

## *STRANGE BEDFELLOWS?*

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PINE BLUFFS — What do computer giant Hewlett-Packard, an East Coast firm of Private Investigators, and Republican Senatorial candidate, Mike Steele, have in common? They were all victims of Pretexting.

Pretexting — the practice of acquiring the personal information of others by subterfuge, such as impersonation — has been very much in the news lately. When Mark Hurd, President, Chief Executive Officer (CEO) and Chairman of the Board of Hewlett-Packard, took the witness stand before the House Committee on Energy and Commerce's Subcommittee on Oversight and Investigations on September 28, 2006, he tearfully apologized for his company's use of private detectives who employed this practice. Heretofore, Hewlett-Packard's reputation in the public domain had been impeccable. Victim one.

Labeled "The Hewlett-Packard Pretexting Scandal" by the media, the situation arose when H-P's former Chairwoman, Patricia Dunn, while attempting to track down the source of anonymous leaks of proprietary information by H-P insiders to reporters, hired detectives to investigate other members of the Board of Director. Overzealous to say the least, these agents of the company obtained reporters' telephone records without permission, by impersonating journalists from several news organizations in the practice known as Pretexting. Predictably, when newspaper and magazine reporters

realized that if their telephone records could be accessed by outsiders, it would be extremely difficult to keep their sources secret, a media frenzy ensued.

Never mind that in the '70s and '80s, the media — specifically Television — had made Pretexting respectable with its TV shows dealing with private investigators. I'm recalling James Garner's portrayal of ex-con Jim Rockford in *The Rockford Files*, David Janssen's *Harry O*, who knew all the scams and wasn't above using them, and Tom Selleck's Thomas Magnum of *Magnum, P.I.* While these immensely popular TV series were running, nothing was heard from the media about violations of anyone's rights to privacy, or the probable impropriety of the tactic.

Although not illegal back then, Pretexting *is* illegal now. In 1999, the Gramm-Leach-Bliley Act made it a crime to make false or fraudulent statements for the purpose of obtaining information from a financial institution, a customer of a financial institution, or to ask another person to obtain this type of information for you. If it hasn't already happened, look for indictments of several private investigators in the firm hired by H-P soon. Victim two.

Here's victim three; another blatant situation, about which I'll bet you haven't heard. The perpetrator was a Democrat; the victim, a prominent Republican. During 2005 with the Maryland political situation heating up, Lauren B. Weiner, a former research associate for the Democrat Senatorial Campaign Committee (DSCC), pretended to be Republican Lieutenant Governor Michael Steele, thought at the time to be the most-likely opponent of Congressman Ben Cardin (D-MD) in the upcoming race to replace retiring Democrat Senator Paul Sarbanes. Winning, you see, is everything to

these people. They forgot that the end does NOT justify the means.

According to a Justice Department press release, Weiner conducted public records searches on Steele, discovered his social security number, and used it to obtain his credit report.

Major credit bureaus permit one to obtain a free copy of his or her own credit report online. Weiner approached Experian, but was stymied since it required Steele's driver's license, which she did not have. She then tried TransUnion. There she was able to set up a pass-word protected account and, using her DSCC computer, requested that Steele's financial report be e-mailed to her Yahoo account, [gopsteele@yahoo.com](mailto:gopsteele@yahoo.com). Her supervisor found out, reported it to the District Attorney's office, and after an FBI investigation, Weiner was indicted.

An investigator does not have to lie, cheat or steal for a client. He can obtain much personal information on others in legitimate ways, because that information is out there. For example, if you've been divorced or named a party to a civil or criminal suit, your full name, home address, date of birth, the name of a former spouse, and your children, if any, are matters of public record.

So too is your marriage license, which contains the names of you and your intended, prior addresses, dates of birth, and names of the parents of each spouse. And if you attended college, the years you were there, and the degree earned are readily available to any investigator with the expertise to conduct a search. Driver license information, a bit harder to obtain, is accessible by a private investigator who can demonstrate a need to know.

Private Investigators DO have a professional Code of Ethics, and most of us

attempt to live up to it as we go about our daily business. By calling attention to this illegal practice, hopefully it will disappear completely, before it claims any more victims.

Meanwhile, has the Democrat Senatorial Campaign Committee or the Democrat Central Committee of Maryland, disavowed this tactic? Has Ben Cardin apologized to Mike Steele for this dirty trick, done to enhance his chances of winning a Senate seat? No, and don't hold your breath until they do.

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