEIZED / OBTAINED FROM: Aaron Swartz
LOCATION: Boston Field Office Evidence Vault
DISPOSITION: 39 CDs returned to Swartz's attorney, Martin Weinberg, on 11/21/11.

EVIDENCE SSF 1544 S/N: 102 2011 CE 37
DATE OF INVENTORY: 02/11/11
INVENTORY MADE BY: SA (b)(6),(b)(7)(C)
DESCRIPTION OF ITEMS: DVD-R with handwritten label
Pocket notebook
Pure Drive Quick start guide
Diek utility internal hard drive upgrade kit
Seagate Barracuda Hard Drive Installation Guide
SEIZED / OBTAINED FROM: Aaron Swartz
LOCATION: Boston Field Office Evidence Vault
DISPOSITION: Items 3 - 5 returned to Swartz's attorney, Martin Weinberg, on 11/21/11.

EVIDENCE SSF 1544 S/N: 102 2011 CE 38
DATE OF INVENTORY: 02/11/11
INVENTORY MADE BY: SA (b)(6),(b)(7)(C)
DESCRIPTION OF ITEMS: Apple iMac Model A1311 serial number NB025AXGD87
Western Digital Hard Drive SN WMANN1006724
SEIZED / OBTAINED FROM: Aaron Swartz
LOCATION: Boston Field Office Evidence Vault
DISPOSITION: Item 1 turned over to Harvard Univ. PD (b)(6), (b)(6),(b)(7)(C) on 11/23/11.

EVIDENCE SSF 1544 S/N: 102 2011 CE 51
DATE OF INVENTORY: 02/25/11
INVENTORY MADE BY: SA (b)(6),(b)(7)(C)
DESCRIPTION OF ITEMS: 16 CD contained in a mailing envelope
SEIZED / OBTAINED FROM: Aaron Swartz
LOCATION: Martin Weinberg P.C.
DISPOSITION: Returned to Swartz's attorney, Martin Weinberg, on 11/21/11.

DISPOSITION:

Case continued pending further investigation and judicial action.

USSS/BOSTON

(b)(6),(b)(7)(C) / RICCIARDI

ORIGINAL

(b)(6),(b)(7)(C) (CID)

From: BOS
Sent: Monday, February 27, 2012 6:01 PM
To: CID
Cc: ISD; BOS
Subject: CT 775.510 Aaron Swartz (102-775-60071-S)

U.S. SECRET SERVICE INVESTIGATIVE REPORT

FROM: BOSTON FIELD OFFICE FILE: 102-775-60071-S
TO: CRIMINAL INVESTIGATIVE DIVISION X-REF: N/A
INFO: INVESTIGATIVE SUPPORT DIVISION SEIZURE#: N/A
SUBJECT: REPORT OF CONTINUING INVESTIGATION

ACTUAL LOSS: TBD POTENTIAL LOSS: \$2,000,000.00

CASE TITLE: AARON SWARTZ
CASE TYPE: 775.510
SECONDARY TYPES: 848.191, 848.304, 848.930
CONTROLLING OFFICE: BOSTON FIELD OFFICE
REPORT MADE BY: SA (b)(6),(b)(7)(C)
DATE CASE OPENED: 01/07/11
PREVIOUS REPORT: 11/29/11 - Report of Continuing Investigation
REPORTING PERIOD: 11/30/11 - 02/27/11
STATUS: CONTINUED

SYNOPSIS:

Swartz was arraigned in the Middlesex County, Massachusetts Superior Court on two counts of breaking and entering in the daytime; one count of larceny for more than \$250.00; and three counts of unauthorized access to a computer.

Case continued in Boston.

DETAILS OF INVESTIGATION:

Reference is made to all previous reports in this case, the most recent of which is the Report of Continuing Investigation written by SA (b)(6),(b)(7)(C) on 11/29/11.

On 12/20/11, SA (b)(6),(b)(7)(C) Detective (b)(6),(b)(7)(C) Cambridge PD, and Detective (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) Boston PD (both of the New England Electronic Crimes Task Force - NEECTF) delivered a hard drive containing discovery information prepared by (b)(6),(b)(7)(C) of CERT to 20 Park Plaza in Boston, Massachusetts. The drive was signed for by (b)(6),(b)(7)(C) of Martin Weinberg P.C. The signed receipt by (b)(6),(b)(7)(C) will remain a permanent part of this case file.

On 01/31/12 (b)(6),(b)(7)(C) a courier for Martin Weinberg, signed for a Toshiba Portable Hard Drive containing discovery information also prepared by (b)(6),(b)(7)(C) at the Boston Field Office.

JUDICIAL ACTION:

On 11/30/11, Swartz was arraigned in Middlesex County, Massachusetts Superior Court on two counts of breaking and entering daytime, one count of larceny for more than \$250.00, and three counts of unauthorized access to a computer.

SUSPECTS / DEFENDANTS:

AARON H SWARTZ - DEFENDANT
1599: Yes
1599A: Yes

EXAMS CONDUCTED:

ECSAP: 05/20/11

Poly: N/A

FSD: N/A

DATABASE SEARCHES CONDUCTED:

MCI / CI: 01/07/11

NCIC/NLETS: 01/07/11

CCS/CFT: 01/07/11

LOCAL LE: 01/07/11

Results of database searches have been reported under "Details of Investigation".

EVIDENCE / CONTRABAND / PERSONAL PROPERTY:

All evidence remains in the Boston Field Office Evidence Vault.

DISPOSITION:

Case continued pending further investigation and judicial action.

USSS/BOSTON

(b)(6),(b)(7)(C)

RICCIARDI

ORIGINAL

(b)(6),(b)(7)(C) (CID)

From: BOS
Sent: Tuesday, May 29, 2012 2:11 PM
To: CID
Cc: BOS; ISD
Subject: CT 775.510 Aaron Swartz (J-102-775-60071-S)

U. S. SECRET SERVICE INVESTIGATIVE REPORT

FROM: BOSTON FIELD OFFICE FILE: J-102-775-60071-S
TO: CRIMINAL INVESTIGATIVE DIVISION X-REF: N/A
INFO: INVESTIGATIVE SUPPORT DIVISION SEIZURE#: N/A

SUBJECT: REPORT OF JUDICIAL ACTION

ACTUAL LOSS: TBD POTENTIAL LOSS: \$2,000,000.00

CASE TITLE: AARON SWARTZ
CASE TYPE: 775.510
SECONDARY TYPES: 848.191, 848.304, 848.930
CONTROLLING OFFICE: BOSTON FIELD OFFICE
REPORT MADE BY: SA (b)(6),(b)(7)(C)
DATE CASE OPENED: 01/07/11
PREVIOUS REPORT: 02/27/12 - Report of Continuing Investigation
REPORTING PERIOD: 02/28/12 - 05/29/12
STATUS: CONTINUED

SYNOPSIS:

Judicial action continues in the case of the United States versus Aaron Swartz and the case of the Commonwealth of Massachusetts versus Aaron Swartz.

Case continued in Boston.

DETAILS OF INVESTIGATION:

Reference is made to all previous reports in this case, the most recent of which is the Report of Continuing Investigation written by SA (b)(6),(b)(7)(C) on 02/27/12.

Reference is made to the telephone conference between Assistant U.S. Attorney Stephen Heymann, SA (b)(6),(b)(7)(C) and Detective (b)(6),(b)(7)(C) Cambridge Police Department on 05/15/12.

Reference is made to the email from Assistant District Attorney (b)(6),(b)(7)(C) to SA (b)(6),(b)(7)(C) on 05/23/12.

JUDICIAL ACTION:

On 05/15/12, AUSA Heymann, Detective (b)(6),(b)(7)(C) and SA (b)(6),(b)(7)(C) conducted a telephone conference call to discuss the progress of the case against Swartz. AUSA Heymann informed SA (b)(6),(b)(7)(C) and Detective (b)(6),(b)(7)(C) that the case was progressing and he expected judicial action at some time in the future.

SUSPECTS / DEFENDANTS:

AARON H SWARTZ - DEFENDANT

1599: Yes
1599A: Yes

XAMS CONDUCTED:

ECSAP: 05/20/11
Poly: N/A
FSD: N/A

DATABASE SEARCHES CONDUCTED:

MCI / CI: 01/07/11
NCIC/MLETS: 01/07/11
CCS/CPT: 01/07/11
LOCAL LE: 01/07/11

Results of database searches have been reported under "Details of Investigation."

EVIDENCE / CONTRABAND / PERSONAL PROPERTY:

All remaining evidence is in the Boston Field Office Evidence Vault.

DISPOSITION:

Case continued pending further investigation and judicial action.

USSS/BOSTON

(b)(6),(b)(7)(C) / RICCIARDI

On 09/18/12, SA (b)(6),(b)(7)(C) Detective (b)(6),(b)(7)(C) AUSA Stephen Heymann and AUSA (b)(6),(b)(7)(C) interviewed the following Massachusetts Institute of Technology employees in furtherance of trial preparation: (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) at 77 Massachusetts Avenue, Cambridge, Massachusetts.

JUDICIAL ACTION:

On 09/12/12, a superseding indictment was rendered in the United States District Court, District of Massachusetts, charging Aaron Swartz with violations of 18 U.S.C 1343 wire fraud; 18 U.S.C 1030 computer fraud, unlawfully obtaining information from a protected computer and recklessly damaging a protected computer; and 18 U.S.C 2 aiding and abetting.

SUSPECTS / DEFENDANTS:

AARON H SWARTZ - DEFENDANT
1599: Yes
1599A: Yes

XAMS CONDUCTED:

ECSAP: 05/20/11
Poly: N/A
FSD: N/A

DATABASE SEARCHES CONDUCTED:

MCI / CI: 01/07/11
NCIC/NLETS: 01/07/11
CCS/CFT: 01/07/11
LOCAL LE: 01/07/11

EVIDENCE / CONTRABAND / PERSONAL PROPERTY:

All remaining evidence is in the Boston Field Office Evidence Vault.

DISPOSITION:

Case continued pending further investigation and judicial action.

USSF/BOSTON

(b)(6),(b)(7)(C) RICCIARDI

ORIGINAL

(b)(6),(b)(7)(C) (CID)

From: BOS
Sent: Thursday, January 17, 2013 8:59 AM
To: CID
Cc: ISD; BOS
Subject: CT 775.510 Aaron Swartz (J-102-775-60071-S)

U.S. SECRET SERVICE INVESTIGATIVE REPORT

FROM: BOSTON FIELD OFFICE FILE: J-102-775-60071-S
TO: CRIMINAL INVESTIGATIVE DIVISION X-REF: N/A
INFO: INVESTIGATIVE SUPPORT DIVISION SEIZURE#: N/A

SUBJECT: REPORT OF JUDICIAL ACTION

ACTUAL LOSS: TBD

POTENTIAL LOSS: \$2,000,000.00

CASE TITLE: AARON SWARTZ
CASE TYPE: 775.510
SECONDARY TYPES: 848.191, 848.304, 848.930
CONTROLLING OFFICE: BOSTON FIELD OFFICE
REPORT MADE BY: SA (b)(6),(b)(7)(C)
DATE CASE OPENED: 01/07/11
PREVIOUS REPORT: 09/21/12 - REPORT OF JUDICIAL ACTION
REPORTING PERIOD: 09/22/12 - 1/17/13
STATUS: CONTINUED

SYNOPSIS:

On 1/11/13, Aaron Swartz was found dead in his apartment in Brooklyn, NY as a result of an apparent suicide.

A suppression hearing in this had been scheduled for 1/25/13, with a trial date of 4/01/13, in U.S. District Court for the District of Massachusetts.

Case continued.

DETAILS OF INVESTIGATION:

Reference is made to all previous reports in this case, the most recent of which is the Report Judicial Action written by SA (b)(6),(b)(7)(C) on 09/21/12.

On 1/12/13, several open internet sources were reporting the death of Aaron Swartz. Detective (b)(6),(b)(7)(C) Cambridge, MA PD, contacted Detective (b)(6),(b)(7)(C) New York City PD (NYPD) - Precinct 71 to confirm Swartz' death. Detective (b)(6),(b)(7)(C) stated that at 19:35 hours on 1/11/13, it was reported to NYPD that Aaron Swartz had committed suicide. Detective (b)(6),(b)(7)(C) further stated he responded to (b)(6),(b)(7)(C) in (b)(6),(b)(7)(C) and confirmed that Aaron Swartz was found dead of an apparent suicide. The reporting party was Swartz' (b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)
(b)(6),(b)(7)(C)
(b)(6),(b)(7)(C)
(b)(6),(b)(7)(C)
(b)(6),(b)(7)(C)
(b)(6),(b)(7)(C)

JUDICIAL ACTION:

A suppression hearing had been scheduled for 1/25/13 in U.S. District Court for the District of Massachusetts with a trial date of 4/01/13.

SUSPECTS / DEFENDANTS:

AARON H SWARTZ - DEFENDANT (FEDERAL)
1599: Yes (Entered 1/19/2011)
1599A: Yes (Entered 11/29/2011)

EXAMS CONDUCTED:

ECSAP: 05/20/11
Poly: N/A
FSD: N/A

DATABASE SEARCHES CONDUCTED:

MCI / CI: 01/07/11
NCIC/NLETS: 01/07/11
CCS/CFT: 01/07/11
LOCAL LE: 01/07/11

EVIDENCE / CONTRABAND / PERSONAL PROPERTY:

All evidence remains in the Boston Field Office Evidence Vault as previously reported.

DISPOSITION:

Case continued pending disposition of evidence.

USSS / BOSTON

(b)(6),(b)(7)(C)

/ RICCIARDI

ORIGINA

(b)(6),(b)(7)(C) (CID)

From: BOS
Sent: Tuesday, June 25, 2013 3:09 PM
To: CID
Cc: BOS; ISD
Subject: 775.510 Aaron Swartz (J-102-813-60071-S)

U.S. SECRET SERVICE INVESTIGATIVE REPORT

775

FROM: BOSTON FIELD OFFICE FILE: J-102-813-60071-S
TO: CRIMINAL INVESTIGATIVE DIVISION X-REF: N/A
INFO: INVESTIGATIVE SUPPORT DIVISION SEIZURE NO: N/A

SUBJECT: REPORT OF CONTINUING INVESTIGATION

CASE TITLE: AARON SWARTZ
CASE TYPE: 775.510 - NETWORK INTRUSION OR COMPUTER HACK/
UNIVERSITIES
SECONDARY CASE TYPE: 848.191; 848.304; 848.930
CONTROLLING OFFICE: BOSTON FIELD OFFICE (617-565-5640)
REPORT MADE BY: SA (b)(6),(b)(7)(C)
DATE CASE OPENED: 01/07/11
PREVIOUS REPORT: REPORT OF JUDICIAL ACTION, DATED 01/17/13
REPORTING PERIOD: 01/18/13 - 06/25/13
STATUS: CONTINUED

SYNOPSIS:

On 03/18/13, Assistant United States Attorney (AUSA) Stephen Heymann instructed this agent to return most of the property seized from Aaron Swartz to his family's attorney, (b)(6),(b)(7)(C). The property was returned as directed.

Case continued pending disposition of remaining evidence.

DETAILS OF INVESTIGATION:

Reference is made to all previous reports in this case, the last a Report of Judicial Action written by SA (b)(6),(b)(7)(C) dated 01/17/13.

There are no details of investigation to report during this reporting period.

JUDICIAL ACTION:

On 03/18/13, AUSA Stephen Heymann contacted this agent and authorized the return of all of Aaron Swartz's property that was being held in this case except for his laptop.

Continuing on 03/18/13, (b)(6),(b)(7)(C) legal assistant to Attorney (b)(6),(b)(7)(C) picked up all remaining evidence except for Swartz's laptop. A receipt of returned property was signed and will remain a part of this case file.

SUSPECTS/DEFENDANTS:

AARON H SWARTZ - DEFENDANT - (FEDERAL) - DECEASED
SSF 1599: YES (Entered 01/19/11)
SSF 1599A: YES (Entered 11/29/11)

EXAMS CONDUCTED:

ECSAP: 05/20/11
Poly: N/A
FSD: N/A

DATABASE SEARCHES CONDUCTED:

MCI/CI: 01/07/11
NCIC/NLETS: 01/07/11
CCS/CFT 01/07/11
LOCAL LE: 01/07/11

EVIDENCE / CONTRABAND / PERSONAL PROPERTY:

EVIDENCE SSF 1544 S/N: 102 2011 CE 000031
DATE OF INVENTORY: 02/11/11
INVENTORY MADE BY: SA (b)(6),(b)(7)(C)
DESCRIPTION OF ITEMS: 2 Apple Multi-Adapters
SEIZED / OBTAINED FROM: 950 Massachusetts Ave # 320 Boston
DISPOSITION: Returned to Atty. (b)(6),(b)(7)(C)

EVIDENCE SSF 1544 S/N: 102 2011 CE 000033
DATE OF INVENTORY: 02/11/11
INVENTORY MADE BY: SA (b)(6),(b)(7)(C)
DESCRIPTION OF ITEMS: MacBook Install Disks, User Guide, Service Letters, Flashcard
SEIZED / OBTAINED FROM: 950 Massachusetts Ave # 320 Boston
DISPOSITION: Returned to Atty. (b)(6),(b)(7)(C)

EVIDENCE SSF 1544 S/N: 102 2011 CE 000034
DATE OF INVENTORY: 02/11/11
INVENTORY MADE BY: SA (b)(6),(b)(7)(C)
DESCRIPTION OF ITEMS: Nokia Cell Phone, HTC G2, 12 Media Tapes
SEIZED / OBTAINED FROM: 950 Massachusetts Ave # 320 Boston
DISPOSITION: Returned to Atty. (b)(6),(b)(7)(C)

EVIDENCE SSF 1544 S/N: 102 2011 CE 000036
DATE OF INVENTORY: 02/11/11
INVENTORY MADE BY: SA (b)(6),(b)(7)(C)
DESCRIPTION OF ITEMS: Sidekick, Sony Microvault
SEIZED / OBTAINED FROM: 950 Massachusetts Ave # 320 Boston
DISPOSITION: Returned to Atty. (b)(6),(b)(7)(C)

EVIDENCE SSF 1544 S/N: 102 2011 CE 000037
DATE OF INVENTORY: 02/11/11
INVENTORY MADE BY: SA (b)(6),(b)(7)(C)
DESCRIPTION OF ITEMS: DVD, Pocket Noteback
SEIZED / OBTAINED FROM: 950 Massachusetts Ave # 320 Boston

DISPOSITION: Returned to Atty. (b)(6),(b)(7)(C)

EVIDENCE SSF 1544 S/N: 102 2011 CE 000038
DATE OF INVENTORY: 02/11/11
INVENTORY MADE BY: SA (b)(6),(b)(7)(C)
DESCRIPTION OF ITEMS: Western Digital HDD
SEIZED / OBTAINED FROM: 950 Massachusetts Ave # 320 Boston
DISPOSITION: Returned to Atty. (b)(6),(b)(7)(C)

EVIDENCE SSF 1544 S/N: 102 2011 CE 000082
DATE OF INVENTORY: 02/11/11
INVENTORY MADE BY: SA (b)(6),(b)(7)(C)
DESCRIPTION OF ITEMS: Galaxy External HDD
SEIZED / OBTAINED FROM: 950 Massachusetts Ave # 320 Boston
DISPOSITION: Returned to Atty. (b)(6),(b)(7)(C)

EVIDENCE SSF 1544 S/N: 102 2011 CE 000038
DATE OF INVENTORY: 02/11/11
INVENTORY MADE BY: SA (b)(6),(b)(7)(C)
DESCRIPTION OF ITEMS: Apple IMAC WB025AXGD87
SEIZED / OBTAINED FROM: 950 Massachusetts Ave # 320 Boston
LOCATION: Boston Evidence Vault
DISPOSITION: Held pending instruction from USAO

DISPOSITION:

Case continued pending disposition of remaining evidence.

USSS/BOSTON

(b)(6),(b)(7)(C) / RICCIARDI

INVESTIGATIVE TRAVEL WORKSHEET

Name of Traveler: Det (b)(6),(b)(7)(C) Cambridge, MA PD (Task Force Officer)
Traveling From: Boston, MA
Traveling To: New York, NY
Method of Travel: Train
Dates of Travel: 01/13/12 - 01/15/12
Case Number: J-102-775-60071-S
Case Title: Aaron Swartz
AUSA / District Attorney: AUSA Stephen Heymann
Court District: District of Massachusetts

REFERENCED CONVERSATIONS

Foreign Travel Requires GS-15 Approval

Reference the telephone conversation between ATSAIC (b)(6),(b)(7)(C) (BOS) and ATSAIC (b)(6),(b)(7)(C) (NYC) on 01/04/12 regarding this travel.

Supervisor / Office of Traveler: ATSAIC (b)(6),(b)(7)(C) (BOS)

Supervisor / Office of Destination: ATSAIC (b)(6),(b)(7)(C) (NYC)

Purpose of Travel: Cambridge, MA Det (b)(6),(b)(7)(C) a member of the New England Electronic Crimes Task Force (NEECTF) is being requested to travel to New York along with (2) AUSA's from the District of Massachusetts (AUSA Stephen Heymann and AUSA Scott Garland) from 1/13/13 - 1/15/13 to interview witnesses in preparation for a trial in case #J-102-775-60071-S. See attached SSF 4000, Invitational Travel Request/Authorization for Non-Employees

INVITATIONAL TRAVEL REQUEST/AUTHORIZATION FOR NON-EMPLOYEES

(If additional space is needed use back of this form)

INSTRUCTIONS: All invitational travel requests must be approved by the originating office's Assistant Director or Chief Counsel; forwarded to the Assistant Director of Administration through the SAIC, LRC; and include the name(s) and title(s) of the traveler(s), organization(s) of the traveler(s), dates of travel, purpose of travel, and type of travel and/or per diem required, to include origin and destination of travel. All elements of the approval process should be accomplished prior to the onset of travel.

Authority for invitational travel is authorized in accordance with 5 U.S.C. 5751(a), 5703 and 5704, and the Federal Travel Regulations as implemented by the U.S. Secret Service.

1) REQUESTED BY (Name/Division/Office):

ATSAIC (b)(6), (b)(7)(C) BOS

2) NAME, TITLE, AND ORGANIZATION OF TRAVELER(S):

Task Force Officer (TFO) (b)(6), (b)(7)(C) (DOB: (b)(6), (b) Cambridge, MA Police Department

2a) IS THE TRAVELER(S) A CONTRACTOR? YES NO

3) PURPOSE OF TRAVEL AND EXPLANATION OF THE BENEFIT TO THE SERVICE:

Cambridge, MA De (b)(6), (b)(7)(C) a member of the New England Electronic Crimes Task Force (NEECTF), is being requested to travel to New York along with (2) AUSA's from the District of Massachusetts (AUSA Stephen Heymann and AUSA Scott Garland) from 1/13/13 - 1/15/13 to interview witnesses in preparation for a trial in case #J-102-775-60071-S. A federal trial is scheduled for February 2013 for main suspect Aaron Swartz who was indicted in the spring of 2012.

4) EXPENSES TO BE AUTHORIZED (Mark "X" in appropriate box(es)):

TRAVEL _____ LODGING _____ PER DIEM _____
 OTHER (Explain) _____

NOTE: The Logistics Resource Center (LRC) will fill in authorized rates.

5) ITINERARY (include origin and destination of travel):

1/13/13 - Depart Boston, MA via Amtrak train / Arrive New York, NY (RON)
 1/14/13 - Conduct interviews in New York, NY (RON)
 1/15/13 - Conduct interviews in New York, NY / Depart New York, NY via Amtrak train / Arrive Boston, MA

6) PROJECT CODE TO BE CHARGED:

7) AD'S SIGNATURE OR CHIEF COUNSEL (Originating Office):

(Print name)

(Signature)

(Date)

LRC USE ONLY

AUTHORIZATION NUMBER:

EFFECTIVE DATES OF TRAVEL:

APPROVALS (Logistics Resource Center and AD-Administration)

SIGNATURE OF SAIC-LRC:

DATE:

SIGNATURE OF AD-ADMINISTRATION:

DATE:

NOTE: THE LOGISTICS RESOURCE CENTER STAFF WILL COMPLETE THE AUTHORIZATION CITING THE AUTHORIZATION NUMBER, PER DIEM, LODGING RATES, AND OTHER PERTINENT INFORMATION NEEDED FOR THE TRAVELER TO VOUCHER HIS/HER EXPENSES TO THE SECRET SERVICE. AUTHORIZATION WILL THEN BE SENT TO THE AD-ADMINISTRATION FOR SIGNATURE AND FINAL APPROVAL. EXPENSES SHOULD BE VOUCHERED DIRECTLY TO THE U.S. SECRET SERVICE BY THE TRAVELER AS SOON AS THE TRAVEL IS COMPLETE. THIS COMPLETED AUTHORIZATION WILL BE ATTACHED TO THE TRAVEL VOUCHER.

(CONTINUATION PAGE FOR INVITATIONAL TRAVEL REQUEST/AUTHORIZATION FOR NON-EMPLOYEES)



//ROUTINE//

FROM: SAIC - Criminal Investigative Division File: 400.090

TO: SAIC - New York Field Office
SAIC - Boston Field Office

INFO: AD - Office of Investigations
Chief - Financial Management Division

SUBJECT: Invitational Travel of TFO (b)(6),(b)(7)(C) New England
Electronic Crimes Task Force, to New York City, NY from 01/13/13 -
01/15/13

Reference is made to the 01/08/13 communications between ATSAIC (b)(6),(b)(7)(C) (BOS), ATSAIC (b)(6),(b)(7)(C) (NYC), ATSAIC (b)(6),(b)(7)(C) (CID), and SA (b)(6),(b)(7)(C) (CID) regarding this travel.

Final reference is made to the SSF 4000, Invitational Travel Request/Authorization for Non-Employees, approved by DAD Hugh Dunleavy (INV) and SAIC Carrie Hunicutt (ADM) authorizing this travel.

TFO (b)(6),(b)(7)(C) is authorized to travel via Amtrak from Boston, MA to New York City, NY. TFO (b)(6),(b)(7)(C) at the request of Assistant United States Attorney (AUSA) Stephen Heymann, District of Massachusetts, will interview witnesses in preparation for trial in case #J-102-775-60071-S (Aaron Swartz).

Schedule for TFO (b)(6),(b)(7)(C) is as follows:

01/13/13 - Travel to New York City
01/14/13 - Conduct Interviews
01/15/13 - Conduct Interviews / Return travel to POD

Appropriate liaison has been established with the New York Field Office. ATSAIC (b)(6),(b)(7)(C) (BOS) will make all appropriate travel and lodging arrangements.

Invitational travel number, 13-26, should be used for all travel related travel documentation.

All personnel are reminded of the Director's recommendations regarding better business practices in utilizing Secret Service funds to include travel for protective missions, investigations and training. When traveling to or from cities with multiple airports, SATO will provide a cost comparison. All personnel are expected to use the most cost effective airport while considering taxi rates to your destination.

Questions regarding this travel should be directed to ATSAIC (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) (CID) at (b)(6),(b)(7)(C)

Headquarters (CID) (b)(6),(b)(7)(C)

MCI(070) SUBJECT DESCRIPTION
SUBJ O CASE NR 102-775-0060071-S SUBJ NR 1 CFO 102 CASE TYPE 775510

CRHS EVID ADDNO EMPY FAML Y SSUM CSUM
NAME(L,F,M) SWARTZ AARON AFFIX A/D J CASE
SEX RACE HGT WGT EYES HAIR DOB POB:CITY ST CTRY CITIZENSHIP
M W 506 120 BRO BRO 11081986 CHICAGO IL US
INTEREST CODES 38 13 OCCUPATION CODES
DECEASED DEFENDANT

DO NOT SEND TO TECS:

SSN (b)(6),(b)(7)(C) 493
MIL.SR-DRCH
ID NO/ST PD MA 10556559
SCARS/MARKS
SPEECH DEFECT
MISSING LIMB
NATIONALITY
AFIS NO
HAND/W MMDYY PHOTO 010411
REMARKS

KNOWN TO SA:

(b)(6),(b)(7)(C)
FBI NO 675304KDD
PASS.CTRY US NO (b)(6),(b)(7)(C)
D/L ST NO
INS ALIEN NO
TATTOOS
ACCENT
PHY DEFORMITY
ADDICT
FINGER/P 010411 PALM/P MMDYY
DATE EST 011911 DATE UPD 011813

MCI(321NEW) FINANCIAL CRIMES INVESTIGATION
 CCTRL D CASE NUMBER: 102-775-0060071-S CC NR: 2 CASE TYPE: 775.510
 SARS CASE(Y/N):

CCTRL HAS NO ADDITIONAL SECONDRY
 OFF: 178 CASE TITLE: AARON SWARTZ

CPG TYPE:

| PRIMARY UNITS | LOCATION----- | | FIELD | | | CID REGION ONE | | | AGENT OFF | AGENT OFF | DATE ASSIGNED |
|---------------|---------------|------|-------|-----|------|----------------|-----|-----|-----------|-----------|---------------|
| | ST | CITY | ORIG | 100 | ZONE | AGENT ID NR | OFF | OFF | | | |
| 1 | DC | CID | | X | | 000001 | 178 | 178 | | 013111 | |

DEVICES PRIOR TO 12/01/12- CURRENT POTENTIAL DOLLAR LOSS: .
 CURRENT ACTUAL DOLLAR LOSS: .
 QUANTITIES BY TYPE----- TOTAL QUANTITY BY TYPE-
 CRED CARD DEBIT CARD PREPAID CARD COMM CARD BANK ACCT BROKE ACCT COMMR ACCT
 WIRE TRAN TRAVL CHK BROKE CHCK COMM CHK PERS CHK E-MONEY OTHER

----- CLOSING AND JUDICIAL ACTION -----
 DATE CLOSED OFFENDER ID ACCEPT BLANKET DECLINE SPECIFIC DECLINE
 MMDDYY Y/N: FEDRL: FEDRL: FEDRL:
 STATE: STATE: STATE:

REMARKS:
 F3 F4 F5 F6 F9 F10 DATE EST 013111
 CASE TICK SECD JUST MENU EXIT DATE UPD 013111



MCI(070) SUBJECT DESCRIPTION
SUBJ D CASE NR 102-775-0060071-S SUBJ NR 1 CFO 102 CASE TYPE 775510

CRHS EVID ADDNO EPLY FAML Y SSUM CSUM
NAME(L,F,M) SWARTZ AARON AFFIX A/D J CASE
SEX RACE HGT WGT EYES HAIR DOB POB:CITY ST CTRY CITIZENSHIP
M W 506 120 BRO BRO 11081986 CHICAGO IL US
INTEREST CODES 38 13 OCCUPATION CODES
DECEASED DEFENDANT

DO NOT SEND TO TECS: KNOWN TO SA: (b)(6),(b)(7)(C)
SSN (b)(6) 0493 FBI NO 675304KDO
MIL.SR-BRCH PASS.CTRY US NO (b)(6),(b)(7)(C)
ID NO/ST PD MA 10556559 D/L ST NO
SCARS/MARKS INS ALIEN NO
SPEECH DEFECT TATTOOS
MISSING LIMB ACCENT
NATIONALITY PHY DEFORMITY
AFIS NO ADDICT
HAND/W MMDDYY PHOTO 010411 FINGER/P 010411 PALM/P MMDDYY
REMARKS DATE EST 011911 DATE UPD 011813

COMMON INDEX (CI)
NAME: SWARTZ, AARON
SEX: RACE: DOB: MMDDYY SSN: CFO:

NAME SEARCH RESPONSE

LAST

| SYSTEM | CASE NUMBER | NAME | S/D | SRT | DOB | SSN | CF |
|--------|-------------------|------------------|-----|------------------|--------|--------------|------|
| . | MC 1027750060071S | SWARTZ AARON | *D | MWT | 110886 | (b)(6), 0493 | (b) |
| . | (b)(6),(b)(7)(C) | (b)(6),(b)(7)(C) | . | (b)(6),(b)(7)(C) | | | (8), |
| . | | | | | | | (b) |
| . | | | | | | | (7) |
| . | | | | | | | (C) |

F1-HELP F2-REFRESH F10-CI MENU
SELECT F3-SUBJECT F4-ADDRESS F5-PHONE F6-VEHICLE F9-OTHER

(b)(6),(b)(7)(C)

CID)

From: Heymann, Stephen (USAMA) (b)(6),(b)(7)(C) [redacted]@usdoj.gov]
Sent: Friday, February 25, 2011 10:01 AM
To: (b)(6),(b)(7)(C) (CID)
Subject: Aaron Swartz Case

(b)(6),(b)(7)(C)

Can you please send me one paragraph describing (b)(6),(b)(7)(C) areas of expertise and who he is employed by? Like (b)(6), is he employed by CERT which then has a contract with secret Service or like you is he an agent. Also, has he previously handled grand jury material in other criminal investigations in other districts?

Thanks (b)(6),(b)(7)(C)

Student
Information
Processing
Board

SIRB

(b)(5)/(b)(7)(C)

