

ALAMEDA COUNTY
DISTRICT ATTORNEY'S
OFFICE



HIGH TECHNOLOGY
CRIMES UNIT

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STEALING VIA ID THEFT



- Easy to commit
- High profit- low risk
- No victim contact
- No weapon use
- Police undermanned and overwhelmed
- If caught- probation or misdemeanor
- The loot is delivered

WHAT IS IDENTITY THEFT?



Obtaining the “personal identifying information” of another person and using it to do something illegal. [Penal Code section 530.5(a)]

WHAT IS PERSONAL IDENTIFYING INFORMATION - PC 530.55(b)



- Name and address.
- Telephone number.
- Driver's license number.
- Social security number.
- Bank account numbers.
- Mother's maiden name.
- Unique biometric data like fingerprints.
- Etc.

WHO IS A “PERSON” ?

PENAL CODE §530.55(a)

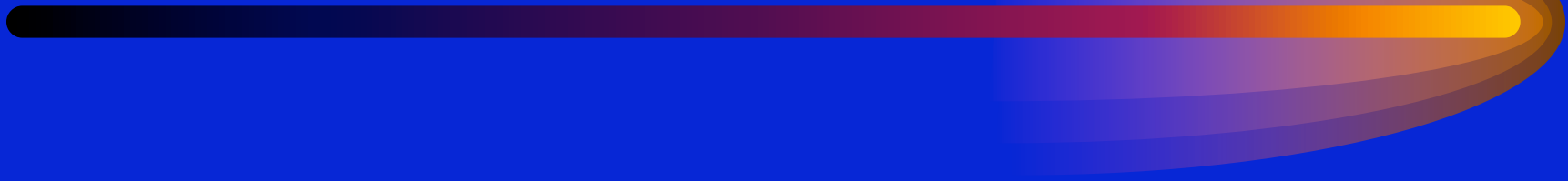
- Natural Person (living or deceased)
- Firm
- Association
- Organization
- Partnership
- Business trust
- Company or Corporation
- Limited liability company
- Public entity

KEY COMPONENT OF THE CRIME



ACQUISITION OF PERSONAL
IDENTIFYING INFORMATION

HOW DO CROOKS OBTAIN PERSONAL
IDENTIFYING INFORMATION?



HIGH-TECH METHODS

VS

LOW TECH METHODS

HIGH-TECH METHODS OF OBTAINING PII



- Wireless access point hacking.
- Credit card skimming.
- ATM machine hacking and/or skimming.
- Bluetooth gas pump skimming.
- Phishing scams.
- Database hacking.
- Theft of laptop computers.
- Purchase of used “unwiped and non-overwritten” computers (delete only).

LOW-TECH METHODS OF OBTAINING PII



- MAIL THEFT
- THEFT WALLETS, PURSES & OTHER PERSONAL PROPERTY
- RESIDENTIAL & AUTO BURGLARY
- DUMPSTER DIVING & GARBAGE
- SOCIAL ENGINEERING VIA PHONE
- INSIDER EMPLOYEE THEFT
- VIOLENCE/HOMICIDE

HOW DO CROOKS USE PII IN IDENTITY THEFT?



- CREATE COUNTERFEIT IDENTIFICATIONS
- CREDIT CARD ACCOUNT TAKEOVERS
- OPEN NEW CREDIT CARD ACCOUNTS
- OPEN NEW BANK ACCOUNTS
- MAKE/NEGOTIATE COUNTERFEIT CHECKS
- MONEY LAUNDERING
- PURCHASE VEHICLES/REAL ESTATE
- BANKRUPTCY FILINGS – AUTOMATIC STAY
- ESCAPE ARREST/ PROSECUTION

PREVENTION TIPS



- PROACTIVELY PROTECT YOUR PII.
- SECURE YOUR WIRELESS ACCESS POINT.
- USE A CREDIT CARD INSTEAD OF A DEBIT CARD.
- GET SECURITY FREEZES TO BLOCK YOUR CREDIT PROFILES.
- NO “PII” OVER PHONE UNLESS YOU KNOW THE CALLER.
- CHECK YOUR CREDIT REPORT EVERY 3 MONTHS TO VERIFY NO FRAUD ACTIVITY.
- USE SECURE MAILBOXES.
- USE A CROSS-SHREDDER TO DISCARD PII.

4 BASIC STEPS IF VICTIMIZED?



- FILE A POLICE REPORT IN CITY WHERE YOU RESIDE OR PLACE OF BUSINESS.
- CONTACT THE MERCHANT/ISSUER OF CREDIT TO CLOSE LINE OF CREDIT.
- CONTACT THE 3 CREDIT BUREAUS. (EXPERIAN, TRANS UNION & EQUIFAX)
- CONTACT THE FEDERAL TRADE COMMISSION AND CALIFORNIA OFFICE OF PRIVACY PROTECTION.

ID THEFT VICTIM RIGHTS OVERVIEW



1. File an identity theft police report.
PC 530.6(a) - City of residence or place of business
2. Obtain copies of documents related to the fraud.
PC 530.8(a) www.oispp.ca.gov
3. Remove fraudulent information from credit files.
CA Civil Code 1785.16 et seq, Fed. Fair Credit Reporting Act, etc.

ID THEFT VICTIM RIGHTS OVERVIEW



4. Right to receive up to 12 free credits reports (1 per mo).
1 Year from date of police report. CA CC 1785.15.3(b)
5. Right to stop debt collection on fraud transactions.
CA CC 1788.18
6. Right to sue or assert a defense regarding ownership of
property obtained through identity theft.
CA CC 1798.93

ID THEFT VICTIM RIGHTS

CRIME COMMITTED IN VICTIM'S NAME



7. Expedited Superior court hearing and judge's order finding victim factually innocent.
 - Criminal record then deleted, sealed or labeled fraud.
 - PC 530.6

8. Listing in CA DOJ Identity Theft Victim Registry.
 - PC 530.6 & PC 530.7

VICTIM RESOURCES



- Free credit reports annually. www.annualcreditreport.com
- Obtaining security freezes.
 - www.transunion.com
 - www.equifax.com
 - www.experian.com
- Victim information and forms. www.ftc.gov
- Victim information and forms. www.oispp.ca.gov