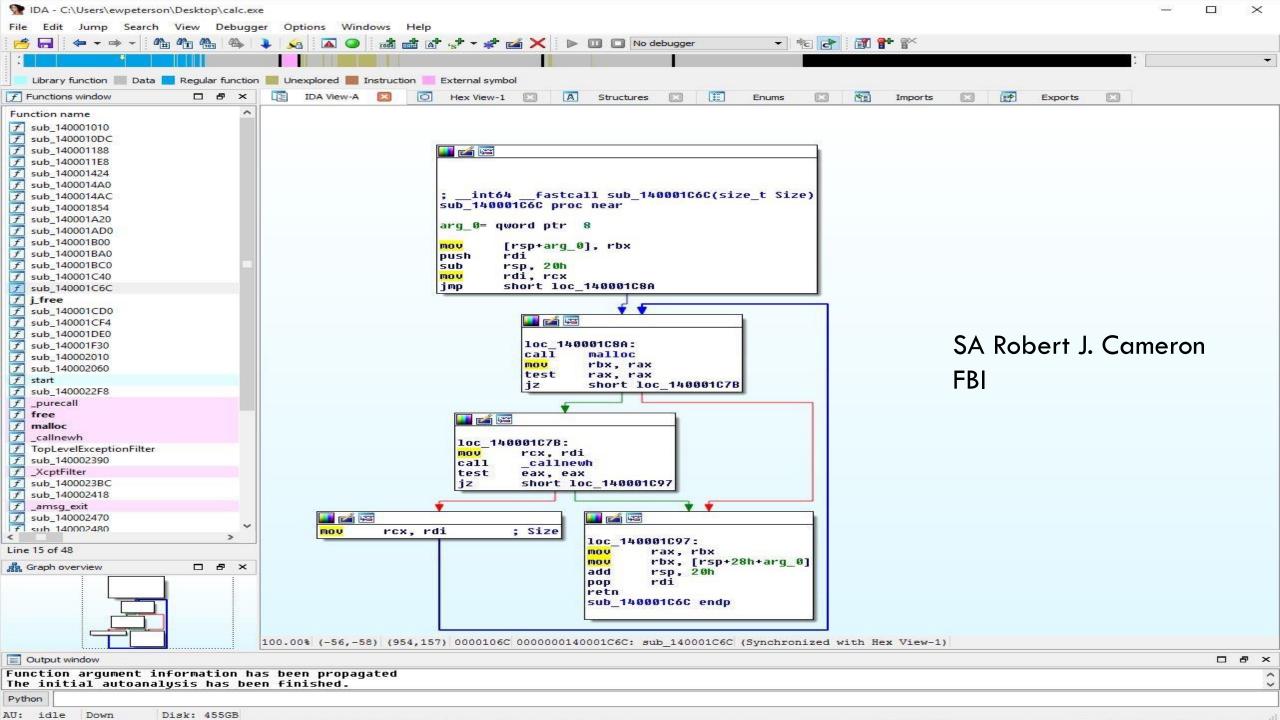
EMERGING TECHNOLOGIES IN CYBERCRIME & CHILD EXPLOITATION OFFENSES

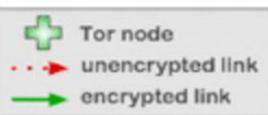
ROBERT CAMERON – FBI SPECIAL AGENT, CYBER ACTION TEAM

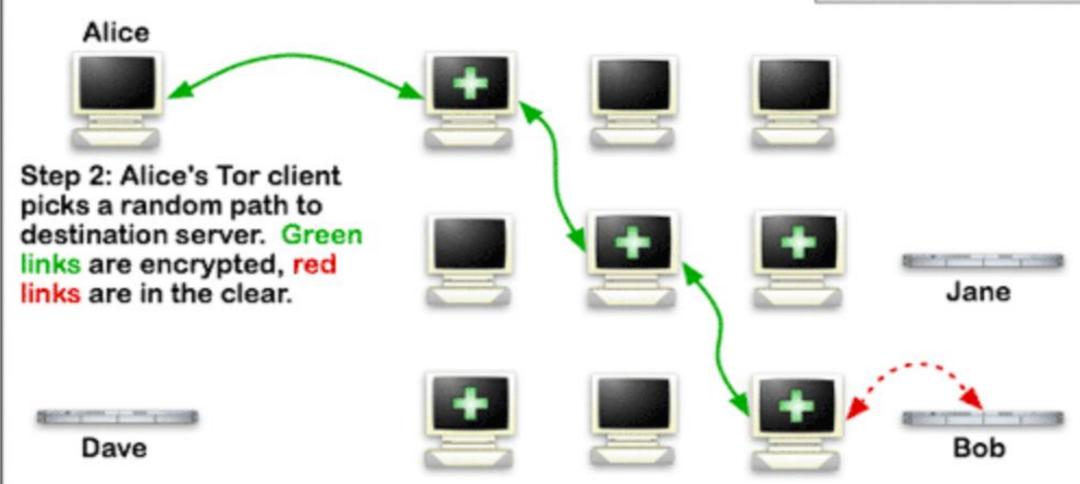
STEVEN GROCKI - CHIEF, DOJ CHILD EXPLOITATION & OBSCENITY SECTION

TROY STABENOW - ASSISTANT FEDERAL PUBLIC DEFENDER, WD/MO

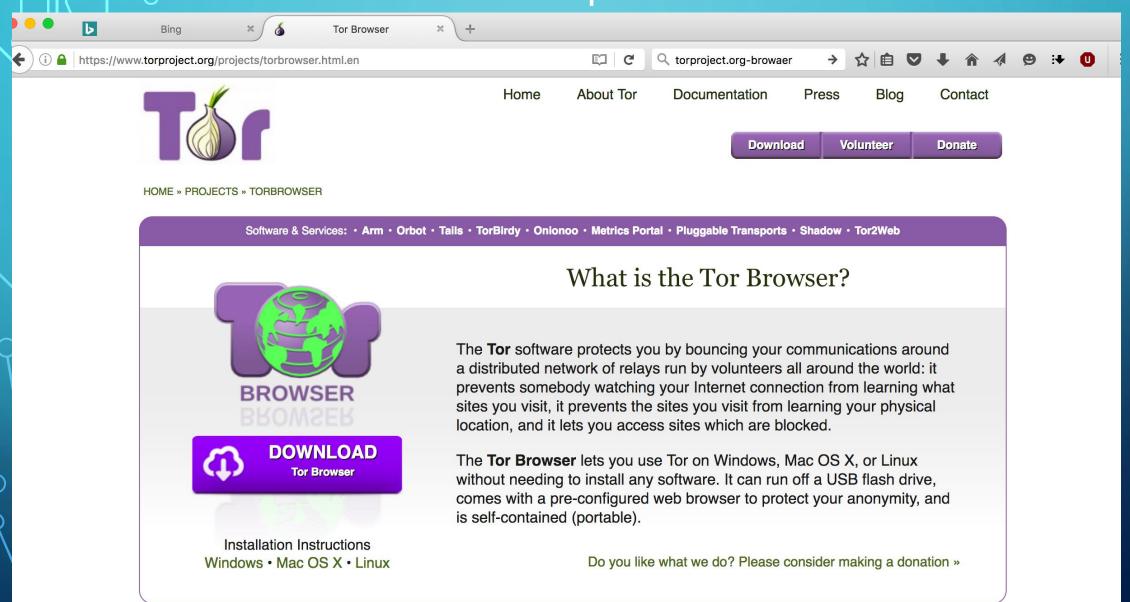




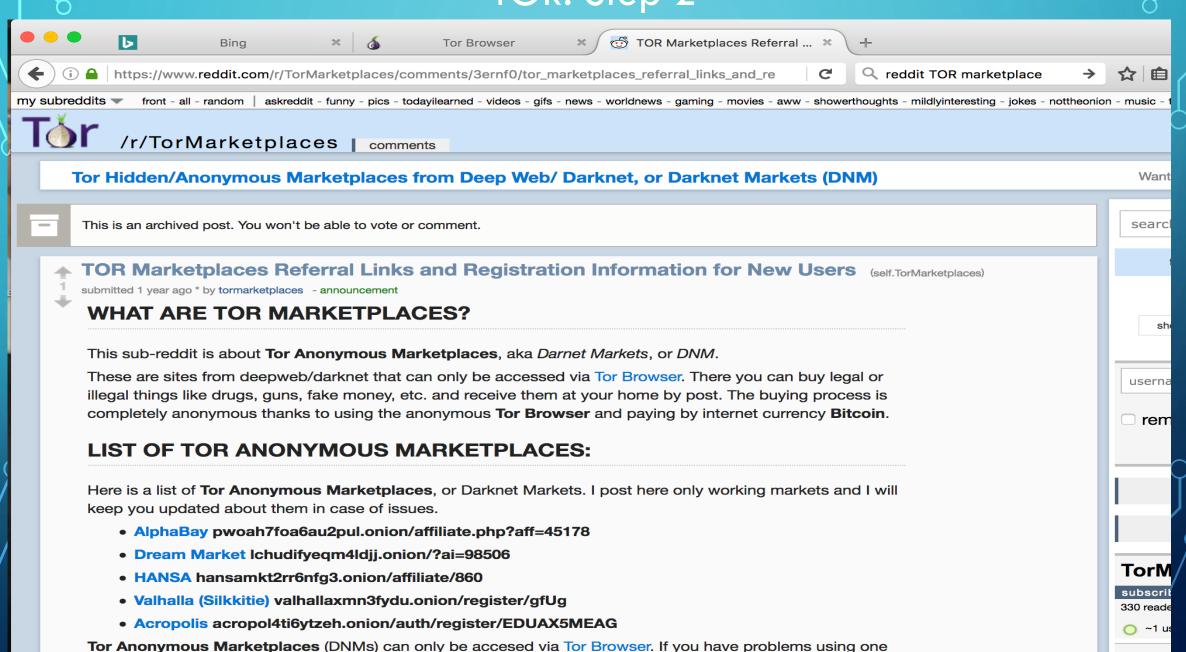




TOR: Step 1

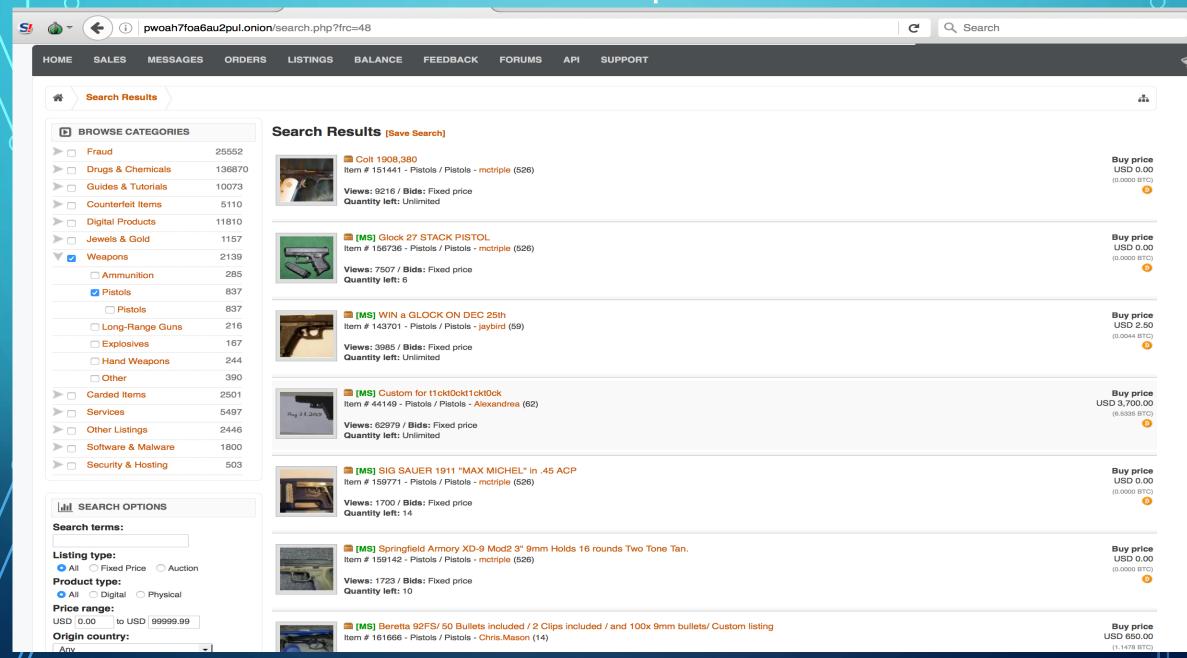


TOR: Step 2



of the DNM above, please let us know

TOR: Step 3





APPLICATION OF LOSS IN DATA BREACH CASES

• In the case of an offense under 18 U.S.C. § 1030, actual loss includes the following pecuniary harm, regardless of whether such pecuniary harm was reasonably foreseeable: any reasonable cost to any victim, including the cost of responding to an offense, conducting a damage assessment, and restoring the data, program, system, or information to its condition prior to the offense, and any revenue lost, cost incurred, or other damages incurred because of interruption of service. USSG §2B1.1, comment. (n.3(A)(v)(III))

NUMBER OF VICTIMS SOC (APPLY THE GREATEST) §281.1(B)(2)

- (A)(i) Involved 10 or more victims; (ii) was committed through mass-marketing; or (iii) resulted in <u>substantial financial hardship</u> to one or more victims. <u>+2 Offense Levels</u>
- (A)(ii) Resulted in substantial financial hardship to five or more victims.
 +4 Offense Levels
- (A)(iii) Resulted in substantial financial hardship to 25 or more victims.
 +6 Offense Levels

§2B1.1(B)(18) - OFFENSES UNDER 18 USC § 1030 (APPLY THE GREATEST)

- Offense involved a computer system maintaining critical infrastructure, or used by government entity in administration of justice, national defense, or national security. <u>+2 Offense Levels</u>
- 18 USC § 1030(a)(5)(A) Transmission of program, information, code, or command resulting in intentional damage without authorization to protected computer. +4 Offense Levels
- Offense involved substantial disruption of a critical infrastructure.
 +6 Offense Levels

OTHER §2B1.1 CONSIDERATIONS

- §2B1.1(b)(6) Conviction Under 18 USC § 1037 & involved obtaining electronic mail addresses through improper means. +2 Offense Levels
- §2B1.1(b)(10)(C) Sophisticated Means. +2 Offense Levels
- §2B1.1(b)(13) Misappropriation of a trade secret—
 - Transported/Transmitted outside United States. +2 Offense Levels
 - Benefit foreign government, foreign instrumentality, or foreign agent. <u>+4 Offense</u>
 <u>Levels</u>