

How to respond to questions

8/29/2017

response ware - Google Search



response ware



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[ResponseWare from Turning technologies](#)

<https://responseware.turningtechnologies.com/>

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Participant Information Required. First Name. Last Name. User ID.

Welcome to TurningPoint

Session ID **USSC**

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Emerging Technologies

Denver, Colorado

September 8, 2017

Having a Difficult Time Keeping Pace with Technology?

Bitcoin???? What is a Cryptocurrency?

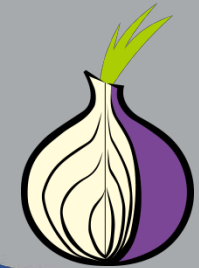



Spearphishing?

This Attachment Seems Harmless...
Oh No...

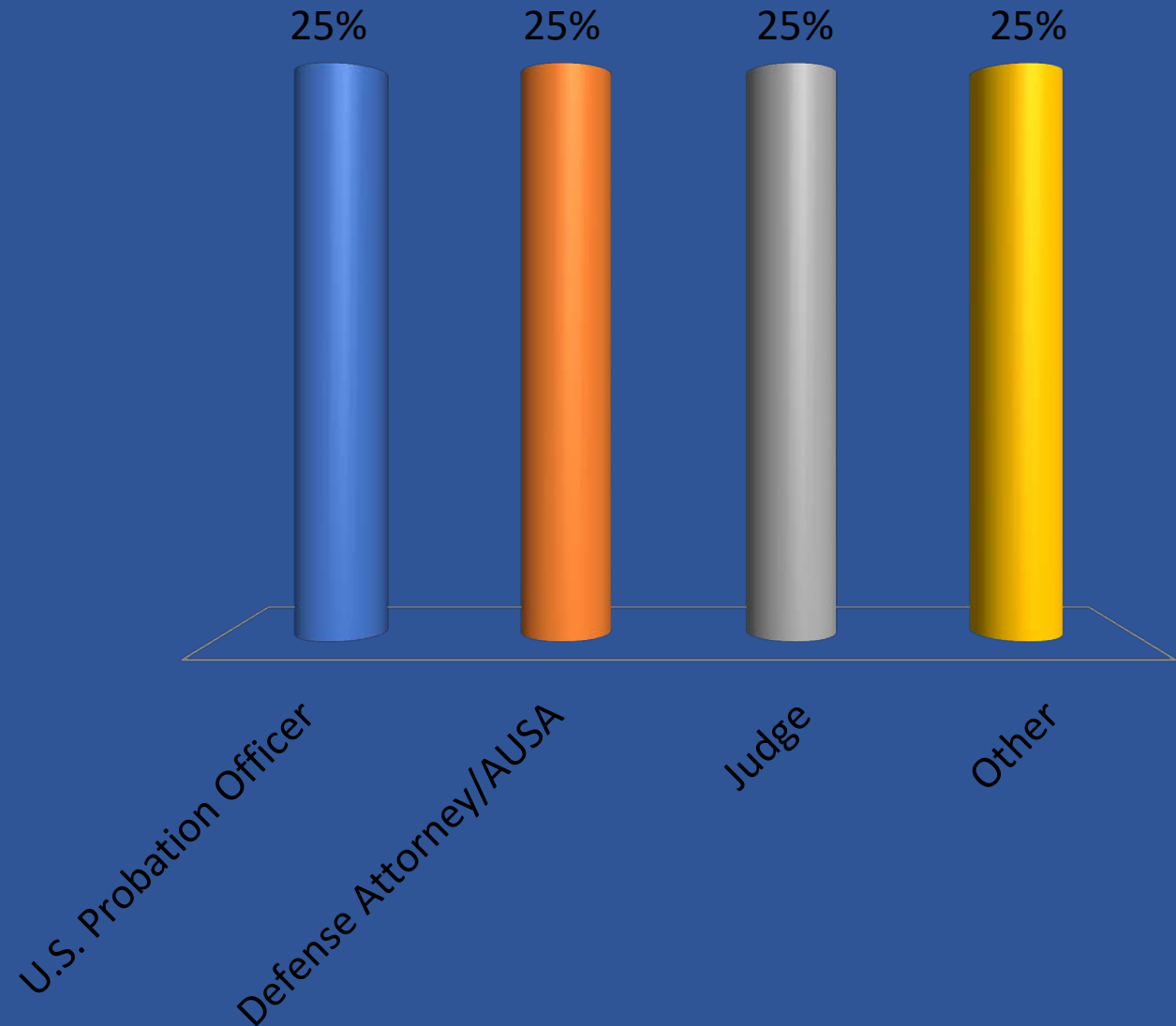


This case involves what The Onion Router!?!?



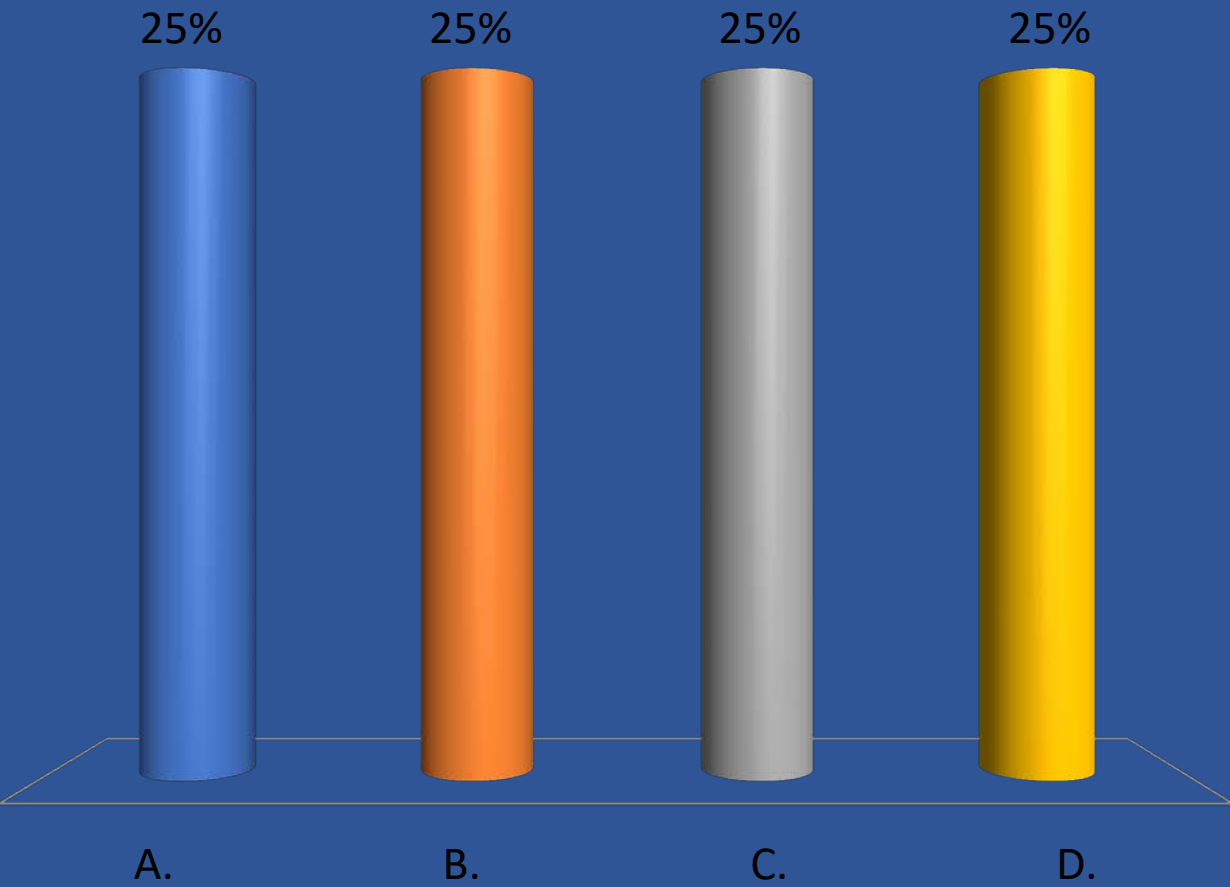
Who is in the room?

- A. U.S. Probation Officer
- B. Defense Attorney/AUSA
- C. Judge
- D. Other



Cybercrime Cases – What is Your Comfort Level?

- A. Excellent – I have a Cutting Edge Knowledge of Trends and Technology.
- B. Passable – First Step to Learning is one Google Search Away.
- C. Poor – It is Difficult and Overwhelming to Keep Up.
- D. SOS – I NEED HELP!!!!!!!





Data Breach Prosecutions 2015-2016



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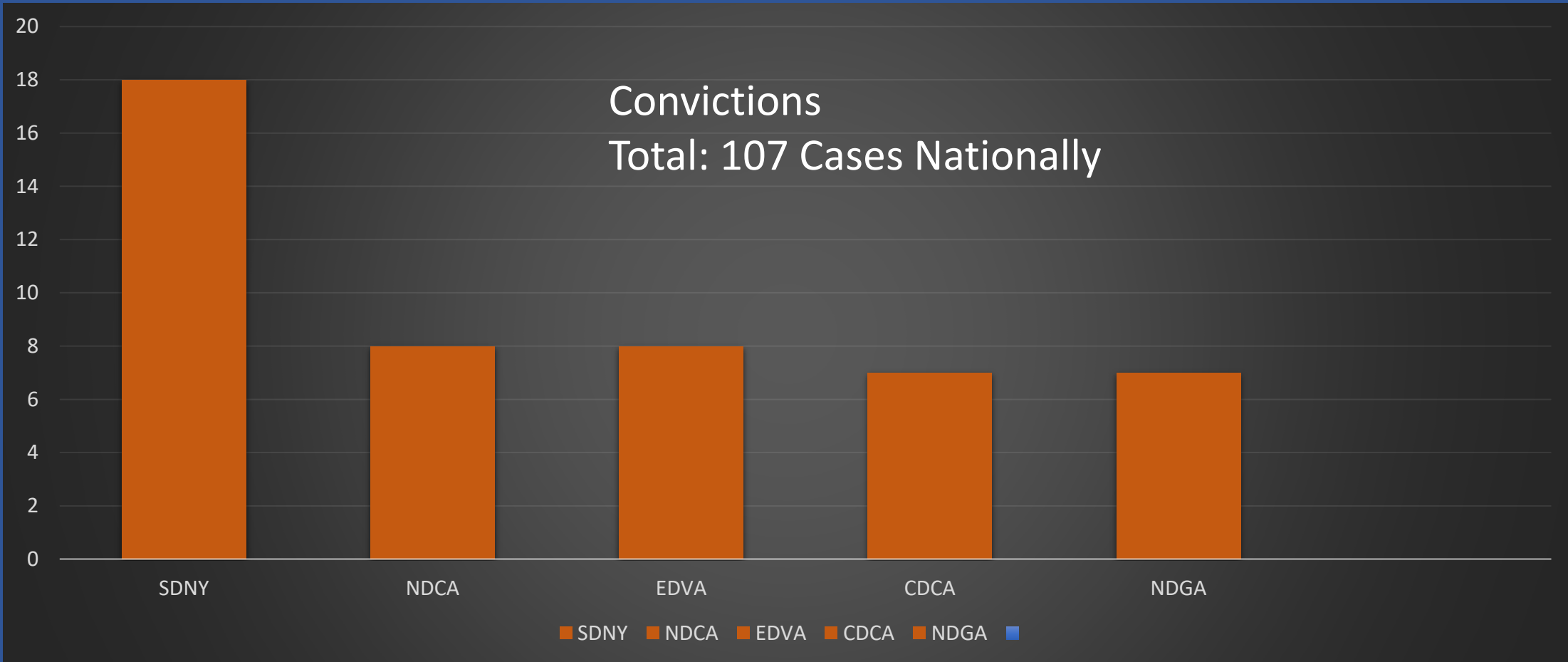
[@theusscgov](https://twitter.com/theusscgov)



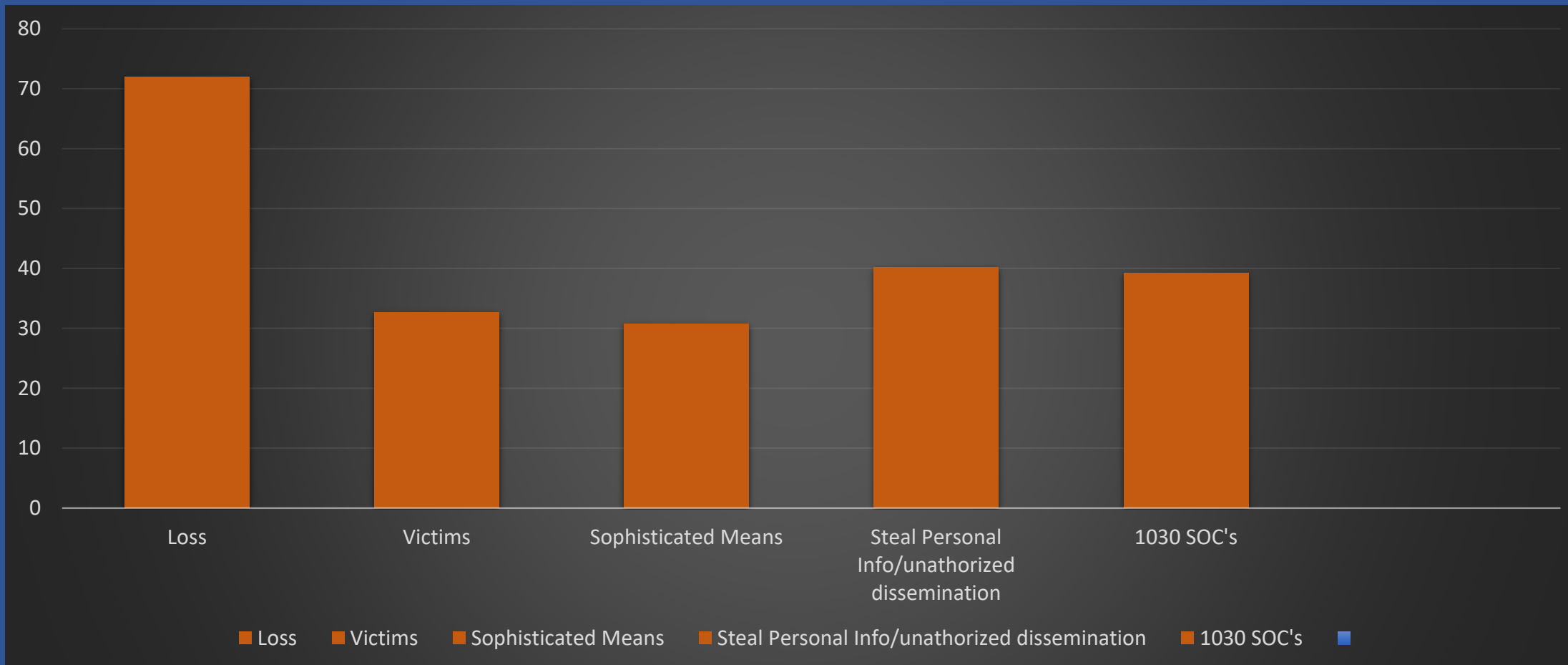
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Data Breach Cases Prosecutions 2015-2016

Convictions under 18 USC § 1030 & Sentenced under §2B1.1.



Chapter 2 SOC's





Scenarios - Data Breach Cases



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Ransomware Scenario

Elliot Alderson executed a “WannaCry” Ransomware Attack on a hospital, demanding \$20,000 in Bitcoin.

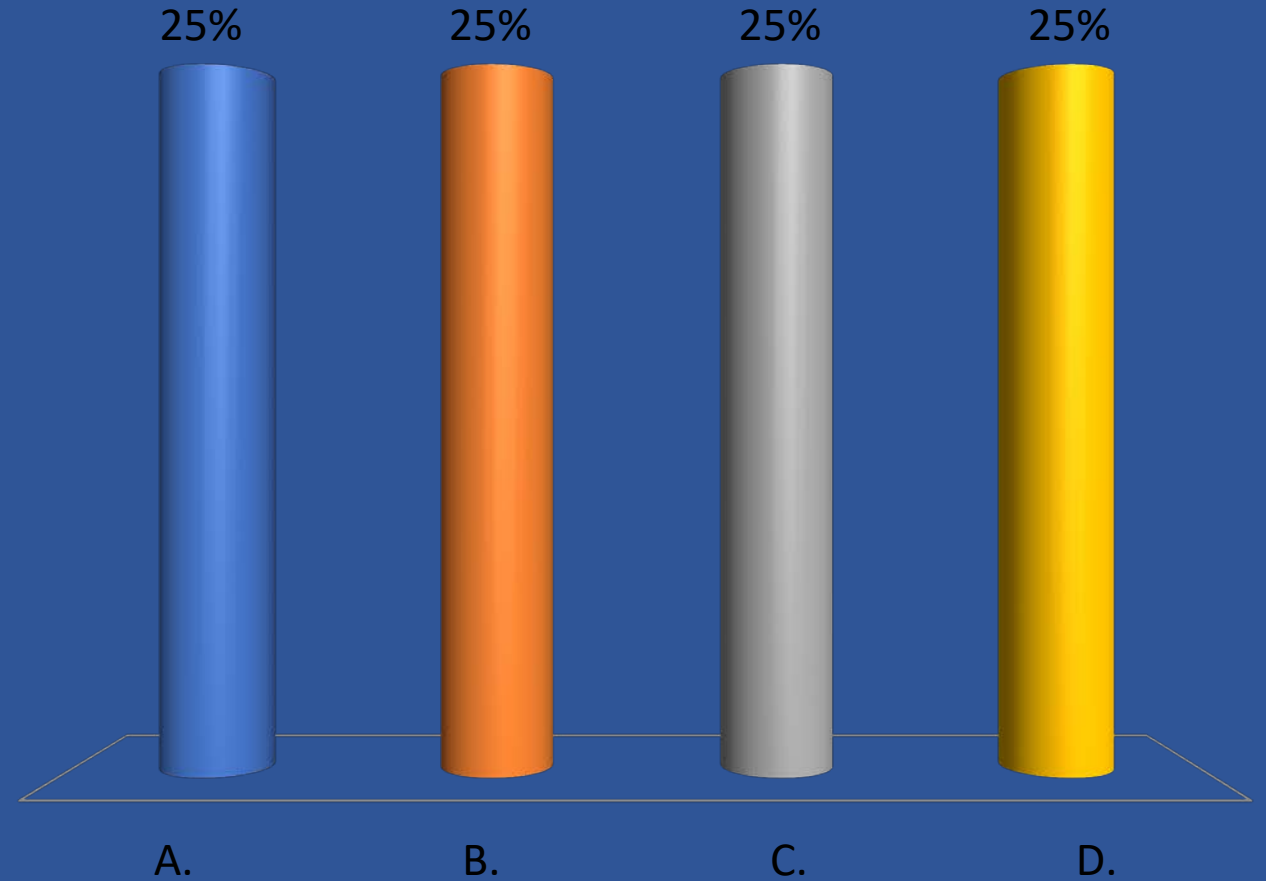
The hospital’s computing system was encrypted and inaccessible for a six hour period while a cybersecurity firm was retained to conduct a network assessment – the Hospital ultimately agreed to pay the \$20,000 in Bitcoin.

Due to the network outage, the Hospital lost \$500,000 in revenue and later incurred additional costs to participate in the investigation and prosecution of Elliot Alderson.



What cannot be included in the loss analysis?

- A. The costs of retaining the Cybersecurity Firm and the \$20,000 Bitcoin Ransom.
- B. The \$500,000 in lost revenue incurred as a direct result of the Ransomware Attack.
- C. The costs of participating in the FBI Investigation and Testifying at Sentencing.
- D. All reported losses can be included.



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))



U.S. v. Schuster 467 F.3d 614 (2006)

- \$6,014 in lost business productivity and costs properly included in sentencing loss calculation for defendant convicted of intentionally accessing and recklessly causing damage to protected computer
- \$2,700 in victims' travel costs for meetings with FBI and \$1,400 in costs for victims to testify at sentencing hearing could not properly be included in the sentencing loss calculation.

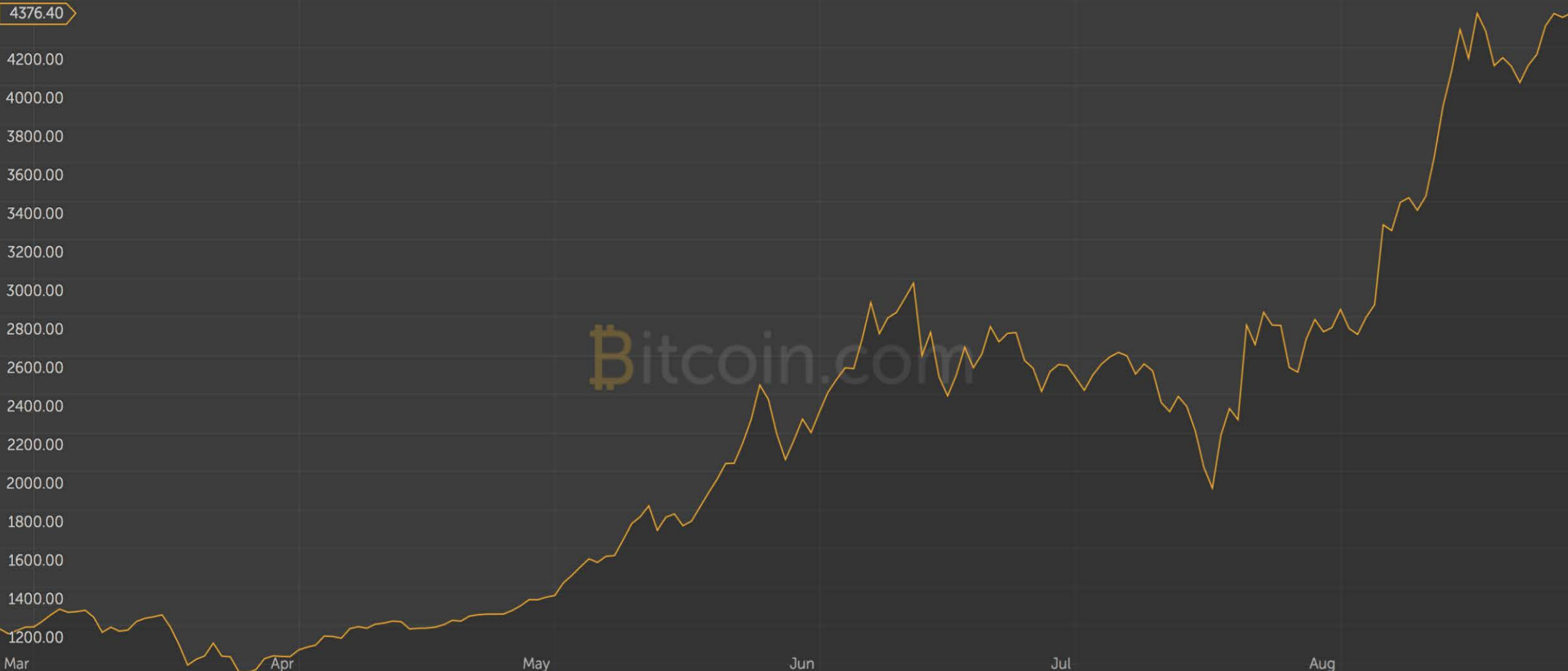


\$4376.40

MktCap	High	Low	Supply	Blocks
\$72.3B	\$4376.40	\$952.68	16.5M	482253

▲ 0.5% \$21.59

Aug 27, 2017 4:51 PM



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Ransomware Scenario Continued....

During the time between the offense and sentencing, the value of Bitcoin increased significantly and the \$20,000 that was paid in the Ransomware Attack appreciated to \$80,000.



What is the loss for the Bitcoin Payment?



- A. \$20,000 – *the Value of the Bitcoin at the time of the Offense.*
- B. \$50,000 – *The average value of the Bitcoin between the time of the Offense and Sentencing.*
- C. \$80,000 – *the value of the Bitcoin at the time of Sentencing.*
- D. No idea...Bitcoin is Mind Boggling. How Can a Currency be Backed by an Algorithm?



Bitcoin Cases



Silk Road Investigators

Shaun Bridges – Former SS Agent – 71 Months

Carl Force – Former DEA Agent – 78 Months

Bitcoin Exchange Prosecutions

Charlie Shrem – 24 Months

Randall Lord – 46 Months

Michael Lord – 106 Months



Ross Ulbricht

Silk Road - Life sentence related to underlying offenses facilitated through Silk Road – Drugs – Computer Hacking – Money Laundering – Fraudulent ID Documents



U.S. Immigration and
Customs Enforcement



THIS HIDDEN SITE HAS BEEN SEIZED

**as part of a joint law enforcement operation by
the Federal Bureau of Investigation, ICE Homeland Security Investigations,
and European law enforcement agencies acting through Europol and Eurojust**

in accordance with the law of European Union member states
and a protective order obtained by the United States Attorney's Office for the Southern District of New York
in coordination with the U.S. Department of Justice's Computer Crime & Intellectual Property Section
issued pursuant to 18 U.S.C. § 983(j) by the
United States District Court for the Southern District of New York



Data Breach Scenario #2

Elliot Alderson illegally gained access to account-holder information through a Spear-Phishing scheme on a local bank and obtained the account information from 30 customers.

Alderson went on to illegally transfer \$100,000 from each account holder to an off-shore account.

The individual account-holders suffered the total loss.



Number of Victims SOC – Which Applies?

- A. Involved 10 or More Victims; or Substantial Financial Hardship to 1 or More Victim (+2)
- B. Resulted in Substantial Financial Hardship to 5 or More Victims (+4)
- C. Resulted in Substantial Financial Hardship to 25 or More Victims (+6)
- D. I Don't Know, More Information is Needed...



“Substantial Financial Hardship”

- Becoming Insolvent
- Filing for Bankruptcy
- Suffering Substantial Loss of Retirement, Education, or Other Savings or Investment Fund.
- Making Substantial Changes to Employment – such as Postponing Retirement.
- Substantial Changes to Living Arrangements – such as Relocating to Less Expensive Home.
- Suffering Substantial Harm on Ability to Obtain Credit.



Thank you!



Questions?



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