



# Legal Foundation and Enforcement: Promoting Cybersecurity



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# IPLEC Position

- U.S. Department of Justice prosecutor
- Work with 20 countries in Central and Eastern Europe
- Assist prosecutors and agents in the U.S.
  - 250 specialized computer crime and intellectual prosecutors



# Central and Eastern Europe





# Legal Foundation and Enforcement Overview

- Laws
- Global enforcement reach
- Investigation
- Prosecution/adjudication
- Effective networks/cooperative partnerships





# Legal Foundation and Enforcement

- Provides framework to investigate, prosecute, and deter cybercrime
- Encourages security of and use of information and communication technologies
- Inspires confidence in legal system
- Promotes economic development and investment





# Legal Foundation: Laws

- Challenges/Barriers
  - New methods of attack
  - More sophisticated crime
  - Organized crime
  - International dimension

<http://www>



# Recent Trends

- Website attacks that exploit browser vulnerabilities
- Botnets
- Cyberespionage using targeted phishing to get large amounts of data
- Attacks on mobile phone and VOIP systems
- Insider attacks
- Identity theft from persistent bots
- Malicious spyware
- Web application security exploits
- Event phishing and VOIP phishing
- Malware on consumer devices in supply chain



# Greater Sophistication

“Today’s attackers are increasingly sophisticated and organized, and have begun to adopt methods that are similar to traditional software development and business practices.”

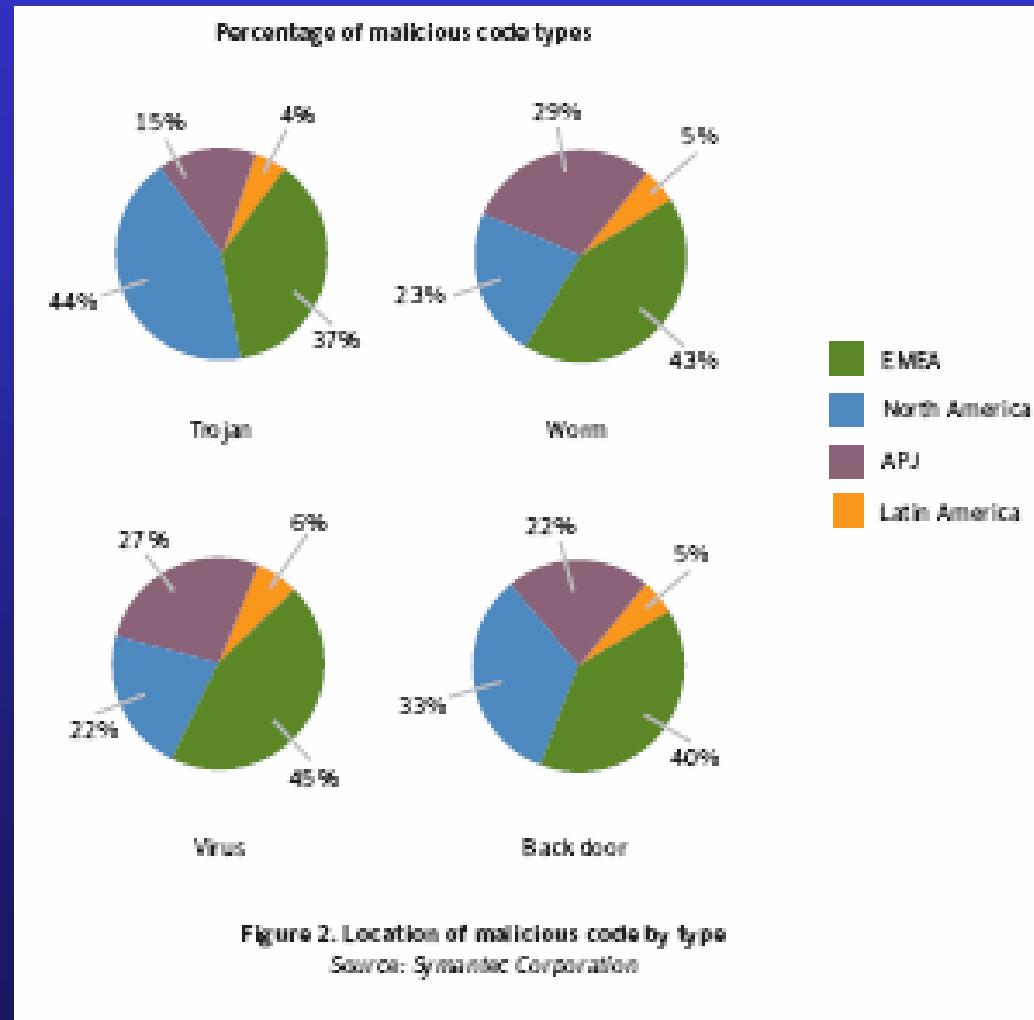
- Increased professionalization and commercialization of malicious activities
- Threats that are increasingly tailored for specific regions
- Increasing numbers of multi-staged attacks
- Attackers targeting victims by first exploiting trusted entities
- Convergence of attack methods

Source: Symantec Internet Security Threat Report: Trends for January – June 07 (Published September 2007)





# Malicious Code By Type





# Legal Foundation: Laws

- Laws
  - Updated
  - Sufficient for present cybersecurity needs
  - Address core substantive and procedural areas
- Global enforcement reach
  - Address local needs
  - International cooperation
  - Coordination



# Legal Foundation: Laws

- Convention on Cybercrime
  - Framework
  - Substantive crimes
  - Procedural rules
  - International cooperation
- CCIPS review of draft laws



# Investigation

Questions to ask:

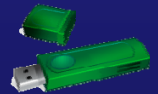
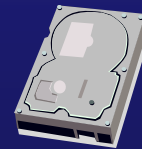
- What is the ability of investigators to:
  - Follow criminal leads?
  - Collect and preserve evidence?
  - Find and apprehend violators?
- Where other countries are involved, how long will the process take?





# Investigation

- Specialized training
  - Obtaining electronic evidence
- Cooperation
  - Mutual assistance processes





# Prosecution and Adjudication

- Enforce criminal law
  - Admit evidence in court
  - Deterrence
  - Punishment
  - Train judges





# Effective Networks/Cooperative Partnerships

- International partnerships
- Governments
  - National
  - State and local
- NGOs
- Industry/Private Sector
  - Assisting investigation
  - Reporting crime





# Cybercrime.gov

- Public page
- Latest news releases
- Policies and programs
- Legal resources
- Contact info
- Cases

cybercrime.gov - Microsoft Internet Explorer provided by Criminal Division

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United States Department of Justice

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## Computer Crime & Intellectual Property Section

Statement of Andrew Lourie, Acting Principal Deputy Assistant Attorney General and Chief of Staff, Criminal Division,  
Concerning "Privacy and Cybercrime Enforcement Act of 2007" (December 18, 2007)

### Latest Press Releases

- Three Indicted and Arrested in One of the Largest Counterfeit Goods Prosecutions in U.S. History: Infringed Goods Valued at More Than \$100 Million (January 17, 2008)
- Former St. Cloud Hospital Employee Pleads Guilty to Planting "Logic Bomb" on Hospital Computer (January 10, 2008)
- Foreign National Pleads Guilty in Complex Computer Fraud Scheme Victimized Hundreds of Individuals (January 9, 2008)
- Four Minnesota Residents Charged in California with Scheme to Defraud Cisco of Computer Networking Equipment: Defendant Fraudulently Conspired to Obtain over \$400,000 in Equipment From Cisco under the SMARTnet Service Contract Program (January 9, 2008)
- Former Systems Administrator Gets 30 Months in Prison for Planting "Logic Bomb" in Company Computers (January 8, 2008)
- Alan Ralsky, Ten Others, Indicted in International Illegal Spamming and

### Hot Documents

- [How to Report Cyber and IP Crime](#)
  - [How to Report Computer- and Internet-Related Crime](#)
  - [How to Report Intellectual Property Crime](#)
- NPR Interview with CCIPS and FBI: Cyber Sleuths Zero In as Web Fraud Takes Toll (January 20, 2008)
- Digital Forensic Analysis Methodology Flowchart (PDF) (August 22, 2007)
- New Manual, "Prosecuting Computer Crimes" Now Available (March 2007)
- New Edition of "Prosecuting Intellectual Property Crimes" Manual Available (October 2006)
- United States Joins Council of Europe Convention on Cybercrime (September 29, 2006)

Internet





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