

Ex-Intelligence Analyst Is Sentenced for Leaking to a Reporter

The former U.S. contractor admitted to disclosing details of the government's drone warfare program.



By Julian E. Barnes

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A former intelligence contractor who disclosed details of the American drone warfare program to a reporter was sentenced on Tuesday to nearly four years in prison.

The former official, Daniel E. Hale, 33, was working as a contract employee with a security clearance at the National Geospatial-Intelligence Agency when he provided documents to a reporter for The Intercept, a news site that specializes in intelligence matters.

He was originally charged in 2019 with various counts including disclosing intelligence information and theft of government property. In March, Mr. Hale pleaded guilty to retaining and transmitting national defense information. On Tuesday, Judge Liam O'Grady of U.S. District Court sentenced Mr. Hale to 45 months in prison.

According to court documents, Mr. Hale originally began communicating with an investigative reporter in 2013, while he was in the U.S. Air Force and was assigned as an intelligence analyst to the National Security Agency. Then in February 2014, after leaving the Air Force and becoming a contractor at the National Geospatial-Intelligence Agency, he gave classified documents to The Intercept.

While The Intercept has not confirmed that Mr. Hale was its source, at the time of his indictment, Betsy Reed, the site's editor in chief, said the documents it published were of "vital public importance."

"These documents detailed a secret, unaccountable process for targeting and killing people around the world, including U.S. citizens, through drone strikes," she said.

While The Intercept has had high-profile scoops based on intelligence documents, the government has also found, prosecuted and imprisoned two of its sources. In addition to Mr. Hale's conviction, Reality Winner, a former National Security Agency contractor who anonymously sent a document to The Intercept, was sentenced to 63 months in prison. Ms. Winner last month was released early to a halfway house for good behavior.

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After his guilty plea, Mr. Hale sought to explain his actions in a neatly handwritten 11-page letter to the judge. He began with a description of the post-traumatic stress and depression he suffered from, which were related to his Air Force service and deployment to Afghanistan in 2012.

In the letter, Mr. Hale described how while stationed at Bagram Air Base, he would track down the location of cellphones that he said were "believed to be in the possession of so-called enemy combatants." Then he would have drones conduct surveillance on the targets to "document the day-to-day lives of suspected militants."

Mr. Hale wrote that he took issue with the fact that armed military-age men who were in the presence of a tracked combatant were considered acceptable targets when the drone operators launched their missiles, killing the assembled group.

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“How could it be considered honorable of me to continuously have laid in wait for the next opportunity to kill unsuspecting persons, who, more often than not, are posing no danger to me or any other person at the time,” Mr. Hale wrote.

As his service continued, Mr. Hale became increasingly convinced that the war in Afghanistan had little to do with preventing terrorist attacks in the United States, especially as he witnessed children inadvertently killed in strikes gone wrong, he wrote.

Mr. Hale attended antiwar conferences after leaving the Air Force, but decided to take the job with the National Geospatial-Intelligence Agency having been offered a lucrative paycheck. When friends at the agency began viewing old footage of drone strikes, he said, his conscience “came roaring back to life.” Hoping to help stop the cycle of violence, he reached out to a reporter, he said in the letter.

Lawyers for Mr. Hale said that the 45-month sentence handed down by the court was too long for their client to stay in prison, but were grateful that the judge listened to Mr. Hale.

“The bottom line is that Mr. Hale acted out of conscience,” Todd M. Richman, a federal public defender, said in an email. “His disclosures didn’t harm anyone but were of vital public importance.”

Julian E. Barnes is a national security reporter based in Washington, covering the intelligence agencies. Before joining The Times in 2018, he wrote about security matters for The Wall Street Journal. [@julianbarnes](#) • [Facebook](#)

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