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11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**
13 **OAKLAND DIVISION**

14 PETER TODD, an individual,

15 Plaintiff,

16 vs.

17 SARAH MICHELLE REICHWEIN aka ISIS
18 AGORA LOVECRUFT, an individual,

19 Defendant.
20

Case No.: 4:19-cv-01751-DMR

**DECLARATION OF ISIS LOVECRUFT
IN SUPPORT OF SPECIAL MOTION TO
STRIKE, OR, ALTERNATIVELY,
MOTION TO DISMISS PLAINTIFF'S
COMPLAINT**

1 I, Isis Lovecraft, hereby declare:

2 1. My legal name is Isis Agora Lovecraft. I am transgender nonbinary; my
3 pronouns are they/them/their. I am the defendant in the above-captioned case. I have personal
4 knowledge of the facts contained herein and, if called as a witness, I could and would testify
5 competently thereto.

6 2. I am a cryptographer and computer security expert. I provide expertise and
7 consultancy services to clients. I frequently attend, and sometimes speak at, cryptography and
8 digital privacy and security conferences. For example: I formerly worked as a senior developer
9 for The Tor Project, a non-profit digital privacy organization whose main mission is to provide a
10 means of browsing the internet anonymously. I also worked on Signal, one of the most widely-
11 used end-to-end encrypted messaging applications. And I volunteered for the Electronic Frontier
12 Foundation, arguably the premier law firm in the world specializing in digital privacy and
13 internet freedom.

14 3. I have been acquainted for years with Peter Todd, the plaintiff in this matter. We
15 work in overlapping fields and sometimes attend the same conferences and meetings, and we
16 used to communicate extensively. Prior to the incidents which gave rise to this lawsuit, I
17 considered him a professional acquaintance, but not a close friend. At no time were we ever
18 romantically or sexually involved.

19 4. In 2014, Mr. Todd began making explicit, verbal sexual advances toward me
20 during conferences and meetings, such as at the Tor Developer Meeting in Paris, France in early
21 July 2014, sometimes in front of colleagues and peers—though he typically did so quietly in
22 order not to be heard by others present. I found his behavior flagrantly inappropriate and
23 demeaning, and I expressly and repeatedly informed him that his advances were unwelcome. At
24 first, I did so politely and professionally. However, as that did not seem to deter him, I
25 proceeded to respond more derisively, even insultingly. However, this did not stop him either.

26 5. On or about September 5, 2015, Mr. Todd emailed me saying he was coming to
27 San Francisco where I was living at the time, and he wanted to consult with me on a computer
28 security question regarding the Bitcoin core daemon. I agreed to and did meet with him in at

1 Workshop Café in San Francisco. During that encounter, Mr. Todd repeatedly interrupted our
2 meeting to make explicit, verbal sexual advances on me, stating (but not asking) what he was
3 going to do to me sexually, such as (approximately, but close to verbatim): ‘I’m going to shove
4 my cock in you so hard and beat you until you beg for more.’ Sometimes, he would utter these
5 things under his breath while appearing just to be on his computer.

6 6. I found Mr. Todd’s sexual statements to and about me in Workshop Café
7 offensive and degrading. I was there for a meeting, not to be treated like a sex object. Trying to
8 avoid further unpleasantries, I told Mr. Todd I was hungry and was going to get food. I got up to
9 go, upon which Mr. Todd followed me, without my invitation and without asking.

10 7. I walked from the café to Taqueria Cancun, at 6th and Market Streets in San
11 Francisco. Mr. Todd followed me, continuing to make unwanted verbal, sexual advances along
12 the way, harping on his explicit sexual fantasies about me (such as how he intended to tie me
13 up), repeatedly asking/insisting that I go back to his hotel with him. My body language and
14 actual language all conveyed that I was not interested. I escalated my responses from ignoring
15 him and striding on, to saying I was not interested, to rebuking him and telling him to stop.

16 8. Mr. Todd followed me into the taqueria, where we both ordered food. Inside the
17 restaurant, he took a break from his advances. Afterward, he followed me out the door.
18 Unnerved, and increasingly scared, I set out in a direction away from my home to prevent
19 Mr. Todd from gaining any clue about where I lived. Mr. Todd continued making advances,
20 trying to get me to go back to his hotel with him. I told him I wasn’t interested and to “f--k off.”
21 He didn’t stop. As we walked along Mission Street, at about 7th Street, in front of one of the
22 San Francisco Federal Buildings, Mr. Todd said we were headed toward his hotel. Exasperated,
23 I did an immediate about face and started to head in the opposite direction, saying ‘bye’ or ‘see
24 you later,’ or words to that effect. At that moment, Mr. Todd grabbed my arm and spun me
25 around to face him. In defense, I shoved his chest with both hands, open palmed, causing him to
26 stumble back but not fall. I said, approximately, ‘I’m going home; don’t follow me.’ To my
27 knowledge, Mr. Todd then finally stopped following me.
28

1 9. Nevertheless, scared and traumatized, I did not go directly home, but walked
2 randomly and aimlessly around San Francisco for several hours, sat in lower Golden Gate Park
3 for a time, and took a circuitous route home, in order both to collect myself and reduce my anger
4 and anxiety, and to make absolutely certain that Mr. Todd was not still following me. Although
5 this may seem like excessive evasion under the circumstances, that's how upset I was. Also, I
6 thought at the time that Mr. Todd might try to follow me in a Lyft or Uber.

7 10. From that day forward, I sought to avoid Mr. Todd, going so far as to
8 purposefully misstate my physical geographical locations when he inquired and sought me out.
9 For example, on or about May 25, 2016, I responded to a message from Mr. Todd—over pond,
10 an anonymous messaging application—saying he was in Amsterdam and would be in Utrecht the
11 next day, that I was in Berlin, even though I was actually in Utrecht. I did so resentfully, as I
12 neither appreciated having to feign friendliness and professionalism toward Mr. Todd, nor
13 feeling made to respond untruthfully.

14 11. As part of the public debate about Appelbaum, some people on Twitter began to
15 question my veracity, in part by questioning where I was on various dates. Todd participated in
16 this effort, including as reflected in the true and correct excerpt of a Twitter exchange, which is
17 attached hereto as Exhibit 10.

18 12. Todd injected himself into the public controversy about Appelbaum, expressing
19 repeated doubt about the allegations against Appelbaum. Todd acknowledges one such
20 expression in his complaint: “In August 2016, Todd publicly stated that he did not know what
21 was true regarding Defendant’s and others’ allegations against Appelbaum.” (Complaint, ¶ 31.)
22 Todd acknowledges that I asserted that Todd “publicly, repetitively defended” Mr. Appelbaum.

23 13. Exhibit 2, hereto, contains true and correct excerpts (screenshots) of my
24 December 5, 2018 Twitter direct message exchange with a person whom I had been helping to
25 mentor (with their twitter icon redacted) in which I described how Mr. Todd had stated the
26 graphic, sexual things he was going to do to me. In that same exchange, I also referenced having
27 learned worse things he had done to women. (See below.)
28

1 14. Despite all of this, in order to avoid further personal tension or professional
2 drama, I did not publicize Mr. Todd’s harassing and assaultive behavior toward me.

3 15. Beginning in late May 2016, allegations of sexual assault against Jake
4 Appelbaum, a famous digital privacy and internet freedom advocate, began coming out publicly.
5 I participated extensively in this process, in calling for accountability for Mr. Appelbaum, and I
6 participated in the broader discussions around predatory male behavior in my field—a field
7 dominated by men—not least because Mr. Appelbaum had sexually harassed and assaulted me,
8 along with other victims who began coming forward. My experiences with Mr. Appelbaum are
9 documented in my detailed and widely read and discussed internet post of June 13, 2016, entitled
10 “The Forest for the Trees,” a true and correct copy of which is attached hereto as Exhibit 3.

11 16. Mr. Appelbaum had, and still has, many vocal defenders. I have been subjected
12 to extensive and ongoing harassment and threats, in many forms, resulting from my public
13 callouts of Mr. Appelbaum. Exhibit 7 hereto is a true and correct copy of a tweet (Twitter post)
14 I made on October 11, 2016 referencing the retaliation I have experienced. It was just the tip of
15 the iceberg.

16 17. Exhibit 8 hereto contains true and correct copies of two tweets posted by Peter
17 Todd, on June 9, 2016 and on June 26, 2016, respectively, concerning the controversy
18 surrounding Mr. Appelbaum.

19 18. On or about May 5, 2017, Mr. Todd contacted me through Github saying he
20 wanted to discuss with me a software issue in a repository of professional cryptographic work.
21 The issue he raised was extraneous and clearly concocted as pretext to interact with me. I
22 responded by chastising him for defending Mr. Appelbaum, telling him: “First things first:
23 @petertodd, you’ve publicly, repetitively defended a man who raped me and several other
24 people, and disparaged the victims who were brave enough to come forward with their stories.
25 Do not speak to me. Do not use work as an excuse to speak to me. Do not use cryptography as an
26 excuse to speak to me.” I also responded, indirectly, by writing just a few lines of source code as
27 a means of showing that his so-called issue was not real.
28

1 19. On July 10, 2017, my friend, colleague, and fellow cryptographer Bryce Wilcox,
2 whom I know as Zooko, visited me at my house in San Francisco. The topic of predatory male
3 behavior in our professional community came up (as it so often does among me and
4 colleagues/friends, in the wake of my outspokenness on the subject), and I relayed my some of
5 my negative experience with Mr. Todd to Zooko.

6 20. In or around February 2018, Zooko connected me with two women whom I came
7 to understand also had stories of being sexually harassed, and in one case, raped by Peter Todd.
8 The woman who said Mr. Todd raped her reached out to me over the Signal messaging platform
9 on February 10, 2018. I will refer to, at her request, by the pseudonym Jane Doe. On February
10 15, 2018, we discussed in detail: our bad experiences with Mr. Todd; our anger and despair
11 generally over the epidemic of sexual harassment and assault by men against women, feminine-
12 presenting, and nonbinary people (such as myself) in our professional, tech communities; how
13 hard it is to be believed; the sorry state of German law related to rape; and our fears of retaliation
14 and experiences thereof.

15 21. After we eased into the conversation on February 15, 2018, touching on
16 mathematics and academics, Jane Doe told me explicitly that Mr. Todd raped her. Then she
17 provided details. She told me that Mr. Todd went to visit her while she was studying abroad in a
18 town in Germany, and that he took sexual advantage of her while she was in a compromised
19 mental and physical state resulting from a sleep disorder she suffers from. She told me that she
20 was sleep deprived after taking a midterm the day he arrived. She told me that they walked
21 around town after she met him, but her knees buckled as she began to suffer an attack of her
22 condition. She told me that she told Mr. Todd the symptoms he could expect to see, which she
23 told me included cognitive deficits and temporary paralysis. She told me that Todd expressed
24 concern and suggested they go to the nearest hotel where she could sleep off the symptoms,
25 which she agreed to do because she was not near home. She told me that when they got to the
26 hotel and up to Mr. Todd's room, she tried to sleep on the couch so as not to send him any wrong
27 signals, but he crowded her space on the couch and insisted she sleep in his bed. She told me
28

1 that after she did, he got into bed with her. She told me she fell asleep and woke up some time
2 later still under the effects of her sleep condition. She told me that she let Mr. Todd take her to
3 dinner, where he tried to impress her, and that afterward, she felt obligated to spend some more
4 time with him because he had paid for dinner. She told me that back up in his hotel room, Mr.
5 Todd began pushing physical boundaries with her again. She told me that she tried to get up
6 several times to leave, but each time, he pulled her back down onto his lap. She told me that she
7 realized she could not leave and therefore surrendered. She said that she considered what
8 happened next as rape. She told me that afterward she locked herself in the bathroom and cried
9 for hours, until she left and walked home at 5:00 am, crying the whole way. She referenced
10 three or four other people who have accounts of being sexually harassed by Mr. Todd.

11 22. I believed the foregoing account by Jane Doe because: I believe rape victims—on
12 several lines of reasoning, including reports and studies by reasonably neutral entities, such as
13 the BBC, FBI, CDC, concluding that false rape allegations are as low as 1.5% of total rape
14 allegations; because she told me plainly that Mr. Todd raped her; because she provided extensive
15 details of her encounter with Mr. Todd; because she corroborated my awareness that others,
16 besides the two of us, had accounts of being sexually harassed by Mr. Todd; because of my own
17 such experience with him; and because of some of the similar aspects, such as trying to get us to
18 go to his hotel rooms; persistent advances while ignoring obvious verbal and body language that
19 we were not interested; invading our personal and physical spaces; and resort to physical
20 coercion.

21 23. Exhibit 9 hereto contains true and correct copies (screenshots) of part of my
22 February 15, 2018 Signal message exchange with Jane Doe, including her statement to me, “he
23 [Peter Todd] raped me. My messages are in the light gray bubbles aligned on the left margin,
24 and Jane Doe’s messages are in the blue bubbles aligned on the right margin.
25
26
27
28

EXHIBIT “2”

16:03

LTE

sorry to hear that :(

btw, hope things are going well wrt legal battle vs Tor Project

12/5/18, 13:36

that's not even the beginning of it, he would say really weird graphic things to me in professional settings in front of other people with super weird verb conjugations, like instead of saying "i want to do X, Y, Z to you" he would say "i *am going* to do X, Y, Z to you" (where X, Y, Z was super graphic sexual things) and i tried to be polite about not reciprocating but then his behaviour got even worse

12/5/18, 13:38

wtaf?? i didn't realize he was _that_ bad

12/5/18, 13:41

well, i hope that he's not able to harass you anymore

12/5/18, 13:44



Start a message



16:03

LTE

oh... it gets worse

that's **still** not the worst he's done to me

and the worst he's done to me is pretty mild compared to some women i've talked to

:/

12/5/18, 13:45 ✓

(this is all an open secret in the crypto community, it's so bad that i was originally warned by other bitcoin core devs, which i think might be the only time i've been warned by men about a dude)

anyway :/

hope you're having a good day!

12/5/18, 13:47 ✓

i really appreciate you taking the time to respond to my questions. i'm actually quite shocked — i knew he was a very nasty person, but i didn't realize he was an abuser like



Start a message



EXHIBIT “3”

Patterns in the Void

[anarchism](#)[hacking](#)[physics](#)[travel](#)

The Forest for the Trees

It feels rather sardonic to say this now, openly, after two years spent alternating between trying to inhibit my rage and convince myself that I hadn't been hurt, followed by seeking out other victims, in order to develop the collective capacity to defend ourselves and to have the simple ability to speak out in a manner which would be heard and not discarded.

Monday, 13 June 2016

By *isis agora lovecruft*

In [anarchism](#)

tags: [harassment](#)

I'm Forest. Here's my story, as submitted to the anonymous site [jacobappelbaum.net](#):

Jake and I had been friends and coworkers for years. Looking back on it, I'm not sure why. From the very first Tor developer meeting I had attended, he repetitively propositioned my partner and I for sex. He even went so far as to, on the very first meeting on the first morning, in front of all the other developers — whom I had not yet met — tell me that he was okay with my partner and I fucking in the same bed as him while he watched, causing both of my partner and I to feel completely humiliated that our private sex life was being discussed in front of colleagues we had hoped to build a good start towards friendly, professional relationships.

While travelling, the first time he came to the city I lived in, I invited him to stay at my house. As politely as I could, I explained, "You can have the floor, and I'll take my bed, or the other way around. If you're comfortable with it, we can share my bed, as friends. Meaning no physical contact." We both slept in my bed.

That turned out (mostly) fine. (Except, of course, being propositioned again, this time for a threesome with Jake and one of my roommates.) In fact, Jake and I proceeded to share beds in a friendly manner over the years, and nothing bad ever happened.

Once Jake had moved to Germany, I came to visit friends there for a while, and one night I stayed at Jake's place. Again, we shared a bed, as friends. There weren't even any discussion or attempts beforehand to convince me to do anything sexual with him. It was freezing cold, and I went to bed with several layers of street clothes on.

Sometime around 5 o'clock in the morning, I woke up very confused and startled because my pants were unzipped and Jake's arm was wrapped around me, his hands in my underwear and he was rubbing my clit and rimming the edges of my vagina. I tried to shove him off me and wake him up. He's physically much bigger than me, so the shoving didn't work as well as it should have, but nonetheless he rolled over, a bit exaggeratedly, mumbling as if asleep.

In the morning, I confronted him about it. I was really confused. I didn't know if he was actually asleep,

but if he was, how did my clothes come undone? Assuming that if I was super confrontational about it, he'd have some excuse like "Oh, but I thought it was okay that time because you didn't explicitly give me the we're-just-friends lecture before bed..." When confronting Jake about this, I said, "Dude, what the fuck. You started fingering me last night." It took a few seconds for there to be a reaction on his face, and then he seemed confused, saying "Oh... what? I don't remember that." I glared at him.

The really disconcerting thing for me was that, half an hour later, he said, "I thought you were her." Here, "her" was Jake's fiancée. At the time, she didn't live in Germany, and they hadn't seen each other in weeks. Jake's fiancée was also gorgeous and super curvy, and I am basically a scrawny, little twig. "I'm not sure how you could confuse us, even asleep." I said. He continued muttering some excuses about having wet dreams about her. He seemed to suddenly and extremely vividly remember whatever dream. Nowhere did he say, "I didn't put my hands in your panties," nor did he apologise.

Transformative Justice is not the "Death of Due Process"

First, some backstory is in order.

Seven or eight years ago, I was involved in an anarchist collective process for a male person in an anarchist activist community who was accused of and eventually admitted to raping two anarchist women. Since none of us would turn him in to the police, we gave him a choice of either leaving or going through a rehabilitation programme which we would create, in an attempt to transform him into someone just as capable of contributing in all the productive ways he already was but without harming other people and decreasing their abilities to contribute and to do so safely. We warned him that, if he skipped town, I would personally hunt him down to whatever city he ran to, contact the anarchist organisers there, and attempt to give them (as non-biased as possible) an account of the events. He didn't run.

At first, he participated grudgingly, but later he broke down crying in front of the two victims, apologising sincerely and begging them for forgiveness. As part of the rehabilitation, one of the things we determined to be cause for his behaviour was a very negative self-body image, i.e. he was quite overweight and under the impression that women "only like dudes who are ripped". Part of my responsibilities in the rehab process was to go to the gym with him, to help him have better body image, demonstrate that not all women are into "dudes who are ripped", and help him become more comfortable with the idea that women are intelligent creatures as opposed to being merely some sexual object to be won over. He eventually successfully convinced both us and the victims that he would not abuse anyone else. To date this has been successful, and he's had healthy relationships with several partners, including a transperson.

The Plan

When I first started seeking out other victims, about six months ago, I did not want to formally report any of the stories I had heard from Jake's victims to the Tor Project or others, for two primary reasons. First, that my main motivation in this was to ensure that these behaviours stopped, and it was not clear to me that any traditional punitive "justice" measures would achieve such. Second, I feared retaliation from Jake, as well as retaliation towards any of the victims whose stories I would divulge. Multiple victims at the time expressed that they didn't want me to tell The Tor Project, later admitting they feared retaliation to be extremely likely, as well as difficult to combat.

Instead, I had planned to gather people for a secret meeting in Valencia, somewhere calm, neutral, and away from events, like on the beach, invite Jake, and have everyone willing who has ever been sexually assaulted, humiliated,

harassed, or felt their boundaries disrespected, by him to take turns telling a few sentences about what he did to them and how it made them feel. Then we would tell Jake that, as his friends, we thought this needed to stop, and that we'd either deliver a list of the stories to The Tor Project and other organisations, or make all the stories public, if he refused to hold himself accountable for his actions or his behaviour did not appear to improve. In planning this secret meeting, I tried to determine what would cause Jake to perpetually disrespect other people like this, and if there were any positive things we could do to help him.

Somehow Jake got word of all this, and proceeded to go back and forth between everyone I knew, starting, it seems, with one of my roommates and a reporter acquaintance, to force information out of these people, including more names of more people involved (to force more information out of). He seemed to have put the whole story together from all the bits and pieces he was given. In between my efforts to get work done and give a lecture, he imposed on me that my ten minutes of coffee break time should be spent speaking with him, because it was An Emergency. During that rather one-sided conversation, Jake described all the time, effort, and ways he was using in order to completely ruin someone's life who had attempted to stand up to him, as well as previous ways he had managed to get someone fired from their position and ostracised. He pointedly mentioned, several times, the names of multiple people who he had destroyed in the past for standing against him. In his current efforts to harass one of these people — which through backchannels I was already aware of, he said, *"I've literally been spending 15 hours a day on this. [...] I've been speaking with an investigative journalist team to make sure they don't believe [that person]. [...] I heard there was a plan to 'Confront' me in Valencia. If that happens, I probably will not take it very well..."*

This was chilling. Why was Jake saying those things, non sequitur and without provocation? It was clear to me that they were thinly-veiled threats, descriptions of what would soon happen to me. If I stood up to Jake, I could expect him to try to get me fired from The Tor Project. To try to block my acceptance into the doctorate research program he knew that I was, at that point in time, applying to. To feed the media stories about what a horrible person I am. To ostracise me from my social circles.

In all of this, I tried to do the right thing, to ensure that no more people were harmed, to give Jake one more chance. I wanted the anarchist, rehabilitation-focused solution, but Jake had only responded to that with threats. Meanwhile, **River** and I were introduced through a mutual friend. When Jake threatened me, I was, for a moment, frightened. Then I flew into a fucking rage. Sorry, Jake, but attempting to blackmail me into silence whilst I was defending others is really not a good look for an "anarchist" "free-speech advocate".

Having run out of ideas and being threatened out of alternative options, I reported everything to the rest of The Tor Project. Well, almost everything. Originally, I only reported others' stories (with their permission). I left my own story out, and I did not tell it until it was decided that Jake would no longer be part of The Tor Project.

The Trees

This isn't about any one individual's story. This is about addressing the issues and finding means within our communities to ensure this doesn't happen again. This is about building communal structures so that it does not require, as Jake has rather entertainingly called it, *"calculated and targeted attacks"* from victims who otherwise felt alone and powerless to stand up and fight back.



I have spoken personally with every person whose story was published in the original set on the anonymous site. I am convinced beyond reasonable doubt that each of them is true. I added my own story to the site in solidarity with the other victims,



Photo: Clara Zetkin and Rosa Luxemburg, early women's rights activists, marching at a demonstration, arm in arm.

especially these who remain anonymous, as someone with the social standing, and hence, enormous level of privilege, required to be able to eventually go public. Many of the other victims do not have this privilege. Whether due to marginalisation, fear of retaliation, or being new to our communities, **many sexual assault victims require anonymity**, because — without anonymity — they would be silenced.

Jake never apologised to me, nor — to my knowledge — any of the other victims. I don't condone his actions. However, and no apologies for being crass, I can't seem to motivate myself to feel any pity towards him for any of the admittedly horrible things which are now happening to him. He ruined lives. The number of people we would have in a significantly more productive and less damaged state were it not for his actions is substantial, and futher, those people in a less damaged state would be overall substantially more beneficial than having a Jake in a less damaged state.

Additionally, we would likely have had more diverse contributors to Tor, if we had dealt with Jake sooner, since, for years, many people have been warned about Jake through a whisper network and dissuaded from becoming involved.

There are some differences between how Jake is behaving to how the other anarchist I mentioned above was behaving. The other anarchist was willing to engage in the defined process, respectful of his victims' needs, and eventually sincerely apologetic for his actions.

I cannot condone his actions; however, I cannot condone violence and threats against Jake. Full stop. That is not productive. If he is further harmed, we never see the end of the wretched **abused-abuser cycle**.

People who behave as Jake does are sick, and they **need help**. Often, it is because **they were severely hurt** at some point. As the activist adage goes, *"We need to be gentle with one another, so that we can be dangerous together."* If we think Jake has any capacity for change, then it is our responsibility to ensure that he is not simply swept under a rug of academia where he will most certainly find a **deeply-ingrained institutional structure of rape apologists** ready to turn a blind eye and willing to help Jake "fail up" to another position of power and credibility, where he will use that power to commit further acts of abuse. I am thoroughly dismayed for what is **statistically likely to happen again**, causing harm to and trust issues for their students, and professional and reputational issues for them.

Realpolitiking

Now. For all of you screaming *"This is not what justice looks like! Why don't you just go to the police?!"* let me just wax realpolitik and, like a good little German, quote some *Gesetz* and cite some statistics.

The "due process" of a state court, in my case, will be detrimental to both Jake and I, as well as numerous other people. The law is very clearly against both of us in this case, with the overwhelmingly **likely outcome** that he would be **kicked out of Germany**. (Additionally, in Germany, multiple independent allegations can result in a conviction given the absense of other evidence.)

The other outcome is one or more convictions. While convictions for rape and sexual assault are statistically unlikely, given that **only about 7% of reported rapes result in a conviction** with **similar numbers for Germany**, we have an advantage. By German case law, multiple independent allegations are very likely to result in conviction(s), even

despite the absence of other evidence, e.g. bruises, marks, semen, which would be required in a solitary allegation. If brought to court, here are some of the applicable laws and their corresponding minimum/maximum prison terms:

Forest

- One count of rape (§177 of the *Strafgesetzbuch* paragraph 1) for a person in an unconscious state or otherwise incapable of verbal disagreement or resistance (§179 of the *Strafgesetz*): minimum, one year; maximum, ten years.
- One **count of blackmail**: minimum, none; maximum: five years.

River

- One count of rape (§177 of the *Strafgesetzbuch* paragraph 1), including
- Instructing a third party to rape the victim (§177 of the *Strafgesetzbuch* paragraph 2, sentence 2), making it a “severe case”,
- Both counts were penetrative intercourse (§177 of the *Strafgesetzbuch* paragraph 2, sentence 1), also making it a “severe case”,
- The victim was additionally in an unconscious state and incapable of verbal or physical resistance (§179 of the *Strafgesetz*, including paragraph 5, as well as paragraph 5 sentence 2): minimum: two years; maximum: ten years.

Sam

- Sexual assault (§177 of the *Strafgesetzbuch* paragraph 1): minimum, one year; maximum: ten years.

Totalling to four years minimum and thirty-five years maximum for those cases alone, along with potential fines and reparations, and expulsion from the country afterwards (cf. §53 and §54 of the *Aufenthaltsgesetz*). (For English speakers curious about the German laws I’m referencing, there are also **official English translations**.)

Not to mention that, if our goal is to prevent more people from being harmed by Jake, prison is not an option. Overwhelmingly likely, **even in Germany**, Jake would be raped in prison. I do not wish these painful things I’ve gone through on anyone, not even those who have caused me pain. Further, **most abusers have a history of having been abused at some point in their past**, and Jake going to prison certainly will not help him amend his behaviour.

Alternatives

Some people are asking what the victims want out of this.

Personally, I would be completely ecstatic if Jake decided to move to Alaska. Forever. Jake is *still threatening the other victims* to try to keep them quiet, and additional reports of extremely severe sexual assaults and rape are pouring in to The Tor Project. Meanwhile, Jake is preparing some sort of public “apology” statement. Alaska, or northern Siberia — it doesn’t matter. Until his sociopathic behaviours are revised, there is no place for him in civil society.

As it is obviously rather untenable that Jake move to Alaska, I suggest the following. Please note that these are my suggestions alone, and do not necessarily at this point in time reflect those of all of the other victims. We’re all still processing this.

1. We need to entirely remove abusers from our communities, until such a time as they have sufficiently

demonstrated *to their victims* that their abusive behaviours will no longer continue. Jake should be removed from all places where his victims, their loved ones, and friends might come into any form of contact with him. Given the enormous amounts of pain myself and the other victims have gone through, the draining emotional stress, and (please excuse my rather dark humour) the development time wasted, **I am not willing to revisit this issue for at least four years**. After that time has passed, it *may* be possible to reassess whether there is any path forward for Jake.

2. We need to assess the cultural issues within our communities which require that victims report anonymously, due to fears of retaliation, further abuse, and not being taken seriously. Once identified, we need to devise better reporting and support structures to help allay these fears.
3. We need to take victims' stories seriously. It should not be required that victims band together in collectives in order to be heard. Nor should it be required that someone who stands up for others must have and share their own story of victimisation to "prove" the credibility of the others, as was my case. It should not be required that a dozen people are harmed before any one of them is taken seriously.
4. We need to critique the institutions — sociocultural, academic, and organisational — which made these events possible.
5. Those who must still have some form of contact with Jake, and by that I primarily mean others within the academic and journalistic communities, need to be given ways to raise safety and ethical concerns without fear of retribution or retaliation. It is my understanding that several researchers and students do not currently feel this way, and that this is having a severe impact upon their abilities to be successful and productive.

Lastly, I would like to say that I've never been prouder to work for The Tor Project, as their recent actions to stand against abuse have set nothing short of an exemplary model for other organisations.

<<< FBI Harassment

CVE-2016-5696 and its effects on Tor >>>

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Patterns in the Void by isis agora
lovecraft is licensed CC-BY-NC-SA.

EXHIBIT “7”



isis agora lovecruft @isislovecruft · 11 Oct 2016

Last month, I was unexpectedly made homeless in retaliation for reporting that @ioerror sexually assaulted me & many others. #WhyIDidntReport

27 77 79



isis agora lovecruft

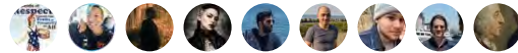
@isislovecruft

Follow

Jacob Appelbaum has continued to harass and threaten me, my family, partner, colleagues, friends, and the other victims. #WhyIDidntReport

3:27 PM - 11 Oct 2016 from Roubaix, France

50 Retweets 52 Likes



5 50 52



isis agora lovecruft @isislovecruft · 11 Oct 2016

Replying to @isislovecruft

He's threatened doxing, and gaslighted reporters and sent them towards me and the other victims on a weekly basis. #WhyIDidntReport

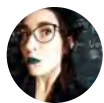
4 31 45



isis agora lovecruft @isislovecruft · 11 Oct 2016

His academic advisors have taken steps to punish and threaten reprisal—for myself & others within academia—for our actions. #WhyIDidntReport

2 31 47



isis agora lovecruft @isislovecruft · 11 Oct 2016

Let's be clear: Jacob is a sociopathic narcissist, and his advisors are tenured academics actively covering up for other reports of abuse.

8 28 52



isis agora lovecruft @isislovecruft · 11 Oct 2016

Outside the svconphantic and nepotistic cessnits of academia there are

EXHIBIT “8”



Peter Todd @peterktodd · 9 Jun 2016

Most important thing @wikileaks does is verifying the authenticity of alleged leaks; difficult w/ @ioerror claims. [twitter.com/vaurorapub/sta...](https://twitter.com/vaurorapub/status/740972263680442368)

This Tweet is unavailable.

2 4 6



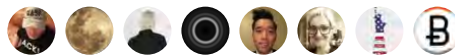
Peter Todd
@peterktodd

Follow

A audio/video recording of @ioerror abusing someone I'd expect @wikileaks to publish. But without solid evidence, better to stay neutral.

11:22 AM - 9 Jun 2016

2 Retweets 6 Likes



1 2 6



Fletcher Tomalty @fletom · 9 Jun 2016

Replying to @peterktodd @petertoddbtc

wtf. 1) @wikileaks has not been neutral at all. 2) you expect video evidence of this? 3) you would publish an abuse video?

1



Peter Todd @peterktodd · 9 Jun 2016

Acts like the alleged non-consensual kissing of someone in public are things I'd consider publishing w/ victim consent.

1



Peter Todd @peterktodd · 9 Jun 2016

Exceptionally difficult to obtain ethically of course, but if stuff like this existed it'd be incredibly powerful in stopping abuse.

1



Ryan Lackey @octal · 26 Jun 2016

I think both Jake and The Tor Project are probably over now. The question is what privacy network tool (maybe derived from Tor) next?

6 3 2



Peter Todd @peterktodd · 26 Jun 2016

Privacy is tough because you can only promise, not prove, that you're not keeping logs.

Maybe remote attesting trusted hardware?

1 1



Peter Todd
@peterktodd

Follow

Replying to @peterktodd @octal

Also, I would not be surprised to see a subsequent privacy effort use what happened with @ioerror as an rational to exclude women.

4:05 PM - 26 Jun 2016

2



Ryan Lackey @octal · 26 Jun 2016

Replying to @peterktodd @petertoddbtc @ioerror

Wouldn't excluding men be more rational? ;)

1 1 3



4 more replies



Evan Kaloudis @evankaloudis · 26 Jun 2016

Replying to @peterktodd @petertoddbtc and 2 others

sad

EXHIBIT “9”



but i didn't have the actual courage to just tell him, so i lied and responded "sorry i'm actually in berlin" when i really was in amsterdam

the funny part is that it never occurred to him that i would lie about being in berlin to avoid him

i feel bad about lying, i should have just been like "fuck you dude, you're a creep"

germany has *horrible* laws and culture when it comes to "feminist" stuff like "not getting raped" and germany's laws have been called a carte blanche for rapists

FEB 15, 2018 21:43

well, guess i'm kinda glad i didn't report him then

FEB 15, 2018 21:45

oh no, what did he do

+ New Message [camera icon] [microphone icon]

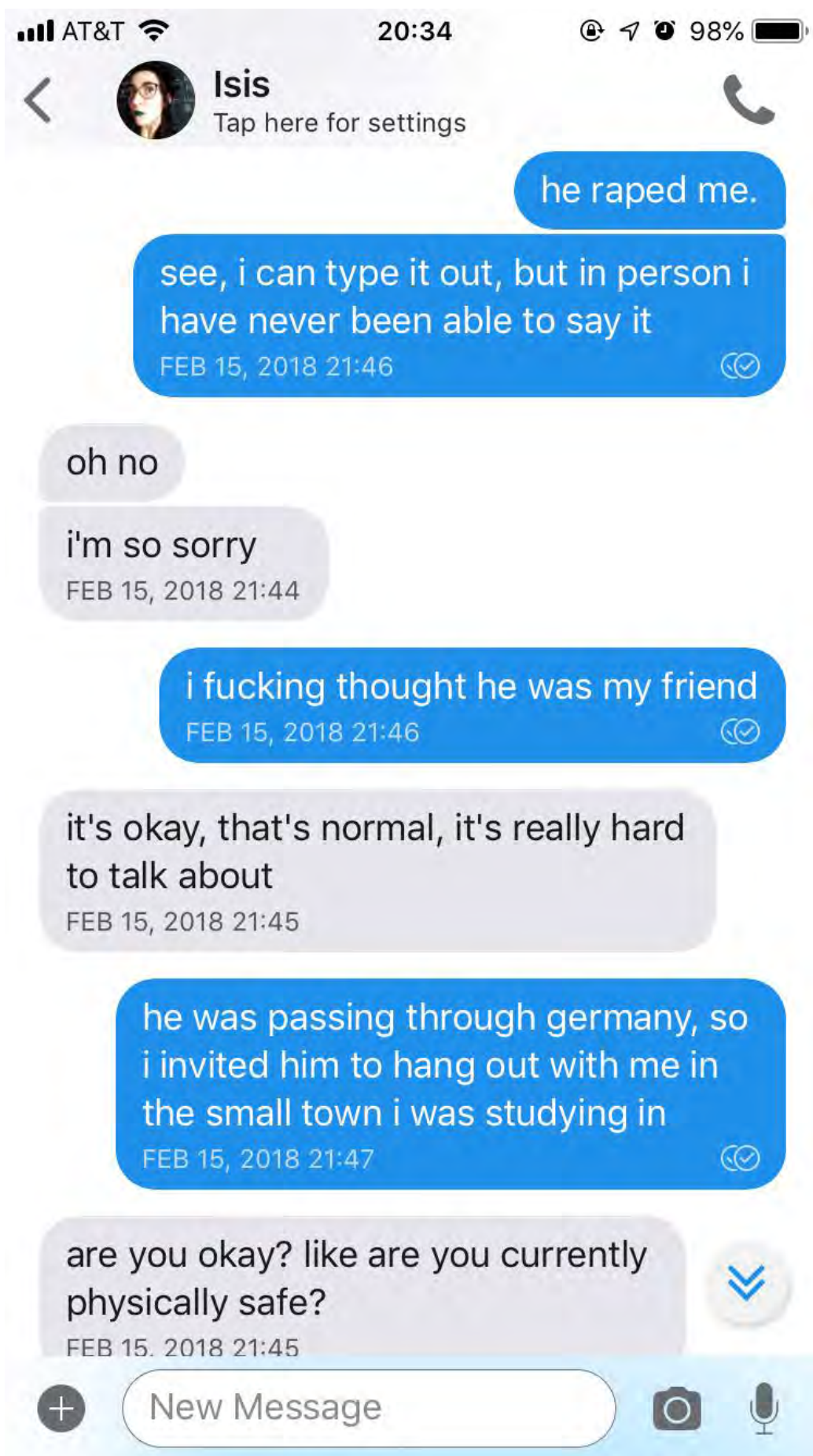


EXHIBIT “10”



Marie Gutbub @shiromar... · 11 Sep 2016

Why is [@isislovecruft](#) pretending she was not in Berlin in the month before her [jacobappelbaum.net](#) website was launched? [@torproject](#)

7 10 9



Peter Todd @peterktodd · 11 Sep 2016

So [@isislovecruft](#) sent me a message on May 25th saying "i'm sitting in berlin right now"; we had been hoping to meet up.

1 9 4



Peter Todd

@peterktodd

Replying to [@peterktodd](#) and [@shiromarieke](#)

Sent [@isislovecruft](#) an email asking to correct the record;

60f16c7c36480859c45e7ac58ee04
7d557634358a230bd42b8a27c5172
886aef

7:27 am · 11 Sep 2016 · [Twitter Web Client](#)

1 Retweet 1 Like