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## *Protecting Your Personal Data: How Law Enforcement Works with the Private Sector to Prevent Cybercrime*

House Committee on Homeland Security  
Subcommittee on Cybersecurity, Infrastructure Protection, and Security Technologies  
Wednesday, April 16, 2014 – 10:00 am  
Drexel University, Paul Peck Alumni Center

### **Jack Whelan, District Attorney, Delaware County**

Good morning Chairman Meehan and members of the house committee. I would like to thank you for the opportunity to discuss cybersecurity and how we can work together to better protect the identities of Delaware County residents.

As the committee is well-aware, identity theft is the nation's fastest growing crime. In law enforcement, we define cybercrime as any crime where a computer or the Internet is used to commit or conceal a crime.

In Delaware County, our detectives see cybercrime first hand in cases when identity thieves steal personal information and use it to gain access to a victim's financial resources. These thieves may steal mail, hack into computers, or enlist employees at companies that have legitimate access to personal information. They also use e-mail or telephone scams to commit a crime, which is most often seen in crimes committed against Delaware County's most vulnerable population, our senior citizens. With relatively little information, even low-tech, inexperienced criminals can begin opening accounts in another person's name and run up substantial charges.

In one case, we arrested Dorothy J. Miller of Havertown for stealing more than \$150,000 from her employer, Summers Hardwood Floors, Inc. located in Sharon Hill, PA. After assuming the identity of the company owner John Summers, who had passed away, Miller opened a credit card in his name and forged numerous checks using his and his wife's signature. Through handwriting analysis, our detectives were able to charge Miller with multiple felony counts of theft, forgery, identity theft, and conspiracy.

In Delaware County, we also see criminals using the Internet to trick people into giving them money or merchandise. These scams run from the small time bait-and-switch schemes as you might see on Craigslist, to sophisticated false websites that are set up to look like genuine websites, such as major banks. Computers can

also be used as instruments of stalking or harassment via e-mail or social networking sites. Targeting another vulnerable population, computers are also used in crimes against children where the Internet is used to traffic child pornography and by predators to entice our children to meet them for sexual purposes. Dramatic increases in technology and its availability on the consumer level, coupled with a decline in cost, have given those who would exploit children a remarkably effective and far-reaching ability with which to do so.

To combat these crimes, detectives with the Delaware County District Attorney's Criminal Investigation Division (CID) Economic Crime Unit and the office's forensic crime lab investigate financial crimes. The Unit receives complaints from our local law enforcement agencies, the private sector as well as the public. Financial crimes can refer to any number of nonviolent criminal offenses that involve obtaining financial gain through fraud, deceit, misrepresentation or other forms of deception. Financial crime is constantly evolving with the times, and is hitting new frontiers with the age of the Internet.

Identity theft can be committed against a single individual, corporation, or multiple victims. It may be even more complex because there can be more than one victim. Frequently, the crime may not be discovered until long after it was committed. Perpetrators may not live in the same jurisdiction as the victim and may commit the crime in several jurisdictions simultaneously, making it difficult for law enforcement to detect patterns and the actual extent of the crime. For example, identity theft could be committed against a Delaware County resident by a perpetrator in Florida who has committed the same crime against several other victims across the state. Given all of the above, it is clear that identity theft is a crime that presents unique challenges to law enforcement to investigate and prosecute.

The complexities of identity theft cases can slow down or hinder investigations because of the lack of resources available to conduct the cross-jurisdictional investigation.

Evidence needed by police to solve a cybercrime is often held by private industry outside of police's jurisdiction. For this reason, strong partnerships are essential to making cross-jurisdiction cooperation work. Investigation and prosecution can be time consuming due to the volume of records required to be examined and the time required to obtain documents from banks and other financial institutions. The unit collaborates with and assists federal, state, and local law enforcement in enforcing federal, state, and local criminal laws relating to computer related crime through forensic collection, recovery, processing, preservation, analysis, storage, maintenance, and presentation of digital evidence.

As more and more people engage in online financial activities such as shopping, banking, investing, and bill paying, our residents become more vulnerable to sophisticated online identity thieves who target personal identification information. Identity theft can happen off-line too. In Delaware County, we have seen low-tech, inexperienced criminals successfully open credit cards and other financial accounts in another's name by stealing mail, personal items such as a wallet, or even rummaging through trash for personal identification information.

In closing, no one, no individual, and no institution, is immune from these kinds of crimes. And so, increasing awareness of the issue is one important function of our Economic Crimes Unit. We alert the public to the steps they must take to ensure that their computers are secure and their personal information is safe by sharing information through PSA videos, brochures, along with public presentations and seminars held in partnership with financial institutions, local businesses and our community partnerships.

Thank you.