

Chelsea Manning Continues Fight Against Unfair Hacking Charge

Whistleblower Chelsea Manning was released from prison more than a year ago, after Barack Obama commuted her sentence for releasing military and diplomatic records to WikiLeaks. But her case still continues, as Manning wants to appeal her original conviction—including one charge under a controversial a federal anti-hacking law.

The Computer Fraud and Abuse Act (CFAA) is intended to punish people for breaking into computer systems. Yet Manning didn't break into anything. Instead, she was found guilty of violating the CFAA for using a common software utility called *Wget* to access a State Department database—a database she was generally authorized to access—in violation of a computer use policy. The policy prohibited the use of unauthorized software, even though the prohibition, which covers everything from computer games to simple automated Web browsing tools like *Wget*, is rarely enforce by the chain of command. Prosecutors have argued that Manning's use of the *Wget* software violates the law's provision again intentionally exceeding "authorized access" to a computer connected to the Internet.

But as EFF and the National Association of Criminal Defense Lawyers (NACDL) argued in an amicus brief filed in Manning's request for a hearing on appeal, violating an employer's policy on computer use is not a crime under the CFAA. If it were, then it would turn scores of people into criminals for things like

browsing Facebook or viewing online sports scores at work. It would also threaten the work of researchers and journalists, who increasingly rely on common automated Web browsing tools to more efficiently access publicly available information on the Internet so that they can do their work, even though such tools are often prohibited in websites' terms of service. Overzealous prosecutors and private companies have long taken advantage of the CFAA's vague language to threaten criminal charges that go beyond Congress's original goal to police computer crime, and Manning is only one of the latest high-profile victims.

We can't have ordinary online behavior—such as the use of simple, common tools for making it easier to collect publicly available information—become a federal criminal offense. Four other circuit courts have agreed. We hope the United States Court of Appeals for the Armed Forces takes Manning's case and helps bring some fairness to the CFAA.

Rebecca Jeschke & Jamie Williams

Electronic Frontier Foundation eff.org



Indigenous Mayan Ixil Midwife & Activist Murdered

Juana Ramirez Santiago, a 57-year-old Mayan Ixil community leader and human rights defender, was shot dead on Friday in Guatemala's Quiche department.

Ramirez was a founding member of the Network of Ixil Women, an organization fighting for women's rights, and a prominent midwife in her community. People close to her say had been threatened before and had already filed a complaint with the Public Ministry (MP).

The victim was walking in Q'ambalam, Nebaj municipality, when several people approached her. Neighbors heard four shots then found her lying on the street. She was dead by the time emergency personnel arrived.

Her husband, Pedro Chel Bernal, said Ramirez used to bring him dinner every night at the hardware store where he worked as a watchman. She called him on Friday night to tell him she was on her way, but never arrived.

"She was a woman who supported the community with her work as midwife. I was told two teenagers approached her and shot at her," he told Prensa Libre.

The director of the Network of Ixil Women, Juana Baca, condemned the murder: "She was a woman dedicated to bringing life into the world and founder of the organization, always looking after the wellbeing of the Ixil women."

The murder follows that of Juana Raymundo, a 25-year-old Ixil nurse and member of the Committee of Campesino Development (Codeca), who was killed on July 28, also in Nebaj. Her body showed signs of torture.

"We demand authorities investigate and shed light on this murder that dresses in mourning another family in Nebaj," said Baca. "They have to arrest those responsible. This crime cannot go unpunished."

Miguel de Leon, the Indigenous Mayor of Nebaj, demanded an effective investigation: "Nebaj has turned violent, especially for social leaders. The murder of this leader shows that."

Human Rights Prosecutor Jordan Roldas called for improved security measures to protect the lives of human rights defenders in Guatemala.

The Human Rights Defenders of Guatemala Protection Unit (Udefegua) has registered 135 aggressions, 13 murders and two attempted murders against activists between January 1 and June 8 of this year.



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I too drag around tin cans

so you can't kiss me.

I too have been beat up by cabbies

thrown out of moving cars,

gotten into screaming matches with cancerous secretaries.

I too am covered in war paint

like indelible ink, quick to jump

to bait, to horse, to flower—

don't look both ways

when entering the river. I too seal off

passages to my heart like a besieged country,

cut losses, cut brothers, don't look back

when I am lost in the forest. I too fear

invisible drunken singers, I too fear

white horses. I too can't

forgive can't stained-glass out of here can't tell you

words of love when you ask for water.

~YosefaRaz



An Epidemic:

False Rape Accusations (as I wrote about them years ago): Pretty much every time someone raises the subject of rape in my hearing (or online reading), a man pops up to raise the "issue" of "false rape accusations." Seriously, it's almost inevitably the first thing out of some guy's mouth; men appear obsessed with the subject, and it often becomes a convenient way of changing the focus from widespread female victims to exceedingly rare male victims.

As a result, I've assembled this handy pullout guide to the subject in the hope that I never have to address it again.

Rape is so common in our culture it's fair to call it an epidemic. After all, what else could you call something that impacts nearly one in five women (and one in seventy-one men) directly and, as a threat, virtually all women, that is so pervasive it modifies how we live and think and move through the world for most of our lives?

Actual instances in which women have untruthfully claimed a rape occurred simply to malign some guy are extremely uncommon. The most reliable studies suggest that about 2 percent of rape reports are false, which means that 98 percent are real. Even that statistic doesn't mean that 2 percent are false rape accusations, because saying you were raped if you weren't isn't the same thing as claiming a specific person raped you when he didn't. (No one sifts for the category of false rape accusation of an individual, by the way.) Still, those stats don't stop men from bringing the subject up again and again and again. And again.

In *Men Explain Things to Me*, I added this footnote:

False accusations of rape are a reality, and a relatively rare one, though the stories of those convicted falsely are terrible. A British study by the Crown Prosecution Service released in 2013 noted that there were 5,651 prosecutions for rape in the period studied, versus only 35 prosecutions for false allegations of rape (or more than 160 rapes for every false allegation, well under 1 percent). And a 2000 U.S. Department of Justice report cited these estimates for the United States: 322,230 rapes annually, resulting in 55,424 reports to police, 26,271 arrests, and 7,007 convictions—or slightly more than 2 percent of rapes counted and 12 percent of rapes reported resulted in jail sentences.

In other words, reporting a rape is not likely to get someone jailed, and though perhaps 2 percent of rape charges are false, only slightly more than 2 percent of all charges result in convictions. (Some estimates go as high as 3 percent.) In other words, there are an awful lot of unpunished rapists out there. And most rapists, when accused or charged, do not admit to committing rape. Which means we have a host of rapists out there who are also liars, and maybe the lies that abound are by men who have raped, not by women who have not been raped.

-Rebecca Solnit