

Show me some ID

Our faith in identification documents is misplaced

by John Lyons and Greg Saville

Identity thieves look for driver's licence numbers, Ontario's Ministry of Government Relations web site warns – yet anyone with a licence plate number and \$13 can obtain a person's driver's licence number, full name, address and details of their vehicle. With minimal knowledge of licence numbers, they would also have their birth date.

This information is as close as the 'ServiceOntario' machine at the nearest large shopping mall. It is a risky business to rely on the most commonly accepted means of identification in North America – a driver's licence – to determine if someone is who they say. Stories abound about arrests that went bad due to fake, or borrowed, driver's licences produced during earlier encounters. At times it results in a warrant being issued for the wrong person. The impact on lives and the loss of time while untangling the situation victimizes everyone involved.

Identification-based crime can spread like ripples from a drop in a much bigger victim pond. Identification-based crime ranges from money laundering, drug trafficking and exploiting automated payment systems to more traditional street crime by enterprise criminals, gang members and habitual offenders.

Creating an informed diligence

The best way to respond to this challenge is informed diligence and up to date knowledge at the front line. Many documents issued by governments – what we call "access tokens" – inappropriately become de facto identification documents.

There are two modus operandi underpinning identification-based crimes:

- Crimes of opportunity. They occur when personal means of identification conveniently fall into the wrong hands through circumstances such as misplaced wallets and IDs, pick pocketing, vehicle thefts and home invasion. Criminals use these to commit financial crimes, which hinge on credit worthiness, by impersonating the owner of the identification. They also use the pilfered ID to avoid recognition during chance encounters with the police.
 - High level commitment concealment crimes. Organized career criminals collect personal identifiers to meet longer term objectives and apply them to forged or stolen identification document blanks, including bona fide provincially issued tokens such as driver's licences and health cards. Their crimes include cyber crime, trafficking in drugs, stock manipulation fraud and terrorism, to mention but a few.
- Even though police frequently discover



and dismantle document and card manufacturing labs, demand is quickly met through easy access to a new generation of desk top publishing software, high-end scanners, embossers, thermal printers and other commercially available tools. Forgers produce driver's licences, health and citizenship cards and other forged documents so close to the genuine in feel and quality, it is difficult to tell the difference.

The recent surge in quality and capacity to forge identification documents presents a serious logistics problem, amplified by the ease in obtaining personal identifiers from government and corporate information systems. The personal information of more than 100 million Americans may have been exposed in recently reported incidents alone. In Canada, there is no law compelling governments and corporations to report potential breaches.

Three dangerous trends converge to worsen the identification-based crime problem:

1. High quality and hard to detect forged documents
2. Easy access to legitimate personal identifiers
3. Those relying on identification must balance between diligence and delivering client-centered services.

Means of identification(MOI)

In US law incorporates a wide assortment of personal identifiers – defined as name, social security number and date of birth – and identification devices. MOI incorporates official government issued driver's licences and document issuer identification, alien registration, passports, employer and taxpayer identification numbers. It also includes unique biometric data, such as fingerprint, voice print, retina or iris image and/or other unique physical representation.

In the electronic medium, the definition captures unique electronic identification numbers, addresses or routing codes, telecommunication identifying information and defined access devices.

Human identity

A wide variety of MOI are issued for purposes ranging from birth certificates to library cards. As law or regulatory officials who frequently rely on a driver's licence or other government-issued MOI, it is important to know the generic roots to IDs and how they relate to each other. The ability to analyze them depends on understanding elements that combine to form a human identity. A July, 2002 UK paper on identity fraud defines three components. Building upon that work, we came

up with the following:

- Legally attributed personal identifiers: components of personal information, maintained by a government authority, that record status by right, law or privilege to enter and remain in the country of issue;
- Biometric identifiers: unique physical human characteristics such as fingerprints, voice, retina, facial structure, DNA profile and hand geometry;
- Biographical information: Data accumulated over time recording life events of a person's interaction with a structured society. Examples include education qualifications, driving history, elector register entries, benefits claimed, taxes paid, employment history, marriage and mortgage registry, insurance policies and credit history.

Legally attributed personal identifiers

These come in two categories – registries of names, dates of birth, classification and dates of entry into a country – and personal identifiers maintained for births by federal or provincial/state governments. Where the information is stored depends on who has jurisdiction. Both are legislated records of the legal status of an individual. For immigration to Canada, the legislative authority is the *Immigration and Refugee Protection Act*, with its accompanying regulations. For federal births the authority is the *Citizenship Act* and, for the various provinces and territories, it's the *Vital Statistics Acts*.

Identification documents affirm the existence of these legally attributed personal identifiers. The legislated custodian of the physical record issues them. 'Status by right' identification documents affirm a record of a right to citizenship or the granting of permanent residency. 'Status by law or privilege' identification documents affirm that there is a record of temporary status in the country of issue.

We limit our use of the term 'identification document' to these two means of identification. You may hear them referred to as 'foundation,'

or, more inappropriately, 'breeder' documents. Breeder may be a somewhat applicable slang for birth records, but generates confusion around the role of identification documents that affirm the status of those temporarily in Canada.

Privileges, benefits and services tokens

All other means of identification should not be relied upon with the same amount of confidence because they are access tokens that affirm only entitlement to a privilege, benefit or service. Examples include driver's licences, health cards, student cards and employer IDs. Accepting them in place of identification documents presents extraordinary risk.

Access tokens are not without value, since they point to a biographical record retained by the issuer. They may assist in confirming the validity of birth certificates and other identification documents where your suspicions are aroused. For example, a document may point to a prior place or time where you can locate a person. Further investigation may reveal others who knew this person.

In an interview, your subject of interest should be able to corroborate information retained by an access token issuer. The bearer of a birth certificate supported by a driver's licence should be able to volunteer information consistent with the records maintained by the issuing Ministry of Transportation over the years the licence is in effect, such as where the licence was originally issued, address history and previous traffic violations.

Biographical records support interview skills

The key is the art of open-ended questions, which offer you the opportunity to listen for elements of deception or missing information. Closed-ended questions, which demand a yes or no answer, teach an identification criminal how to lie and reveals what you know. Here are some examples of open ended questions:

- Describe in your own words how you received permanent status in Canada?
- Tell me more about where you have lived since...
- Tell me about previous traffic tickets you have received and what the circumstances were?

Set the parameters and allow your subject of interest to choose where to begin and end in describing their biographical history – for example, throughout the years they have held a driver's licence. This positions you to evaluate how truthful they are being, through their own words, by comparing their statement with the biographical information retained by the token issuer.

Conclusion

More than 7,000 sources can issue birth certificates in the US. Fortunately, this authority is limited to provinces and territories in Canada. Birth certificates do not have photos or biometrics and immigration documents are not widely understood, so a driver's licence or other government issued photo ID is the de facto MOI across North America.

Unbelievably, though they are fraught with

risk, a driver's licence is still an acceptable MOI for boarding aircraft on domestic flights in both the US and Canada. Governments bombard us with concern about terrorism and yet many provincial and state governments subcontract the issuing of driver's licences to private vendors without a rigorous plan for maintaining integrity over the issuing process.

In all our identification-based training, we highlight the true value to investigators of driver's licences and similar access tokens: the biographical information retained by the issuer. That biographical information can help an investigator assess how truthful a subject answers questions when identity is a concern. We incorporate training that builds competencies for maximizing intuition – your gut instinct that something isn't quite right. That is the most important indicator of a problem, but it cannot function unless you educate yourself leading to informed diligence.

Our final article will provide more details on individual identification documents defined in this article. It will provide you with the ability to analyze the risks to privileges, benefits and services access tokens for yourself. Most are of extraordinarily high risk if accepted at face value by law and regulatory officers as affirmation that the bearer is who they say they are.

This is the second of three articles on policing identification based crime – the first, *Threats of the new millennium*, ran in the Nov. 2006 issue of *Blue Line*. John Lyons can be reached at AlterNation_jrl@cogeco.ca.

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