

Court reverses conviction of US 'security hacker' (Update)

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A man attends a hacking challenge in Paris on March 16, 2013

An appeals court in the United States overturned Friday the conviction of a self-described "security research" hacker for breaking into the AT&T online network to reveal a security flaw.

Andrew Auernheimer, known online as "weev," was sentenced to just over three years in prison last year for breaching the AT&T network and

revealing email addresses of more than 120,000 Apple iPad users to the online news site Gawker.

The case drew fire from online rights activists who say government prosecutors are unfairly targeting "white hat" hackers who reveal holes in Internet security.

The court said the conviction must be reversed on a technicality, without ruling on the merits of the charges under the Computer Fraud and Abuse Act.

"Although this appeal raises a number of complex and novel issues that are of great public importance in our increasingly interconnected age, we find it necessary to reach only one that has been fundamental since our country's founding: venue," the appellate court in Philadelphia said.

The appeals panel agreed with the defense that the case could not be brought in New Jersey against Auernheimer because "neither he nor (his co-defendant) was ever in New Jersey while allegedly committing the crime, and... the servers accessed were not in New Jersey."

Supporters have said that Auernheimer was merely pointing out a security issue and did not harm anyone. Prosecutors contended that the argument that he was trying to make the Internet more secure was "fiction."

Auernheimer and co-defendant Daniel Spitler—he had pleaded guilty in a separate trial—were said to be members of Goatse Security, a loose association of Internet hackers who hunt for security flaws.

Using a script called an "iPad 3G Account Slurper," the Goatse hackers managed to obtain the number used to identify a subscriber on AT&T's network.

"We're thrilled that the Third Circuit reversed Mr. Auernheimer's conviction," said attorney Hanni Fakhoury of the Electronic Frontier Foundation, part of the defense team.

"The court made clear that the location of a criminal defendant remains an important constitutional limitation, even in today's Internet age."

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