

Hacked to Death

By Jack English

Chapter One: What a Drag

Jack English parked across the street from a large, brick, mid-century ranch house on an oversized lot. It was on Montpelier Avenue in Absecon, New Jersey, a small town across the back bay from Atlantic City. The house was unremarkable except for the Lamborghini and two Ferraris parked in the driveway. A half million dollars' worth of cars was bound to be noticed.

He approached the house cautiously. The front door was open a crack. Iron Butterfly's "In-A-Gadda-Da-Vida" was playing. The bass was cranked all the way up. He could feel it in his bones.

He knocked on the partly opened door. "Hello? Anybody home?" He didn't get a response and pushed the door open with his fingertips. There were blood streaks on the floor. Whoever was bleeding was bleeding a lot. They had been dragged down the hall and around the corner.

He followed the bloody drag marks, taking care not to step on them. The drag marks led to what would have been a den in most homes. But this room looked more like a computer lab than a den. There was a rack of computer processors against

one wall and oversized computer monitors sat on worktables. Cables hung like the threads of a spiderweb from the ceiling.

Three bodies lay in the center of the room. One of the bodies had a double tap to the chest. The drag marks led to that body. The other two people had been shot in the head, execution style. The bodies were lined up next to each other like sausages in a pan. A computer printed note had been left on the chest of one of the victims. It said, *Hacking is Death.*

Chapter Two: Diversity Hire

Atlantic City, Three Weeks Earlier

Jack English finished court early and walked to his friend's office. Roy Packett had been the Atlantic County prosecutor for a couple of years, and in that time, he had prosecuted nearly every kind of crime known to man or woman.

The door to Packett's office was open and English peeked inside. Will McDuff and a man he didn't recognize were standing there. McDuff was a thin black man who was a wicked smart detective. While most detectives were satisfied pounding shoe leather and rounding up suspects, McDuff made it his business to read everything he could get his hands on regarding investigative

techniques. If anything new was in the works, he knew about it.

The other man was young, full of energy, narrow at the shoulders, and sported unruly blonde hair. He talked with his hands.

Rather than intrude, English stood quietly in the hallway. He couldn't quite hear what they were saying until the man he didn't recognize said in a loud voice. "Hackers should all be shot!"

Packett held up his hand in the man's direction. "That's not the way we do things in Atlantic County. We take a dim view of shooting people."

The man spread his hands. "I understand that has got to be the official position. But hackers are hard to find and when we find one, all they get is a slap on the wrist. A slap on the wrist is not going to stop the next hacker from screwing people over. The only way to deter hackers is with an ounce of lead delivered with extreme prejudice."

Packett gave him a hard look.

The man tried to recover. "Sorry. Sometimes I'm a little too outspoken for my own good. Of course, the law has got to take its course. And, I agree that our job is just to investigate. Then it's up to you and your people and judges and the juries to do what needs to be done."

Packett looked up and saw English standing outside his door. "Jack, come on in. Let me introduce you to Joe Nardi, our newest detective. Joe comes to us by way of the NYPD. Joe, this is

Jack English, sometime adversary in court and long-time friend out of court.”

Nardi offered his hand to English, who shook it.

“Glad to meet you,” Nardi said.

“Likewise,” English said. “Hi, Will. How are you doing?”

“Same as always, Jack, taking it one day at a time and trying not to screw up the details.”

“You don’t have to worry about that, Will. You are the most meticulous detective I have ever met.”

Then he turned toward Packett. “I didn’t mean to intrude on your conversation. I was just in the building and I thought I’d walk you over to the clubhouse.”

“What clubhouse?” Nardi asked.

“It’s a bar where lawyers hang out.” McDuff gave it a subtle thumbs down.

Nardi nodded. He got the message and followed McDuff out the door.

Roy Packett put on his suit coat and headed to the door. Jack English followed. Once they were out of the building, English said, “Your new man has some very definite ideas about law and order.”

Packett sighed. “He’s an affirmative action hire.”

“Affirmative action? The way he talked, I thought he was Italian.”

“He is. It’s not that kind of affirmative action. A defendant claimed that our detectives were planting evidence and covering for each other. The defendant was never able to prove anything, but he

presented evidence that 86% of our detectives graduated from Atlantic City High School. A Federal District court said that was just too cozy a relationship. It ordered a freeze on Atlantic City High School hires until that ratio dropped to 50%.

“We needed to replace a retiring detective and Nardi had the highest exam score by a dozen points. We got three favorable, though not enthusiastic, recommendations from the NYPD and under civil service rules we were stuck with him.

“A week after he came on board, I got an anonymous package from New York. It said Nardi had been involved in two fatal shootings. Internal Affairs cleared him both times. But the city got sued. They paid out a half million on one and two million on the other.”

“Ouch!” English said. “Don’t let him near my clients.”

“Once I found out about his record, I confronted him. He confirmed the shootings and payouts. He said if we had asked about them during the interview, he would have discussed them. We never asked, so he never volunteered.

“I thought about terminating him, but he never hid anything and never lied during the application process. So, we’re stuck with him, at least until he screws up.”

“What was he saying about shooting hackers?”

“Somebody stole his credit card number and ran up a big bill. It took him two years to straighten it out. His credit rating still has a ding in it.”

“What brought all that up?”

“Will mentioned the ransomware attack on Baltimore and said we should make ourselves smart in cyber security. Of course, that takes money and the county wants to spend less money on the Sheriff’s Department rather than more. I said I’d see whether I find money for him to attend a cyber security boot camp.”

They arrived at the clubhouse, their name for Flannagan’s Bar and Grill. Flannagan’s wasn’t a hole in the wall bar. It was a hole in the block bar. It didn’t have frontage on any street. The only way to get to it was down an unmarked, blind alley. Its unusual geography was the result of a collision between urban planning, casino redevelopment, local zoning and the Methodist Temperance League, which owned several key properties fronting the street.

Flannagan’s had a couple of advantages that made it a hit with the local bar association. It was a short walk to the Atlantic County courthouse and because it was down a blind alley, it didn’t attract tourists.

Jack English and Roy Packett sat with Jay Herndon and Bernie Rothman. Herndon was the dean of the Atlantic County Plaintiff’s bar and was the oldest and richest of all of them. Bernie

Rothman was a defense lawyer; enough said about Bernie.

Flannagan's other attraction for Jack English and his friends was its central location. It was a short walk in one direction to Jack English's office, a short walk in the opposite direction to Bernie Rothman's office and it was close to the prosecutor's office and courthouse so all Roy Packett had to do was cross the street. Jay Herndon's office wasn't much farther away.

"You guys look like you are up to something," Herndon said. "Care to let us in?"

Packett gave English a sideways glance then turned back toward Herndon. "Death to hackers!"

Chapter Three: The Visitor

That afternoon, back at the office, Jack English looked up from the brief he was writing and saw his secretary Buick standing at his door. She was a heavysset, middle aged woman. She crooked her thumb toward the outer office. "You got a swell waiting to see you."

"Who is it?"

"He wouldn't say."

"What makes you think he's a swell?"

"The two-thousand-dollar suit."

"Is he a defense lawyer?"

"Not a clue. Should I show him in? Or what?"

"If he's a defense lawyer maybe he wants to settle a case and we could use the money. If he's a

new client, and there is a buck to be made, we can't afford to turn him away. Show him in."

A man appeared over Buick's shoulder.

"Hi Jack, thanks for seeing me without an appointment."

"Tony Corsetti! Wow! I haven't seen you since high school." English stood, shook his hand and pointed him to a wing chair opposite his desk.

Anthony Corsetti and Jack English went to Atlantic City High School together and they got in trouble together. They were both suspended for fighting after a basketball game with Hammonton High. They said they didn't start it, but who knows? A few weeks later, they were stopped by the Hammonton Police for raiding a pumpkin stand. The police held them for a few hours, but because there were no pumpkins in English's car, and no eyewitnesses, they eventually let them go.

You can never tell how people are going to turn out. Corsetti went to NYU and studied finance. After a tour with Goldman Sachs, Corsetti wound up as the president of Frank Farley Bank and Trust, the largest privately held bank in South Jersey. Jack English went to Rutgers in Camden and was supposed to major in history. In reality, he majored in fraternity parties. After college he did a tour in the Army where he learned to box. Boxing is like fighting, but with rules. After the Army, he taught at Atlantic City High School, where he coached the boxing team while going to law school at Rutgers' Camden campus at night.

“It’s good to see you,” English said. “I heard you got the top spot at Farley Bank. But I sense this isn’t a social call. What’s up?”

“We’ve been hacked.”

“There is an epidemic of hacking these days. What do you want me to do? Sounds like a job for your computer weenies. Have you notified the FDIC? The FBI? Other regulators? Do your investors know?”

Corsetti stroked his brow. “They all know.”

“Then what do you want me to do?”

He spread his hands in frustration. “I don’t know. I mean, I know what I want, I just don’t know whether you can help.”

English slid a yellow pad onto his desk. “Tell me what happened. Let’s see what we can figure out.”

“Someone got into our system and poked around looking for inactive accounts. Periodically we’re required to verify whether people are still alive and if no one responds to our query, we escheat the balance to the state. You know what that is?”

“I’m a lawyer. I know what it means to escheat an account. The state figures they are entitled to all abandoned money and if one of your accounts appears to be abandoned you have to send the money to them.”

“Right. Hackers looked for inactive accounts and withdrew the money. No balance meant no escheat notices went out to account holders.”

“Were the accounts abandoned? If I had money in a bank, I’d watch it like a hawk. No offense.”

“None taken. People move in and out of the Atlantic City all the time. They may have simply forgotten they had a certificate of deposit with us. People set up accounts for retirement and forget about them. Account holders die off and their heirs don’t know about accounts. There are a million reasons why someone would leave money behind.”

“Don’t you have passwords and firewalls and things like that?”

“Sure. We have a firewall, but somebody figured out how to get behind it.”

“Doesn’t theft insurance cover this kind of thing?” English asked.

“The damned insurance company claims that the hack was an act of war. Our policy excludes acts of war.”

“You are kidding.”

“I’m not. The *Wall Street Journal* wrote an editorial on hacking as an act of war. There are Russian hackers, Chinese hackers, North Korean hackers, Ebonian hackers...”

“Ebonian?”

Corsetti waved him off with the back of his hand. “You get the picture. There are so many state or quasi state actors hacking systems they said that unless and until we can prove the hack was done by domestic crooks, they are going to claim it’s an excluded act of war.”

“Tony, I still don’t know what you want me to do.”

“In a perfect world, you would prove these hackers are not state actors so the war exclusion doesn’t apply and you would find somebody to sue so we can get our money back. Our insurance policy for theft or embezzlement has a million-dollar deductible.”

“Ouch! Your bank must have lawyers. Why come to me?”

“To be honest, they’re all paper pushers. They write loan agreements and chase bad loans and file paperwork with regulators. I need a scrappy, independent thinker on this. I need someone I can trust. And, I need someone who is not afraid to get off their fat ass to do a little investigating.”

“Tony, I don’t know squat about computers.”

“Well, maybe that’s what I need. My IT guys have got their heads so far up their... data stream all they can see is bits and bytes. I need somebody who can stand back and see the big picture.”

“There has got to be more to it than that. I’m a little offbeat, one-man operation. You can hire an army of private investigators. You can hire any law firm you want. What gives?”

Corsetti rested his arm on English’s desk and leaned in. The truth is, the FDIC is more interested in finding fault with the way I run the bank than helping. They are just looking for someone to blame, not get my money back. The other law firms I talked to said the regulators need someone

to sacrifice or the bank will be put in receivership. And, the investors are about ready to lop off my professional head. I've got to do something quick. Jack, you are the only person I can trust to get me out of this crack."

Chapter Four: Death by a Thousand Cuts

"How did you find out you had been hacked?" Jack English asked.

"It was death by a thousand cuts," Anthony Corsetti said.

"What do you mean?"

"I got an angry letter demanding to know what happened to a hundred-thousand-dollar certificate of deposit. I had my people investigate and they said the account holder cashed in the certificate two months before the date of the letter. They showed me the paperwork and everything. I sent a copy of the paperwork to the account holder and they denied they withdrew the funds. That triggered a lawsuit.

"A week later, three more account holders demanded to withdraw funds from accounts that had been closed. Every time we checked, we found paperwork to document the withdrawal funds and to close the account. I put our internal auditors on it and they worked with IT to find out whether the account holders were trying to double dip – withdraw the same funds twice – or what was

going on. Meanwhile, our legal department got involved. As you know, under the Uniform Commercial Code, if a bank pays over a forged or altered instrument the bank is liable for the funds. So, we started looking into the possibility that the withdrawal paperwork was forged.”

“When you say paperwork, do you mean actual, physical paper?”

“No, everything is electronic. When someone wants to cash out a certificate of deposit or withdraw a large sum, they sign a form. The form is scanned and stored as an image. We don’t keep physical paper.”

“And?”

“The signatures on the withdrawal forms were computer generated. That’s when we knew we were being hacked.”

“Was it an inside job?”

“Could be.”

“What did you do?”

“What could we do? We reported it to the FDIC and everyone else who regulates us. And, of course, they sent teams of auditors.”

“What did they find?”

“Sixteen expense accounts were improperly prepared. Forty-three penalties for early withdrawal were miscalculated. Eleven employees weren’t paid overtime they were entitled to. Six people were abusing our sick leave policy. Nine forms that we no longer use were in our storeroom. And the list goes on.”

“But they didn’t find out who was hacking your system.”

“No.”

“Tony, you know I’d help you if I could, but I don’t know anything about computers or hacking or any of that stuff. You need a computer weenie.”

“I can’t talk to those people. It’s like they are speaking a different language. And when you ask them to explain two plus two, they babble on in computer gibberish for an hour and then they never really answer your question.”

English spread his hands. “Honestly, I don’t know how I can help.”

“Tell you what, spend a couple of days poking into this for me and if you still don’t think you can help, say so and I’ll move onto someone else.”

“I don’t know. I have other cases to work.”

“Work with me in your spare time. I’ll give you four hundred an hour.”

“I still don’t....”

“Tell you what, I’m having a cocktail party tonight. Nothing big. Just thirty or forty people. There will be a lot of bankers there. Think of it as a networking event. There will also be a few casino executives. Where there are casino executives there are show girls, if you know what I mean. You might even run into one or two Atlantic City High School grads. Here’s my address.” Corsetti slid a piece of paper across the desk.

“I’ll see what I can do.”

As Corsetti reached the door he turned back toward English. “Oh, did I mention it’s black tie? You want to make a good impression, right?”