Heartland Institute
Criminal Referral of Dr. Peter H. Gleick Talking Points

April 2, 2012
Case Overview

An individual, with views in direct opposition to those held by a not-for-profit charitable organization, poses as a board member of the organization to obtain, by fraud and via email, the organization’s confidential information in order to harm the organization, which he does by anonymously disclosing the information to hostile websites along with a phony document that casts Heartland in a bad light.
Discussion Topics

• Background on the Parties
• Gleick’s Requests for Heartland Donor Information
• Theft and Dissemination of Confidential Information and a Fake Strategy Document
• Sensitivity, Value, and Nature of Stolen Information
• Damaging Media Coverage and Donor Scrutiny
• Fake Strategy Memo Erodes Heartland Support
• Gleick’s Confession
• Federal Laws Violated
• Insufficient Civil Remedies Provide Support for Government Prosecution
Background: Heartland Institute

- 28 year old not-for-profit organized to promote free-market solutions to social and economic problems
- Focus on six key policy areas:
  - Budget & Tax
  - Environment & Climate
  - Finance, Insurance, and Real Estate
  - Health Care
  - Information Technology and Telcom
  - School Reform
- Distributes original research in each focus area
Background: Heartland Institute (con’t)

• Full time staff of 40 employees
• 150 professionals, researchers, academic advisors
• Receives donations from individuals, corporations, and foundations
• Donations are, at times, conditioned on anonymity
• Donors often require their donations be earmarked for a specific focus area
• James Taylor is a Heartland Senior Fellow who publishes articles on the climate and environment on Forbes.com
Background: Dr. Peter H. Gleick

- Internationally recognized water expert with a Ph.D in Energy and Resources
- Leading voice in the global warming community
- Co-founder of the Pacific Institute in Oakland, CA, a 501(c)(3) organization
- Publishes articles on environment and climate issues on Forbes.com
- Confessed to obtaining Heartland’s confidential documents “under someone else’s name”
- Now on temporary leave from Pacific Institute
- Retained defense attorney John Keker
After Public Sparring on Forbes.com
Gleick Seeks Heartland’s Donor List

• 1/4/2012 – Taylor (Heartland) published an article titled “Finding Big Foot, Finding Global Warming”

• 1/5/2012 – Gleick published an article titled “The 2011 Climate B.S.* of the Year Awards” naming the Heartland Institute as a runner up

• 1/12/2012 – Taylor published an article titled “Please, Global Warming Alarmists, Stop Denying Climate Change – And Science” criticizing Gleick
  • Gleick posts a comment to Taylor’s article criticizing it as “scientific nonsense”

* B.S. stands for Bad Science
Gleick Publicly Requests Heartland’s Donor List After Visiting Heartland’s Website

“I wonder, however, if Taylor would publish the list of who really DOES fund the Heartland Institute. It seems to be a secret – no information is listed on their website about actual contributors of that $7 million budget that they use to deny the reality of climate change…

So, Mr. Taylor: let’s have the complete list of your funders.”

Taylor Responds to Gleick’s Request and Explains Heartland’s Confidential Policy

“Gleick asks for the Heartland Institute to publicly reveal all the names of its donors. The Heartland used to do so... However... extremist groups used the information to launch a campaign of personal harassment against Heartland Institute donors.”
Gleick Next Seeks Donor List From The Heartland’s Communication Director

- 1/13/2012 - Heartland’s Communication Director, Jim Lakely, emails Gleick and invites him to participate in a debate with Taylor

- 1/13 - 1/27/2012 Gleick asks for Heartland’s donor list as a condition to debate
  - Lakely explains Heartland’s policy to keep this information confidential
  - Gleick declines invitation citing lack of “transparency”
In order for me to consider this invitation, please let me know if the Heartland Institute publishes its financial records and donors for the public and where to find this information. Such transparency is important to me...
Lakely Describes The Harm Caused By Identifying Heartland Donors

“We used to publicly list our donors by name, but stopped a few years ago, in part, because people who disagree with The Heartland Institute decided to harass our donors in person and via email.”

SOURCE: 1/17/2012 Email from Jim Lakely to Peter Gleick
Lakely Provides Gleick With Heartland’s Donor Policy As Posted On Its Web site

And more donor policy/information from our Web site:

Q: Why doesn’t Heartland reveal the identities of its donors?

A: For many years, we provided a complete list of Heartland’s corporate and foundation donors on this Web site and challenged other think tanks and advocacy groups to do the same. To our knowledge, not a single group followed our lead.

After much deliberation and with some regret, we now keep confidential the identities of all our donors for the following reasons:

• People who disagree with our views have taken to selectively disclosing names of donors who they think are unpopular in order to avoid addressing the merits of our positions. Listing our donors makes this unfair and misleading tactic possible. By not disclosing our donors, we keep the focus on the issue.

• We have procedures in place that protect our writers and editors from undue influence by donors. This makes the identities of our donors irrelevant.

• We frequently take positions at odds with those of the individuals and companies who fund us, so it is unfair to them as well as to us to mention their funding when expressing our point of view.

• No corporate donor gives more than 5 percent of our budget, and most give far less than that. We have a diverse funding base that is too large to accurately summarize each time we issue a statement.
Lakely Provides Gleick With The Reasons Behind Heartland’s Donor Privacy Policy

“A: For many years, we provided a complete list of Heartland's corporate and foundation donors on this Web site and challenged other think tanks and advocacy groups to do the same. To our knowledge, not a single group followed our lead.

After much deliberation and with some regret, we now keep confidential the identities of all our donors for the following reasons:

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...  

• We frequently take positions at odds with those of the individuals and companies who fund us, so it is unfair to them as well as to us to mention their funding when expressing our point of view...”
Gleick Poses As A Heartland Board Member to Steal Confidential Information

- Gleick sets up an gmail account using the name of a Heartland board member (highlighted).
- 1/27 – 2/10/2012 Gleick uses this address six times to assume [redacted]'s identity and communicate with Heartland. Gleick posing as [redacted]:
  - Requests gmail account be added to directory
  - Requests confidential board materials & minutes
  - Requests board member directory listing
  - Receives everything requested including donor information via phony [redacted] gmail account
Gleick Requests All Board Communications Be Sent To An Email Address He Created

From: [mailto:...@gmail.com]
Sent: Friday, January 27, 2012 8:36 AM
To:...
Subject: Board mailing list update

Can you please add (or have the appropriate staff member add) this personal email address to the Board mailing list for all future Board communications? Do not delete my [redacted] address -- just add this one as a duplicate.

And send a reply here, confirming?

Thank you.

[redacted]

Heartland Institute Board Member
Gleick Requests Confidential Information Be Sent To Email Account He Created

From: [mailto: @gmail.com]
Sent: Thursday, February 02, 2012 4:30 PM
To: [Blacked Out]
Subject: Re: Board mailing list update

Thank you.
Can you update me on the current Board schedule, if there are any dates I should know about? Also, can you send me the most recent Board minutes and agenda materials, if they are available?
Thank you.

On Fri, Jan 27, 2012 at 10:25 AM, [Blacked Out] wrote:

Thank you.
From: [redacted]
Sent: Friday, February 03, 2012 10:38 AM
To: [redacted]; [redacted]
Subject: RE: Board mailing list update

Good Morning Mr. [redacted],

Thank you for your recent request. Attached please find the upcoming dates for the board meetings as well as the minutes for the previous meeting. Please feel free to contact me directly for any request concerning the Board. Although [redacted] is very capable of handling this type of request, it falls under my responsibilities.

Notice in the agenda one of the topic items were confirming the dates for upcoming meetings. As it stands right now here are the dates on the table.

Confirm dates for next Board meetings: In 2012, April 24, July 24 (?), and October 25; in 2012, January 24, April 25, July 25, and October 24.

Please let me know if you require any additional information or assistance. Have a wonderful weekend sir.

Kind Regards,

[redacted]
The Heartland Institute
One South Wacker #2740
Chicago, IL 60606-4617
(312) 377-4000 [redacted]
(312) 377-5000
[redacted]@heartland.org
www.heartland.org
Gleick Continues To Request Confidential Information Using Board Member’s Name

From: [mailto:******@gmail.com]
Sent: Saturday, February 04, 2012 4:16 PM
To: *******
Subject: Re: Board mailing list update

Thank you. I see the notice of the last meeting and the agenda, but not the actual minutes or the handouts (if copies are available electronically).

I will get back to you on the schedule when I'm back in the office.
Gleick Obtains All Heartland Board Materials

From: [Redacted]
Sent: Monday, February 06, 2012 8:57 AM
To: [Redacted]
Subject: FW: Heartland’s 2012 Budget and Fundraising Plan

Sending all pdf’s that were sent to the Board. I apologize if there are duplicates.

From: Joseph Bast
Sent: Monday, January 16, 2012 10:28 AM
To: Art Margulis; Bob Burford; Dan Hales; Harrison Schmitt; Herbert Walberg; Jeff Judson; Jeff Madden; Jim Johnston; Joseph Bast; Paul Fisher; Raj Bal; Rich Collins; Robert Lamendola; Rose, Mike
Cc: [Redacted]
Subject: Heartland’s 2012 Budget and Fundraising Plan

Directors,

Attached are a proposed budget and fundraising plan for The Heartland Institute for 2012. Because of their length, I am not folding them into the PDF of other meeting handouts that I am preparing. I expect to get that package out to you within the hour. (Then Diane and I need to drive from WI to Dave Padden’s house on the south side of Chicago to pick up some of his books!)

REMINDER: The next regular meeting of the Board of Directors takes place tomorrow, Tuesday, January 17, from 2:00 to 5:00 p.m. CST at Paul Fisher’s office, McGuireWoods, 77 West Wacker Street, 44th Floor, Chicago, Illinois.

To participate by phone, call [Redacted] and enter the following passcode: [Redacted] (make sure to dial the asterisks before and after the number). Questions? Call [Redacted] at 312/377-4000. Paul Fisher, an attorney with McGuireWoods and the host of this meeting, can be reached at [Redacted]

Joe

Joseph Bast
President
The Heartland Institute
Phone 312/377-4000
Email jbast@heartland.org
Web site http://www.heartland.org
Gleick’s Deception Yielded Heartland Confidential Documents

• Agenda for January 17, 2012 Board Meeting
• Minutes of January 17, 2012 Board Meeting
• January 17, 2012 Board Meeting Package
• Binder 1 (Appendices to Board Meeting Package)
• Heartland Proposed 2012 Budget
• Heartland 2012 Fundraising Plan
• Heartland’s 2010 IRS Form 990*

*This document is not considered confidential.
Gleick Disseminates the Confidential Materials and a Fake Strategy Memo

- Gleick poses as “the Heartland Insider” to disseminate stolen information and a fake document to websites and individuals hostile to Heartland
- Many of the real Heartland documents are marked: “Confidential. Please Do Not Circulate.”
- Reveals budget, fundraising plan, board directory, minutes, agenda, donors (many of whom Heartland was contractually obligated to keep anonymous), and a fake strategy memo
- The fake memo pulls from board materials but distorts the Heartland’s goals and programs
As “The Heartland Insider” Gleick Specifically Points To Heartland’s Donors

“In the interest of transparency, I think you should see these files from the Heartland Institute. Look especially at the 2012 fundraising budget documents, the information about donors, and compare to the 2010 990 tax form.”
Gleick Gives The Stolen Documents And The Fake Strategy Memo To Hostile Websites

• 2/14/2012, ThinkProgress.Org: “INTERNAL DOCUMENTS: The Secret, Corporate-Funded Plan To Teach Children That Climate Change Is A Hoax”


• 2/14/2012, SkepticalScience.Com: “Heartland Insider Exposes Institute's Budget and Strategy”
The Stolen Documents Reveal Confidential Personnel, Donor, and Fundraising Details
Gleick Reveals Confidential Personnel Information

- Employee Names
- Employee Positions and Salaries
- Taxes Withheld, Workmen’s Compensation Information
- Bonuses Paid
- Positions to be Eliminated
- Details of Employee Terminations
Gleick Discloses Sensitive Donor Information

- Identified Donors By Name
  - Projects Each Funded
  - Amount of 2010 and 2011 contributions
  - Projected contributions for 2012
- Strategy for renewing lapsed donations
- Plans to incorporate donations in estate planning
- Plans to attract new donors
- Plans to target specific funding sources
Gleick Disclosed Confidential Information that Heartland Developed over 28 Years

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Heartland Respects Donor Confidentiality

- Donors request anonymity for various reasons:
  - Donors do not want to be placed in a defensive posture concerning the different amounts donated to similar organizations
  - Donors do not always agree with all of Heartland’s initiatives
  - Donors have been harassed for supporting controversial causes
  - Donors may wish to remain outside of the public debate
Donors Depend on Confidentiality and Heartland Depends on its Donors

Please record this entire grant as anonymous.
The Fake Strategy Memo Is Posted With The Stolen Confidential Documents

• The fake climate strategy memo is at the top of the list

• Written for ease of review \((i.e., \text{only 2 pages vs. 29 page proposed budget and 34 page fundraising plan})\)

• Contains misinformation about Heartland’s plans for developing K-12 science curriculum and falsely claims Heartland plans to silence opposing views

• Fake memo draws from information contained in stolen documents and could only have been written by someone with access to stolen documents
Development of our “Global Warming Curriculum for K-12 Classrooms” project. Principals and teachers are heavily biased toward the alarmist perspective. To counter this we are considering launching an effort to develop alternative materials for K-12 classrooms. We are pursuing a proposal from Dr. David Wojick to produce a global warming curriculum for K-12 schools. Dr. Wojick is a consultant with the Office of Scientific and Technical Information at the U.S. Department of Energy in the area of information and communication science. His effort will focus on providing curriculum that shows that the topic of climate change is controversial and uncertain — two key points that are effective at dissuading teachers from teaching science. We tentatively plan to pay Dr. Wojick $100,000 for 20 modules in 2012, with funding pledged by
Fake Climate Strategy Memo: Misinformation Incites Public Against Heartland

Expanded climate communications
Heartland plays an important role in climate communications, especially through our in-house experts (e.g., Taylor) through his Forbes blog and related high profile outlets, our conferences, and through coordination with external networks (such as WUWT and other groups capable of rapidly mobilizing responses to new scientific findings, news stories, or unfavorable blog posts). Efforts at places such as Forbes are especially important now that they have begun to allow high-profile climate scientists (such as Gleick) to post warmist science essays that counter our own. This influential audience has usually been reliably anti-climate and it is important to keep opposing voices out. Efforts might also include cultivating more neutral voices with big audiences (such as Revkin at DotEarth/NYTimes, who has a well-known antipathy for some of the more extreme AGW communicators such as Romm, Trenberth, and Hansen) or Curry (who has become popular with our supporters). We have also pledged to help raise around $90,000 in 2012 for Anthony Watts to help him create a new website to track temperature station data.
Heartland is Subjected to Damaging Media Coverage

• 2/14/2012, Think Progress, “Heartland Documents Reveal Fringe Denial Group Plans to Pursue Koch Money, Dupe Children and Ruin Their Future”
• 2/15/2012, MSNBC, “Leaked: a plan to teach climate change skepticism in schools”
• 2/16/2012, Huffington Post “They’re Coming For Your Kids”

The above represents a small sampling of the actual coverage
Heartland Donors Are Identified and Questioned About Heartland Support

• 3/22/2012, New York Times, “Leak Offers Glimpse of Campaign Against Climate Science”
• Identifies Microsoft and GlaxoSmithKline as Heartland Donors and seeks their comments:
  • A Microsoft spokesperson states “climate change is a serious issue that demands immediate worldwide action.”
  • A GlaxoSmithKline spokesperson states “We absolutely do not endorse or support [Heartland’s] views on the environment or climate change.”
“Forecast the Facts” Targets Heartland Donors

- **ForecastTheFacts.Org**: “GM’s funding of Heartland came to light in February via leaked documents that also revealed Heartland’s plan to insert climate change denial into public education”
- Targets GM and Microsoft (identified as Heartland donors) and demands they stop funding Heartland
- Forecast the Facts collects 10,000 signatures of GM owners asking GM to withdraw Heartland support
- GM CEO publicly states that he will “review” donations to Heartland
After a 20 Year Relationship, GM Pulls Support for Heartland Institute

• 3/30/2012, Huffington Post: “After getting called out by an environmental group, General Motors has pulled support from the Heartland Institute.”

• 3/30/2012, Los Angeles Times: “Citing its corporate stance that climate change is real, General Motors announced Wednesday that its General Motors Foundation would no longer be funding the Heartland Institute.”
Greenpeace Joins Forecast the Facts In Targeting Heartland Donors

Quote from 3/30/2012 Huffington Post, “General Motors Decides Climate Change Is Real, Pulls Support From Heartland Institute”

“Greenpeace has pressured companies to stop funding Heartland, said Kert Davies, Greenpeace's research director. "Their brand of intervention on the climate discussion, bending the information, is noxious," he said.”
The Fake Strategy Memo Erodes Heartland Support

• The fake strategy memo was written to portray Heartland in the most pejorative light possible.
• The media seized on the memo’s false claim that Heartland wanted to “dissuad[e] teachers from teaching science.”
• The memo oddly refers to Gleick and falsely claims that Heartland wants to “keep opposing voices out” of places like Forbes.com.
• The memo pulls from the stolen documents and could only have been written by someone with access to them.
Experts Conclude That The Strategy Memo is Fake

• Forensic experts reviewed Heartland’s computer systems for the strategy memo - it was not found
• Experts found striking differences in the strategy memo’s metadata:
  • Scanned from an Epson device (none at Heartland)
  • Created at 12:41 PM PST on 2/13/2012 (day before leak)
• The fake strategy memo contains erroneous information and uses language intended to incite global warming advocates
• Heartland does not deny that the Board Materials are accurate
The Fake Strategy Memo Contains Enough Facts To Lend Credence To The False Claims

- **Fact:** Global warming curriculum being developed
- **False:** For purpose of “dissuading teachers from teaching science”

- **Fact:** The Charles G. Koch Foundation was a Heartland donor
- **False:** The Foundation donated $200,000 in 2011 (actual donation was $25,000 and was earmarked for health care research and **not** climate and environment matters)
Gleick Publicly Confesses That He Stole And Leaked Confidential Heartland Documents

On 2/20/2012 in a Huffington Post article Gleick states:

“I solicited and received additional materials directly from the Heartland Institute under someone else’s name…

I forwarded, anonymously, the documents I had received to a set of journalists and experts…

My judgment was blinded by my frustration [at those who] prevent this debate, and by the lack of transparency”
Gleick’s Confession

• When posing as Heartland Insider, claims to have received all materials from the Heartland Institute

• In later confession Gleick says he received fake climate strategy memo anonymously by mail

• Justifies his deception by claiming he wanted to verify the information contained in the fake memo
  • “I attempted to confirm the accuracy of the information…in an effort to do so, and in a serious lapse of my own and professional judgment and ethics…”

• Denies writing the fake memo, which refers to him by name

• Admits sending the documents anonymously to various “journalists and experts.”
Gleick’s Deception and Disclosure Damaged Heartland’s Donor Relationships

• Some donors will stop donating because Heartland’s pledge to keep their identity confidential has been broken
• Some donors will stop contributing because of the false claims in the widely circulated fake strategy memo
• Heartland will face significant challenges attracting new donors who may be swayed by the false claims
• Donor sponsorship of fundraising events will be adversely affected due to negative publicity generated by the fake strategy memo
Gleick’s Deception and Disclosure Damaged Heartland’s Reputation

• Heartland’s product is its reputation for accurate and reliable information.

• Prior to Gleick’s actions, Heartland enjoyed an excellent reputation as measured by:
  • Telephone surveys showing Heartland in the top echelon of national think tanks*
  • Heartland received nearly $6.9 million in free media coverage in 2011 * *
  • Nearly all of that coverage (98%) was either positive or neutral

• Heartland has seen a 15-fold increase in negative coverage following Gleick’s deception and disclosure

* Conducted in April 2011 by Victory Enterprises, Inc.
* * According to Vocus, a media tracking service
Heartland Estimates $5.6M Is Necessary To Attempt To Rebuild Its Reputation

- During its 28 year history, Heartland spent millions developing its reputation.

- Heartland estimates the following activities and associated costs are necessary to restore its reputation:
  - $3,600,000 Display Ads
  - $1,600,000 Quarterly mailings to key influentials
  - $180,000 Travel/staff time to meet with donors, scientists, etc.
  - $300,000 Two full-time staff members to monitor media and rebut false charges for three years

$5,680,000 Total estimated costs for reputational repair effort

- No guarantee that this effort will be successful
IRS Laws and The First Amendment Protect 501(c)(3) Donors

- Gleick as co-founder of a 501(c)(3) organization is aware of the protections provided to charitable donors
- Donors may be targeted when their identities are exposed
- Exposure can have a chilling effect on future donations
- Organizations enjoy a First Amendment associational privilege to protect the identity of their members and donors \((\text{See, e.g., } NAACP \text{ v. State of Ala., 357 U.S. 449, 463 (1958)})\)
- Microsoft, GM, and GlaxoSmithKline have already been targeted regarding their donations to Heartland (and GM has withdrawn its funding)
Gleick’s Actions Violated Federal Laws: Wire Fraud

Wire Fraud Under 18 U.S.C. § 1343 by engaging in:

1. a scheme to defraud (posed as board member to deprive Heartland of exclusive use of its donor list)

2. an intent to defraud (intended to deprive Heartland by subterfuge of its confidential information, by disclosing its donors despite knowing the harm that would result, and by creating and/or posting a fake document portraying Heartland in a bad light)

3. use of the mails or wires in furtherance of the scheme (email was used to obtain confidential information and disseminate it to hostile websites)
Gleick Committed Wire Fraud By Obtaining Heartland Confidential Documents By Deception

The Seventh Circuit has held that any scheme employing false pretenses or misrepresentations to deprive another of confidential business information or any information that another has the exclusive right to use is actionable under the wire fraud statute. See, e.g., U.S. v. Cherif, 943 F.2d 692, 697 (7th Cir. 1991) (affirming wire fraud conviction where defendant schemed to obtain confidential business strategy documents).
Gleick’s Actions Violated Federal Laws: Aggravated Identity Theft

Aggravated Identity Theft under 18 U.S.C. § 1028A applies where:

1. In connection with certain felony violations (including wire fraud)

2. One knowingly transfers, possesses, or uses, without lawful authority, a means of identification of another person (Gleick created phony [redacted] gmail account; incorporated [redacted]’s real [redacted] contact information in phony signature block)
Gleick Committed Aggravated Identity Theft
By Knowingly Assuming [redacted]’s Identity

Liability for aggravated identity theft can be found where a person uses an identity that it knows belongs to another person in connection with a violation of the wire fraud statute. See, e.g., Flores-Figueroa v. U.S., 129 S. Ct. 1886 (2009); U.S. v. Howard, 619 F.3d 723 (7th Cir. 2010).
This is Not Journalism
Nor Is Gleick A Whistleblower

• This is not a case where Gleick was working with an insider to expose illegal conduct
• This was a well executed theft carried out by deception
• Gleick’s intent all along was to disclose Heartland’s donors in an attempt to harm Heartland’s credibility and to disrupt its operations
• Gleick breached protections provided to 501(c)(3) donors and breached wire fraud/identity theft laws simply because he disagreed with Heartland’s policies
Insufficient Civil Remedies

• Defamation against Gleick for fake strategy memo will result in only minimal, if any damages

• “Dissuading teachers from teaching science” has caused Heartland and its donors the most harm
  • Donors do not want to be associated with that strategy
  • This false statement ignited the media firestorm

• No available cause of action against media for publishing the stolen documents because they are accurate

• A cause of action for publication of fake strategy memo likely barred by *New York Times v. Sullivan*
Insufficient Civil Remedies (con’t)

- Gleick deprived Heartland of the exclusive use of its donor list
- This information is now publicly available worldwide
- Unlike trade secret cases, cannot measure the harm from the exploitation of this information
- Monetary damages will not repair the damaged donor relationships
- Monetary damages insufficient to repair reputational harm
- Heartland has no remedy at all to “undo” this harm
Further Support for Prosecuting Gleick

• Will deter others from resorting to illegal means to discredit opponents despite passionate views
• Similar acts put all 501(c)(3) organizations at risk and may have chilling effect on future donations
• Will also protect innocents:
  • Donors who request and have the legal right to remain anonymous
  • Those whose identities are used without their knowledge or consent to further causes (*i.e.*, the *s of the world)
• Gleick’s confession shows intent to harm Heartland and provides a compelling reason to prosecute
Further Support for Prosecuting Gleick (con’t)

- Freedom of expression allows for opposing viewpoints but does not provide a license to steal information in order to express those views.

- This case provides low hanging fruit to send a message to others that using the internet under false pretenses to cause harm to others will not be tolerated.

- Gleick’s admission to criminal acts and retention of counsel shows he is poised to take on government
Additional Considerations

• Civil Action Implications
  • Civil complaint near completion
  • No expectation that it will adequately address harm

• Prior Government contact

• Other “noise”
  • Greenpeace (Bali incident)
  • Climategate incident

• How can we be of assistance?
  • Access to witnesses, documents, files, publications, etc.