



Online Prostitution (cont'd)

- Fraud risks Examples
 - □ Women themselves defrauding men (and vice versa);
 - □ Agencies scamming (e.g., requiring payment of funds for travel or visit; often once payment is wired, "love letters" stop).
- Potential red flags:
 - UWithin few letters, professes true love
 - Repeated mention of honesty
 - □ Indicates poverty –no money
 - General (non-specific) communications, as some scammers "work" many individuals at a time



Identity theft

International investigation of fraudulent activity

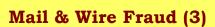
Immigration concerns 13

Mail & Wire Fraud

- Mail & Wire Fraud statutes
 - □Can be used to prosecute those who used computers and Internet to commit fraud



- **Even though not cybercrime**specific
- Can be used in tandem
- Use of mail or electronic communications in carrying out some other fraud exacerbates crime
- Note general federal conspiracy provision (18 USC § 1341) could also apply & add to charges
- Investigated by USPIS United States Postal Inspection Service < https://postalinspectors.uspis.gov/ >



Wire Fraud, 18 USC § 1343

An offense for anyone who, "having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, transmits or causes to be transmitted by means of wire, radio, or television communication in interstate or foreign commerce, any writings, signs, signals, pictures, or sounds for purpose of executing such scheme or artifice [to defraud]"

- Fraudulent activity involving interstate wire (electronic) communications (including Internet)
 - □ Key Elements:

 Defendant intentionally participated in a scheme to defraud or for obtaining money or property by means of false or fraudulent pretenses (INTENT); and

2. that wire transmissions were used for purpose of executing scheme to defraud

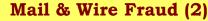


Human Trafficking (Slavery Aided by Internet

- Women (mostly) responding to Internet ads for work
- > E.g., "DA: Woman turned into sex slave after internet meeting"
 - late://tinyurl.com/3tobt4n >
 - **27-year-old Wisconsin woman tried to exchange** housework for free lodging in NYC
 - Trapped in man's apartment 9 days
 - □Tied with hope, gagged, handcuffed

Repeatedly raped

- □Finally able to call her mother for help
- □Police found her bruised and shaking
- □Arrested owner of apartment





Mail Fraud, 18 USC § 1341 An offense for anyone who, "having devised or

intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses" uses U.S. mails or "any private or commercial interstate carrier" (e.g., FedEx) "for purpose of executing such scheme or artifice or attempting to do so"

Kev Elements:

(ACT)

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1. Defendant devised or intended to devise scheme to defraud (INTENT); and

executing scheme to defraud

2. Mails used for purpose of



US v. LaMacchia (1994)



- David LaMacchia was 21 year old MIT student Invited anyone to upload and download illegal copies of proprietary software
 - □Could not be tried under copyright violations 18 USC § 506(a) because no personal monetary benefit
 - □Indicted under wire fraud statute

(cont'd)

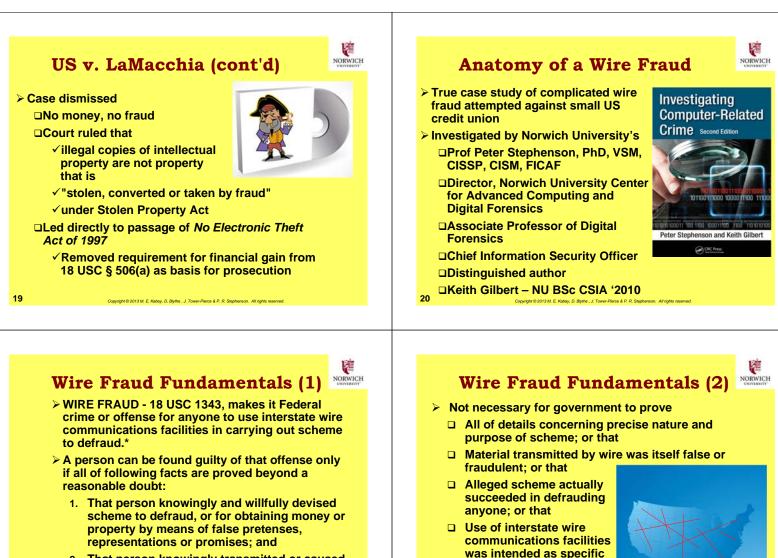


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2. That person knowingly transmitted or caused to be transmitted by wire in interstate commerce some sound for purpose of executing scheme to defraud.

* The 'Lectric Law Library - http://www.lectlaw.com/def2/w017.htm

Wire Fraud Fundamentals (3)

- What must be proved is that
 - Person knowingly and willfully devised or intended to devise scheme to defraud; and that
 - Use of interstate wire communications facilities was closely related to scheme because person either
 - ✓ Transmitted something or
 - Caused it to be transmitted
 - ✓ In interstate commerce

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 In attempt to execute or carry out scheme.

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- Use of wires will follow in ordinary course of business or
- □ Where such use can reasonably be foreseen.
- Each separate use of interstate wire facilities in furtherance of scheme to defraud constitutes separate offense.

or exclusive means of

accomplishing alleged

fraud.

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The Scenario – Intelligence Gathering

Fraudster obtains information about depositor including:

- ≻ Name
- Address
- > SSN
- Password verification question/answer
- Signature
- Account balance
- Account number
- Phone number

Scenario – Gaining Access NORWICH The fraudster social engineers credit-union customer-service agents to obtain: □Access to customer's account □New password □Wire transfer The fraudster social engineers phone company to obtain: **Telephone number** redirect to throwaway cell phone

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What Fraudster Needs to **Commit Fraud**

- Customer name
- Customer address
- Customer social security number
- Customer account number
- Customer date of birth and other personal information such as mother's maiden name
- Customer password to on-line banking
- Customer account balance and date/amount of last transaction
- Customer phone number as shown in credit union records

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The Fraud (2)

- The fraudster obtains
 - Phone numbers using reverse phone directories and
 - □For a few dollars obtains Social Security Numbers, dates of birth and other personal information about owners from on-line services.
- > Armed with personally identifiable information. fraudster
 - □Calls credit union and
 - Social engineers owner's account number from customer service agent.
 - Several ways to do this such as woman pretending to be an owner's wife....

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The Fraud (1): Background

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- > Fraudster searches county property records □Targets several owners of large properties UWith mortgages held by credit union
- > Fraudster gathers as much information from public records as possible
- Uses cell phone camera to photograph signatures of owners on public copies of deeds
- The fraudster goes to genealogy site and locates victim

Obtains maiden names of mother and other relatives



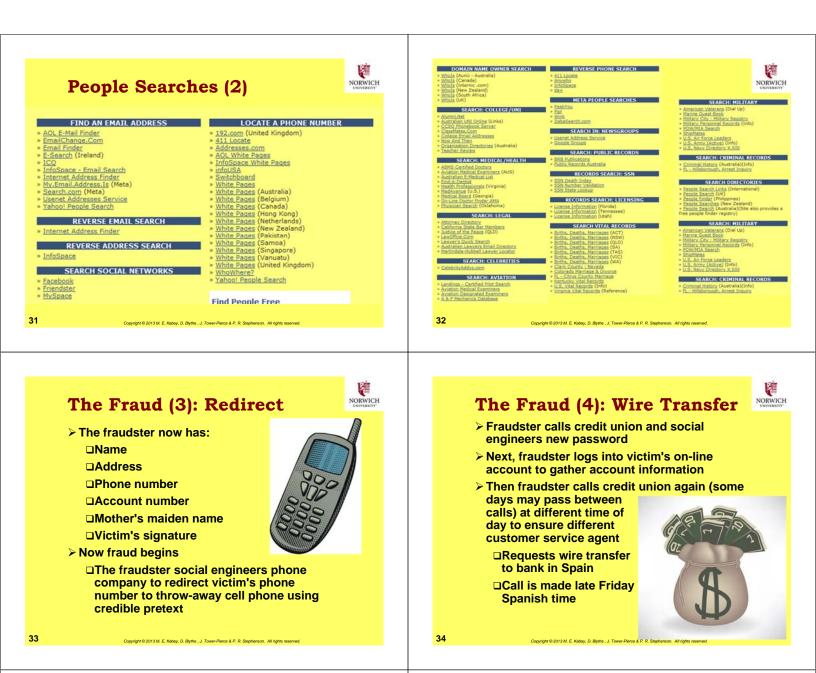
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            People Searches (1)
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        Private Investigator
                                     Directory
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   People Search Sites
   Search Sites, Resources, Services, and Tools that allow you to search for people and personal 
information. Start your Free People Search from Net-Trace today.
    Try the new Net-Trace People Search Forum.
   Search for Military Personnel online at <u>Military Search</u>. Search Military Alumni lists, POW and MIA databases, Military Message Boards, and more.
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The Fraud (6): Signature

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> The fraudster:

 Fills out form
 Adds signature obtained from county mortgage records

Faxes form back to credit union

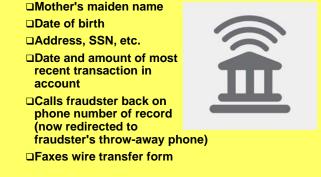
> The credit union:

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□Compares signature

□Transfers money (\$600K in this case) out of victim's account to bank in Spain

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The Fraud (5): Authentication

> The credit union authenticates fraudster

Outcome

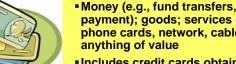


- By coincidence, victim checked his account as all of this was happening and found that \$600K was missing - called credit union
- The credit union tried to stop transaction but was too late
- Fraud-prevention officer contacted bank in Spain which was just closed; however, someone did answer phone
- Spanish bank had stopped withdrawal of funds by fraudster since there had been "suspicious activity on account in past" (officer of Spanish bank)
- Money was returned but fraudster never was caught. Pierce & P. R. Stephenson, All rights

Fraud & Access Devices (cont'd)

□Key:

Any unauthorized device designed or used for fraudulent access to resources



payment); goods; services (e.g, phone cards, network, cable TV), anything of value

Includes credit cards obtained fraudulently or generated for fraud

□Forbids production, trafficking in, control or custody of, or possession of devicemaking equipment with intent to defraud

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Fraud & Access Devices (cont'd)



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> U.S.A.P.A.T.R.I.O.T. Act added new subsection to 18 USC § 1029 to confer extraterritorial jurisdiction (ability of government to exercise authority beyond its normal boundaries) where anyone acts outside jurisdiction of US and engages in any act that would constitute an offense if committed within jurisdiction of US, if two conditions are met:

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- 1. offense involves access device issued, owned, managed or controlled by financial institution or other entity within jurisdiction of US; and
- 2. person transports, delivers, stores, or holds article used in commission of offense within jurisdiction of US

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Fraud & Access Devices

- > 18 USC § 1029 (See Clifford p. 54+)
- Federal crime to engage in certain activities involving "access devices" "any card, plate, code, account number, electronic serial number, mobile identification number, personal identification number, or other telecommunications service, equipment, or instrument identifier, or other means of account access that can
- be used ... to obtain money, goods, services, or anything of value
- Also prohibits activities involving counterfeit access devices

"any access device that is counterfeit, fictitious, altered, or forged, or an identifiable component of an access device or a counterfeit access device"

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Fraud & Access Devices: Marcus Abercrombie (2005)

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- > GA man pled guilty to charges of access device fraud and conspiracy to commit access device fraud
- Stole >\$200K in all
- Abercrombie & accomplices exchanged bar codes on merchandise
 - Bought items at significantly reduced prices
 - Returned merchandise to other stores
 - □ Received store credit for items in store debit cards
 - □ Also fenced fraudulently obtained Home Depot & Lowe's merchandise and store debit cards over eBay and through pawn shop
- Renovated 2 homes using fraudulentlyacquired store credit



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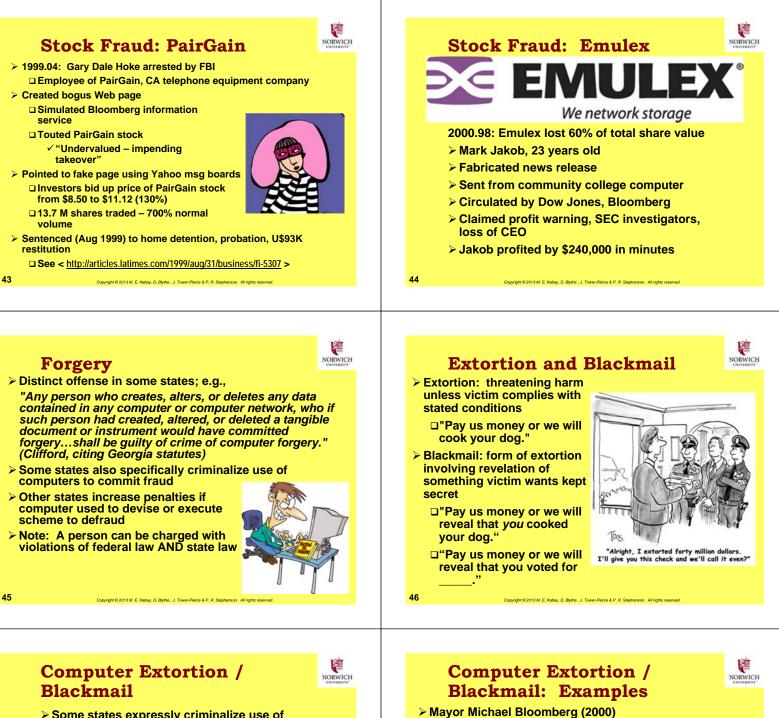
The Motley Fool To Educate, Amuse & Enrich"

- 1996.03 Iomega high-capacity removable disk drives slammed by false information
- America Online's Motley Fool bulletin board □False information
 - □Flaming and physical threats
- Caused volatility of stock prices
- > People who know which way stock will rise or fall can make money on trades

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computer expert

London

prison

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□Threatened multi-billionaire

Bloomberg with release of

Demanded \$200K in payment

Arrested in sting operation in

Sentenced to 4 years in federal

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company secrets (before

Some states expressly criminalize use of computer to commit extortion

Various Wavs:

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1. Include extortion into definition of computer fraud

2. Include computer extortion into state's general extortion statute

□3. Make computer extortion an offense that incorporates authorized access/ hacking and cracking statutes

□Oleg Zezov, 29 a Kazakhstani Bloomberg became mayor of NYC)

德 德 **Belgian ATC Fraud** NORWICH NORWICH Cyberterrorism "Leveraging of a target's computers and 1997.01 — Reuters information technology, particularly via Internet, to Belgian lunatic broadcasting cause physical, real-world harm or severe false information to pilots disruption with aim of advancing attacker's own political or religious goals." (Wikipedia) > Air-Traffic Control caught false information in time to prevent > A few states expressly tragedy outlaw cyberterrorism; Serious problem for air safety e.g,. Connecticut has an offense described > Police unable to locate pirate as "computer crime in transmitter furtherance of > Lunatic thought to be former terrorist purposes" ATC employee 49 50 Copyright © 2013 M. E. Kabay, D. Blythe , J. Tower-Pierce & P. R. Steph

