September 10, 2024

Dear City Attorney Klein,

We, the undersigned information security professionals, write to express our concern regarding the civil suit against Connor Goodwolf (aka David Ross). This lawsuit, which seeks to penalize Mr. Goodwolf for allegedly disseminating data stolen by the Rhysida ransomware group, is misguided and counterproductive. It aims to suppress critical information that citizens need to protect themselves from ongoing risks resulting from the ransomware attack on the City of Columbus.

The City of Columbus was mistaken in its assessment of the availability of the stolen data and the impact of this ransomware attack on its citizens. Without this disclosure by Mr. Goodwolf, affected citizens remained under the misguided belief that their personal information remained safe and that no additional steps were necessary to protect themselves.

The actual criminals in this case are a ransomware gang who call themselves Rhysida. Rhysida's website is hosted on the Tor network, an anonymity-supporting platform that was developed and published with support from the U.S. Government, and which is used by Facebook and other social media platforms to provide censorship-free access to information. Ransomware criminal actors use the Tor network to enhance their anonymity and make it harder for law enforcement to take the website down, not to make it hard for news media and individuals to access it.

It is the professional opinion of the undersigned that accessing the information stolen and published by Rhysida does not require computer expertise or special skills. Individuals access the Tor network using the free Tor Browser, which is neither criminal nor secret software. The fact that data published by ransomware criminals is easy and free to access has been demonstrated countless times by people of all ages and skill levels, including children. Mr. Goodwolf engaged in good faith security research activity. Good faith security research was specifically defined and excluded from prosecution under the Computer Fraud and Abuse Act (18 U.S. Code § 1030) through guidelines published by the DOJ on May 19th, 2022.

The availability of stolen data on easily accessible platforms means the risk to Columbus citizens persists. By dropping Mr. Goodwolf's prosecution, the City of Columbus has an opportunity to refocus its efforts on mitigating these risks, informing citizens about the true nature of the breach, and taking proactive steps to enhance the city's information security posture. Punishing Mr. Goodwolf for actions that aim to inform and protect the public only serves to obscure the real issue and misdirect resources away from addressing the threat posed by Rhysida.

We urge you to reconsider this lawsuit and to prioritize transparency and public safety over punitive measures against those who act in good faith. Protecting the public should be the primary concern, and this can be achieved by acknowledging the scope of the data breach and taking concrete steps to help citizens safeguard their personal information.

Signed,

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