

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
UNITED STATES OF AMERICA
:
 - v. -
:
RICHARD LIRIANO,
:
 Defendant.
:
----- X

SEALED
INDICTMENT

19 Cr.

19 CRIM 796

COUNT ONE

(Computer Intrusion - Intentionally Damaging Computers)

The Grand Jury charges:

Relevant Persons and Entities

1. At all times relevant to this Indictment, Hospital-1 was a hospital based in New York, New York.
2. At all times relevant to this Indictment, RICHARD LIRIANO, the defendant, was an employee of Hospital-1.

Overview of the Criminal Scheme

3. From at least in or about 2017, up to and including at least about in or about September 28, 2018, RICHARD LIRIANO, the defendant, misused administrative access provided to him as an information technology employee to log in to employee accounts, and copy other employees' personal documents, including tax records, and personal photographs onto his own workspace computer for his own personal use.

4. To further his efforts to steal personal information from Hospital-1 employees, RICHARD LIRIANO, the defendant, without authorization, secretly installed a malicious program known as a keylogger on the accounts of other, primarily female, employees. This program recorded and sent victim employees' keystrokes to LIRIANO, which included the usernames and passwords those employees entered to access their personal web-based email accounts. Through the course of this conduct, LIRANO stole usernames and passwords for at least approximately 30 email accounts belonging to Hospital-1 employees or persons associated with those employees (the "Compromised Accounts").

5. RICHARD LIRIANO, the defendant, then used those stolen usernames and passwords to log in to the Compromised Accounts and obtain unauthorized access to other password-protected email, social media, photographs, and online accounts to which the Compromised Accounts were registered. Among other things, LIRIANO conducted searches for personal photographs in the Compromised Accounts.

6. As a result of installing unauthorized keylogger software, RICHARD LIRIANO, the defendant, caused far in excess of \$5,000 in losses to Hospital-1, which included costs incurred by Hospital-1 to investigate the incident, as well as

to remediate and remove the unauthorized malicious keylogger software from their networks.

Statutory Allegations

7. From at least in or about 2017, up to and including at least on or about September 28, 2018, in the Southern District of New York and elsewhere, RICHARD LIRIANO, the defendant, knowingly and willfully caused the transmission of a program, information, code, and command, and as a result of such conduct, intentionally caused damage without authorization to a protected computer, and caused loss to one and more persons during any one-year period aggregating at least \$5,000 in value, and caused damage affecting 10 or more protected computers during any one-year period, to wit, LIRIANO installed keylogger software without authorization on other Hospital-1 employee work accounts to collect usernames and passwords for employee personal accounts.

(Title 18, United States Code,
Sections 1030(a)(5)(A), 1030(c)(4)(B)(i), 1030(c)(4)(A)(i)(I)
and (VI) and 2.)

COUNT TWO

(Computer Intrusion - Recklessly Damaging Computers)

The Grand Jury further charges:

8. The allegations in paragraphs 1 through 6 of this Indictment are repeated and realleged as if fully set forth herein.

9. From at least in or about 2017, up to and including at least on or about September 28, 2018, in the Southern District of New York and elsewhere, RICHARD LIRIANO, the defendant, intentionally accessed a protected computer without authorization, and as a result of such conduct, recklessly caused damage, and caused loss to one and more persons during any one-year period aggregating at least \$5,000 in value, and caused damage affecting 10 or more protected computers during any one-year period, to wit, LIRIANO installed keylogger software without authorization on other Hospital-1 employee work accounts to collect usernames and passwords for employee personal accounts.

(Title 18, United States Code,
Sections 1030(a)(5)(B), 1030(c)(4)(i)(A)(I) and (VI), and 2.)

COUNT THREE
(Aggravated Identity Theft)

The Grand Jury further charges:

10. The allegations in paragraphs 1 through 6 of this Indictment are repeated and realleged as if fully set forth herein.

11. In or about September 2018, in the Southern District of New York and elsewhere, RICHARD LIRIANO, the defendant, knowingly transferred, possessed, and used, without lawful authority, a means of identification of another person, during and in relation to a felony violation enumerated in Title 18, United States Code, Section 1028A(c), to wit, during the commission of the offenses charged in Counts One and Two of this Indictment, LIRIANO installed and used keylogger software without authorization to steal personal identifying information of a female Hospital-1 employee ("Victim-1"), and then used that information to log in to Victim-1's personal e-mail account to conduct searches for photographs and other personal and confidential information belonging to Victim-1.

(Title 18, United States Code, Sections 1028A(a)(1), 1028A(b), and 2.)

FORFEITURE ALLEGATIONS

12. As a result of committing the offenses alleged in Counts One and Two of this Indictment, RICHARD LIRIANO, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 1030(i), any and all property, real or personal, constituting or derived from, any proceeds obtained directly or indirectly, as a result of said offense, and any and all personal property that was used or intended to be used to commit or to facilitate the commission of said offenses, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offenses.

Substitute Asset Provision

13. If any of the above-described forfeitable property, as a result of any act or omission of RICHARD LIRIANO, the defendant:

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred or sold to, or deposited with, a third person;

(3) has been placed beyond the jurisdiction of the Court;


(4) has been substantially diminished in value;

or

(5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 1030, Title 21, United States Code, Section 853, and Title 28, United States Code, Section 2461.)



GEOFFREY S. BERMAN
United States Attorney

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Defendant.

SEALED INDICTMENT

19 Cr. ____

(18 U.S.C. §§ 2, 1030, and 1028A.)

GEOFFREY S. BERMAN

United States Attorney.

BILL

FOREPERSON
