

# Employment Law and Law Enforcement Considerations



March 23, 2016

# **SLC Division of the FBI, Idaho, Computer Intrusions and Cyber Crime**



March 23, 2016

# Overview

- 1. Identify Threat Scope**
- 2. Identify and define applicable Federal Law**
- 3. Best Practices and reporting**





# FBI Threat Priorities

- 1. Protect the United States from terrorist attack**
- 2. Protect the United States against foreign intelligence operations and espionage**
- 3. Protect the United States against cyber-based attacks and high-technology crimes**





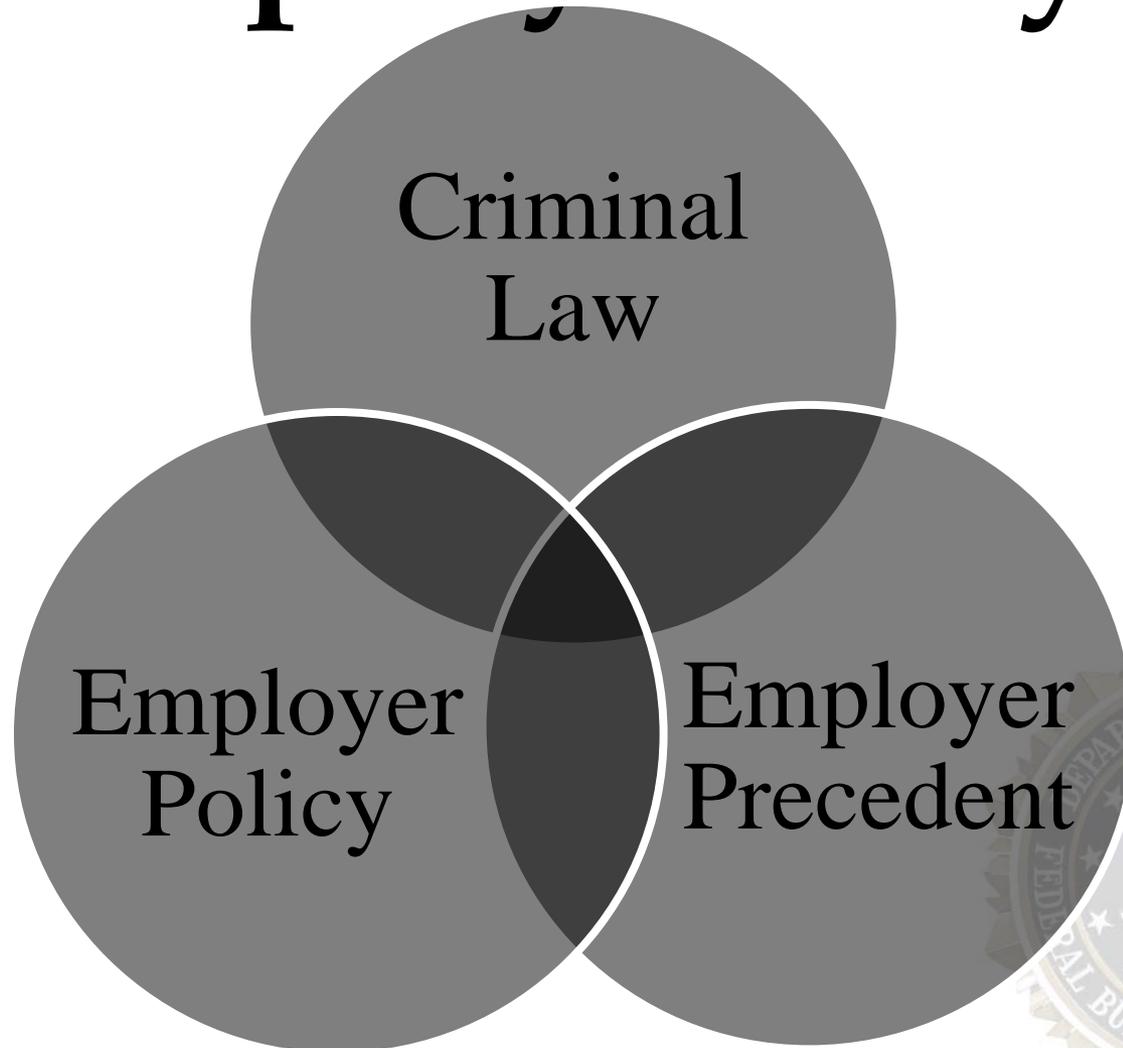
# General Information

- Privacy Rights and Constitutional Protections
- Security and Expectation of Privacy
- Cloud based resources



March 23, 2016

# Criminal Liability and Company Policy



March 23, 2016



# NS RAT turned Criminal



March 23, 2016



# FBI's Most Wanted



The screenshot shows the FBI's Most Wanted Cyber page. At the top, there is a navigation bar with the FBI logo, the text "THE FBI FEDERAL BUREAU OF INVESTIGATION", and links for "REPORT THREATS", "A-Z INDEX", and "SITE MAP". Below this is a search bar and a secondary navigation bar with links for "CONTACT US", "ABOUT US", "MOST WANTED", "NEWS", "STATS & SERVICES", "SCAMS & SAFETY", "JOBS", and "FUN & GAMES". The main heading is "Wanted by the FBI" with a "Select Language" dropdown and a "Get FBI Updates" button. The section is titled "Cyber's Most Wanted" and includes a sub-heading "Select the images of suspects to display more information." There are two rows of suspect photos. The first row includes Evgeniy Mikhailovich Bogachev, Sun Kailiang, Huang Zhenyu, Wen Xinyu, and Wang Dong. The second row includes Jabberzeus Subjects, Bjorn Daniel Sundin, Alexandr Sergeevich Bobnev, Carlos Enrique Perez-Melara, and Andrey Nabilevich Taame. A detailed profile for Evgeniy Mikhailovich Bogachev is shown on the right, featuring a photo, name, aliases, a description of his activities, and a summary of the case. The profile text states: "Evgeniy Mikhailovich Bogachev, using the online monikers 'lucky12345' and 'slavik', is wanted for his alleged involvement in a wide-ranging racketeering enterprise and scheme that installed, without authorization, malicious software known as 'Zeus' on victims' computers. The software was used to capture bank account numbers, passwords, personal identification numbers, and other information necessary to log into online banking accounts. While Bogachev knowingly acted in a role as an administrator, others involved in the scheme conspired to distribute spam and phishing emails, which contained links to compromised web sites. Victims who visited these web sites were infected with the malware, which Bogachev and others utilized to steal money from the victims' bank accounts. This online account takeover fraud has been investigated by the FBI since the summer of 2009. Starting in September of 2011, the FBI began".

March 23, 2016

<http://www.fbi.gov/wanted/cyber>

# FBI's Most Wanted cont.



March 23, 2016

# Banner Reference

H. Marshall Jarrett  
Director, EOUSA

Michael W. Bailie  
Director, OLE

## OLE Litigation Series

Ed Hagen  
Assistant Director,  
OLE

Nathan Judish  
Computer Crime  
and Intellectual  
Property Section

## SEARCHING AND SEIZING COMPUTERS AND OBTAINING ELECTRONIC EVIDENCE IN CRIMINAL INVESTIGATIONS

Computer Crime and  
Intellectual Property Section  
Criminal Division



Published by  
Office of Legal Education  
Executive Office for  
United States Attorneys

The Office of Legal Education intends that this book be used by Federal prosecutors for training and law enforcement purposes.

The contents of this book provide internal suggestions to Department of Justice attorneys. Nothing in it is intended to create any substantive or procedural rights, privileges, or benefits enforceable in any administrative, civil, or criminal matter by any prospective or actual witnesses or parties. See *United States v. Caceras*, 440 U.S. 741 (1979).



March 23, 2016

# Hack for Cred and Profit



March 23, 2016





# Local and Regional Cases



March 23, 2016



# Protection Best Practices

- Policy and precedent
- Banners
- Credentials and credentialing mechanisms
- Repeat Passwords – Don't (Treat them like cash)
- Data Loss Prevention – Observing data flow
- External Email Identification

Basic Economics...Tax the Bad, incentivize the good

- Remember the numbers



# FBI Outreach Partnerships



March 23, 2016

Clark Harshbarger

FBI Special Agent

(208) 433-3537

Clark.harshbarger@ic.fbi.gov



March 23, 2016