Student Indicted in Case Involving Hacking Palin’s E-Mail

By Michael Falcone

A Tennessee college student was arraigned on Wednesday on charges related to breaking into Gov. Sarah Palin’s private e-mail account last month and later posting several messages as well as the contents of the...
Republican vice presidential candidate’s address book to the Internet

According to a statement from the F.B.I., David C. Kernell was indicted by a federal grand jury in Knoxville, Tennessee, for “intentionally accessing without authorization” Ms. Palin’s Yahoo e-mail account. The indictment was unsealed today.

Mr. Kernell turned himself in “as soon as we found out about the charges this morning,” and entered a plea of not guilty, according to his lawyer, who spoke with reporters after the arraignment. Mr. Kernell, 20, is an economics major at the University of Tennessee and is the son of Tennessee state legislator, Mike Kernell, a Democrat from Memphis.

The F.B.I. said that the younger Mr. Kernell allegedly hacked into the account in mid-September by resetting Gov. Palin’s password. According to investigators, he opened and took screen-shots of the content of her inbox, individual messages and other personal information.

The Web site Wikileaks posted some of those screen shots, including an e-mail exchange between Ms. Palin and Alaska’s lieutenant governor, Sean Parnell, as well as an associate, Amy McCorkell, who Ms. Palin appointed to a state drug and alcohol advisory board last year.

At the time, the McCain campaign called the hacking episode “a shocking invasion of the Governor’s privacy and a violation of the law.” Mr. Kernell had been the subject of speculation in connection with the crime for weeks.

If convicted, Mr. Kernell faces a maximum of five years in prison, a $250,000 fine and a three year term of supervised release, the F.B.I. said. A trial date was set for December.
Student Indicted in Case Involving Hacking Palin’s E-Mail – The Caucus Blog – NYTimes.com

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Palin on the Plane

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Los Angeles Times

Son of Tenn. Democrat indicted in Palin hacking

Ars Technica

Alleged Palin e-mail hacker indicted, faces jail time

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1. October 8, 2008 2:10 pm Link

Where is the outrage from the ACLU on this one? Palin’s private e-mail hacked…not a word from
those people who were outraged by the wire tapping…hmmm. It must be a partisan thing

— BH

2. 2. October 8, 2008 2:12 pm Link

If Palin was using a private e-mail address to conduct public business because she wanted to hide her activity, I think the Hacker just did a public service.

Why is Palin not being questioned why she used a private e-mail address to conduct public business?

— AN

3. 3. October 8, 2008 2:28 pm Link

“Where is the outrage from the ACLU on this one? Palin’s private e-mail hacked…not a word from those people who were outraged by the wire tapping…hmmm. It must be a partisan thing”

Um … are you serious? The ACLU gets involved when the government or corporations are charged with violating civil liberties. In this case the government is the plaintiff. I don’t think they need help from a non profit organization to fight this case.

— Paul R

4. 4. October 8, 2008 2:30 pm Link

@BH:

Why would the ACLU get involved? The ACLU usually protects citizens against the government, not the other way around. This was an isolated incident that will be handled without incident by our judicial system.

The ACLU is officially and in practice non-partisan; the only one being partisan here is YOU.

— Kyle

5. 5. October 8, 2008 2:37 pm Link

Poor kid. Sounds like more a case of curiosity than any ill intent. Hope his life isn’t ruined because he was joking around with some easy passwords.

— Hanna

6. 6. October 8, 2008 2:41 pm Link

I’m just glad to see the Justice Department returning the FBI to a focus on real crime solving. Important crimes like this often get drowned out with worrying about trivial problems like who leaked the name of a CIA operative or members of congress taking bribes. And, you betcha, they won’t turn this prosecution over to the screwup going after Republican Senator Ted Stevens, either. Your unpatriotic tax dollars hard at work again.

— owcal

7. 7. October 8, 2008 2:41 pm Link
What worries me is that Palin was using a private email account for state business. Furthermore, this email was incredibly unsecured, even for a private address. Palin’s security question was “What zip code are you from?” All one had to do was click the “forget your password” button and typed in Wasilla Alaska’s area code. Something tells me that everyone reading this post would be capable of hacking her account.

— Brian

8. October 8, 2008 2:43 pm Link

BH, the difference is that the ACLU, by and large, involves itself with larger issues, particularly those involving systemic issues, such as wire-tapping by a government, for example. This is an isolated example of a college student resetting an email password. Yes, unconscionable and an invasion of privacy, but hardly the suspension of habeas corpus, the detainment of “enemy combatants”, or worse. To draw these things with a common stroke is a bit silly.

-Capo

9. October 8, 2008 2:51 pm Link

AN @ 2,

I agree with you. The hecker should be penalised but the investigation why Palin was using her private email id for Official business should also be investigated thoroughly. The only reason is to simply hide her activities from the govt so that no one knows that is the deal behind all the secret deals being done by Gov Sarah Palin….

— breezenwaves

10. October 8, 2008 2:52 pm Link

So will they press charges against Palin for stirring up the crowd and inciting people at her rally to yell, “Kill him, kill him,” while refering to Obama in her talking points? And for shouting epithets at a Black TV crewman?

This is equivalent to shouting “Fire!” in a theatre methinks.

— Seymour Goode

11. October 8, 2008 2:55 pm Link

I totally agree with number 2 (2:12 pm).

Supposing Gov. Palin is elected to one of the nation’s two highest offices and turned out to be still doing the same thing, for even part of her email!

This young man was intentionally showing how incredibly easy it is, with a few minor pieces of personal information that anyone can have (in this case, such as the Wasilla zip code), to get access to a Yahoo email account in order to change the password and enter it.

He was doing our country a huge public service.
12. 12. October 8, 2008 2:56 pm Link

AN,

Ditto.

In addition, if one is stupid enough to use Yahoo for secure e-mail; they deserve what they get.

— Nick

13. 13. October 8, 2008 3:07 pm Link

The Republican campaign and Sarah Palin are no longer acting in a responsible manner. Inciting a crowd with ‘codewords’ and other innuendos and lies isn’t worthy of being called a presidential campaign event. It is simply and plainly a campaign of hate.

There is no obligation for the press to cover hate mongering under some idea of ‘fairness’ in reporting.

McCain and Palin must stop encouraging potential attacks on Obama.

Their speeches are going well beyond their First Amendment rights into the realm of incitement of violence.

What they are doing is DANGEROUS.

The Nazi tone of Palin’s rallies are UNPATRIOTIC.

— JC


To Link:

Wiretapping by the government and some independent hacker moron getting lucky with the password are two VERY different things….

……you momo.

– Zelda

– Zelda

15. 15. October 8, 2008 3:12 pm Link

and he’ll probably have served his sentence before we know the trooth about Monegan’s firing.

— Kevin McNamara

16. 16. October 8, 2008 3:13 pm Link

shocking on many fronts …. was this an invasion of her privacy? Sure. Is it unethical for an elected official to have multiple private email accounts and then conduct official on them? Certainly.
I say let the FBI investigate this matter … maybe we’ll see the younger Kernall as a sort of whistleblower or maybe not.

— tec

17. 17. October 8, 2008 3:19 pm Link

BH’s comment (post no. 1) is silly, synthetic outrage. It seems to equate a college student’s hacking of another individual’s e-mail account with the GOVERNMENT’s warrantless surveillance of individual American’s communications. This absurd comparison does not reflect favorably on BH’s intelligence or honesty.

Since it seems necessary here to state the obvious in very clear terms: The ACLU concerns itself with invasions of individual privacy principally when they are carried out by, or aided by, a government or an institutional entity. It makes no more sense for the ACLU to express outrage over a student’s hacking of a governor’s e-mail account than it would for the ACLU to express outrage over, say, thefts of personal information accomplished by one of those “Nigerian Treasury Minister” frauds. Both cases simply have nothing to do with the protection of individual civil liberties against an intrusive government, and are thus extraneous to the ACLU’s mission.

The hacker’s acts in this case are a straightforward criminal matter, and are appropriately the object of a prosecutor’s attention. The U.S. Attorney’s Office for the Eastern District of Tennessee is quite capable of handling such a matter all by itself, and certainly doesn’t need the help of the ACLU.

— Brian Threlkeld

18. 18. October 8, 2008 3:25 pm Link

He showed everybody that Palin is not smart enough to secure her correspondence, hence cannot be trusted with a government job.

Here is your community service, now he can go home.

— Ron T

19. 19. October 8, 2008 3:30 pm Link

The taxpayers have the right to know how public business is being conducted; that includes all e-mails sent and received by elected officials in their official capacity.

The young student performed a real public service in exposing this. How many other public officials are trying to hide official misconduct by using private e-mail accounts?

— beth

20. 20. October 8, 2008 3:31 pm Link

@BH:

Completely invalid comparison. The ACLU’s goal is to protect individual rights and freedoms. A college kid hacking into somebody’s email is a stupid and illegal prank, but it’s not an attack on her freedom and it’s not ACLU territory.

I’m confident that most people can see the clear difference between large-scale government wiretapping
and one kid reading somebody else’s email.

http://beyondhillary.com

— Joanna

21. 21. October 8, 2008 3:32 pm Link

To the first post, the ACLU released a comment relating to this issue, its on their site.

Although I don’t believe Sarah Palin should have been conducting government business on a private email, what this guy did was completely illegal.

— Andrew

22. 22. October 8, 2008 3:32 pm Link

BH:

The FBI appears to be doing its job in this case. There is no need for the ACLU to waste its limited resources duplicating the FBI’s efforts. Those resources are better spent addressing cases where the government shirks its duty.

— Chris in WA

23. 23. October 8, 2008 3:33 pm Link

While this does not excuse his behavior, what he did could hardly be called hacking. Any with the initiative and the ability to use Google could do this in 5 minutes before breakfast.

— Rob

24. 24. October 8, 2008 3:35 pm Link

It might be interesting to SOME readers out there that this 20 year old student just HAPPENS to be the son of a Tennessee Democratic lawmaker. An interesting omission by the NYT. The exact article with the father son ties can be found at the WSJ site.

http://online.wsj.com/article/SB122347355188515171.html

That being said, this 20 year old man is responsible for his own actions. I’m not saying that his dad put him up to this, but I think the omission by the NYT shows bias.

Repub in OH

— Soldier Girl

25. 25. October 8, 2008 3:38 pm Link

BH (#1), you will never see any “outrage from the ACLU on this one” for the simple reason that no government action was involved here, i.e., no civil liberties were implicated. Only the government can violate your civil liberties. Anything done by a private actor either gives rise to a civil cause of action against the actor or, if the act was serious enough (as apparently is the case here), the criminal indictment of the actor.
— James W.

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