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College of Health Sciences and Public Policy

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Abstract

Identity Theft Prevention Measures for State Unemployment Benefits Offices:

A Case Study of Workforce West Virginia

by

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MS, Chaminade University of Honolulu, 2011

BA, Coastal Carolina University, 2003

Dissertation Submitted in Partial Fulfillment

of the Requirements for the Degree of

Doctor of Philosophy

Public Policy and Administration

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## Abstract

Identity theft continues to pose an increasingly complex problem for government benefits offices. The purpose of this study was to explore the environmental factors that affected a state unemployment benefits office's ability to reduce identity theft. Current research focused on protecting information systems' hardware, software, and related infrastructure, focusing on cyberattacks such as phishing, Trojan horses, or illegal access. The U.S. government focuses on informing the consumer and assisting small businesses through risk assessments, strategic plans, and regulations for cybersecurity. Researchers have not conducted a thorough investigation of the environment that makes state government benefit offices susceptible to identity theft. The theoretical framework for this study was open systems theory using the six dimensions of digital governance. The research question involved the identification of the barriers to a state unemployment benefits office's ability to reduce identity theft. A qualitative case study approach concentrated on the external environmental factors that affect the system. Data collection included documents, archival records, and artifacts from multiple sources. The outcome of this research may help to inform state governments to improve policies and procedures by providing administrative, operational, and technical controls. This study has implications for positive social change to inform efforts to reduce human costs (identity theft) and financial costs (government program fraud and individual recovery).

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## Dedication

I would like to dedicate this dissertation to my family. To my wife, Jennifer, thank you for the moral support and always being ready with words of encouragement. And to my children, Leo, Stella, and Magnolia, never stop learning. Thanks to my dad, John, for leading the way. And to my mom, JoEllen, always ready with a home cooked meal. And to my brothers, beat you.

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## Chapter 1: Introduction to the Study

### Introduction

Identity theft is a growing problem in the United States and will continue to cause a significant problem for government entities to prevent. Thirty-three % of Americans face some form of identity theft, with 1.4 million Americans reporting an estimated loss of \$52 billion in 2021 alone (Federal Trade Commission [FTC], 2023). *Identity theft* and *identity fraud* are the terms used to refer to all types of crime in which someone wrongfully obtains and uses another person's personal data in some way that involves fraud or deception, typically for economic gain (Department of Justice [DOJ], n.d.). This study focused on state unemployment benefits as the 2020 COVID-19 global pandemic highlighted the vulnerability specific to the state government offices that administer unemployment benefits.

This chapter includes the background of the problem, problem statement, purpose of the study, and research questions. For the purpose of this study, I will use the term *identity theft* when referring to fraudulently obtaining government benefits using the victim's personal information to avoid confusion with the general category of *fraud*. Chapter 1 will also include the theoretical framework, significance of the study, nature of the study, assumptions, limitations, delimitations, and definitions of terms, finishing with a summary. I will also introduce the qualitative case study and the use of content analysis. The results of this study may provide insight for state officials to protect consumers. This study has implications for positive social change, to contribute to

reducing human costs (identity theft) and financial costs (government program fraud and individual recovery).

### **Background**

Identity theft is a lucrative crime affecting millions of people worldwide each year. Since 1997, the FTC has collected tens of millions of reports regarding all types of fraud (FTC, 2023). From 2020 to 2021, fraud cases rose 70%; in 2021, the FTC received 5.7 million cases of fraud resulting in over \$2.8 billion in losses (National Council on Identity Theft Protection, 2022). The FTC further divides fraud into the subcategory of identity theft, which represented 25% of all reported fraud in 2021 (FTC, 2022). Continuing the trend in 2022, identity theft represented the most reported type of fraud, representing 22% or over 1 million reports (FTC, 2023). As of 2022, younger people aged 20–29 represented the largest group affected by identity theft at 43%, while individuals over the age of 80 had the highest reported income loss (FTC, 2023). Overall, 33% of Americans face some form of identity theft, with 1.4 million Americans reporting an estimated loss of \$52 billion in 2021 alone (FTC, 2023). Identity theft is not a new crime, but the online environment has resulted in changes in the nature of identity theft.

Government responses to the COVID-19 pandemic thrust state unemployment benefits offices into the spotlight. In 2020, Congress passed the Coronavirus Aid, Relief, and Economic Security (CARES) Act in March and the subsequent Coronavirus Response and Consolidated Appropriations Act in December (Department of the Treasury, n.d.). The CARES Act implemented a variety of programs to provide financial aid to Americans (Department of the Treasury, n.d.). Included in the relief package was

over \$350 billion in emergency funding for state, local, territorial, and tribal governments (Department of the Treasury, n.d.). Each state administers unemployment benefits under its own law with oversight from the U.S. Department of Labor Office of the Inspector General (DOL IOG; Department of Labor, 2022). The week of March 21 saw the largest increase of unemployment insurance claims by 1,062% over the previous week (Sjoquist & Wheeler, 2021). Many victims remained unaware their identity was used to obtain government benefits until a 1099G arrived in the mail. During the global pandemic of 2020, the dependence on technology to obtain government benefits led to a dramatic increase in identity theft (DOJ, n.d.). State unemployment offices were not prepared for the dramatic increase in unemployment insurance claims.

In West Virginia, the state unemployment benefit office, Workforce West Virginia, received more than 150,000 unemployment claims in March and April 2020 (Office of the Governor, 2020). Typically, Workforce West Virginia would receive an average of 3,400 claims per month (Office of the Governor, 2020). By April 23, West Virginia Governor Jim Justice announced the state had completed the backlog of unemployment claims (Office of the Governor, 2020). Any claims with discrepancies would need to be handled in person with a Workforce West Virginia employee (Office of the Governor, 2020). With an increase of over 2,000% over the 2-month time period, West Virginia was an example of a national trend expedited unemployment claims for Americans.

## **Problem Statement**

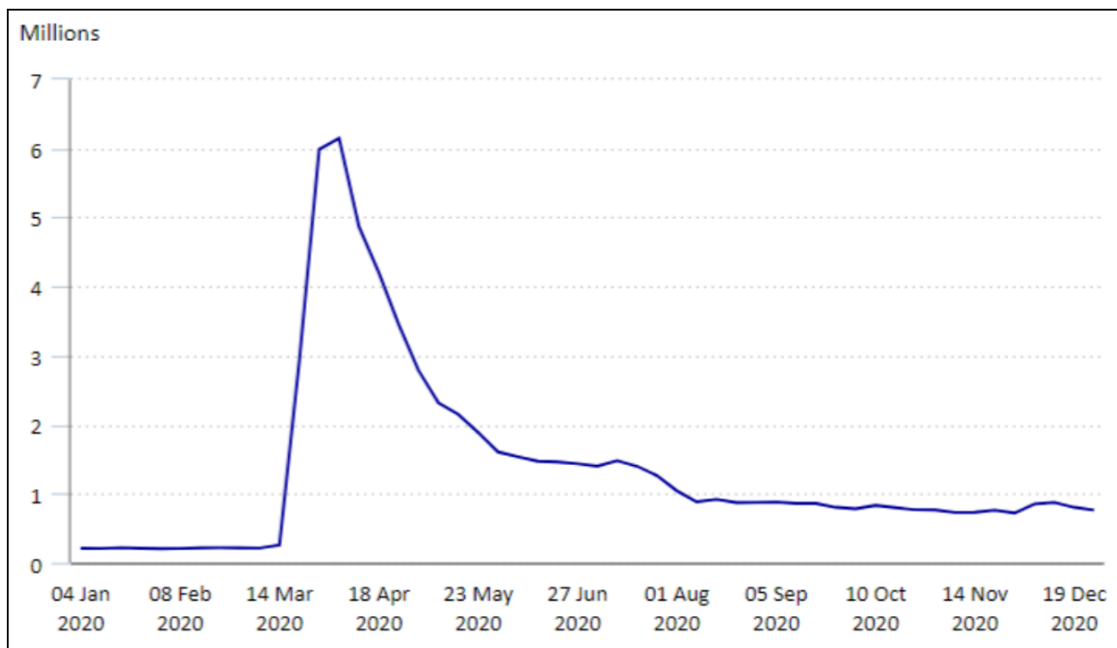
Identity theft continues to pose a problem for government entities. In 2019, more people filed an identity theft claim than any other type of consumer fraud (FTC, 2020). Stolen identities are used to obtain fraudulent government benefits or open lines of credit (FTC, 2020). The FTC (2020) received almost 1.4 million reports of identity theft in 2020. The most common type of identity theft was benefits, with an increase of 1.663% from 2019 (FTC, 2020). State unemployment offices that quickly processed claims during the pandemic estimated total fraud claims to total over \$26 billion in unemployment benefits (FTC, 2020). Figure 1 highlights the dramatic increase in unemployment benefits applications in 2020.

The overwhelmed unemployment insurance system can easily become a target for fraud or criminal activity. Obtaining fraudulent government benefits is a common target for identity theft. According to the National Council on Identity Theft Protection (2022), nearly half of all U.S. citizens became a victim of some form of identity theft in 2020. The DOJ IOG also estimated 18% of all pandemic-related claims were fraudulent, resulting in an estimated \$872.5 billion in overpayments (Office of the Inspector General, 2022). The National Council on Identity Theft Protection (2022) also reported the average money lost to identity theft had doubled since 2019, with a \$500 median loss. Individuals aged 30–39 were the most targeted for identity theft (FTC, 2023). While deployed, active-duty members of the armed services were also vulnerable, representing 34% of cases (FTC, 2023). Despite the staggering increase in identity theft, government agencies focused on educating individuals to prevent them from becoming victims.



**Figure 1**

*Number of Initial Claims (in Millions) for Unemployment Insurance, Regular Unemployment Insurance Program, 2020*



*Note.* From “Applying for and Receiving Unemployment Insurance Benefits During the Coronavirus Pandemic,” by P. Carey, J. A. Groen, B. A. Jensen, T. J. Krolik, and A. E. Polivka, 2021, U.S. Bureau of Labor Statistics (<https://doi.org/10.21916/mlr.2021.19>). In the public domain.

### **Purpose Statement**

The purpose of this study was to explore the environment around state unemployment benefits offices. I investigated the environmental factors that affect the ability of the state unemployment office from preventing identity theft. In this study, I also researched the current efforts of state governments to reduce the financial cost and

human cost of identity theft. I further researched the primary factors influencing identity theft prevention for legislative, budgetary, and legal constraints. A qualitative case study approach was used to address the gap in the literature. This qualitative case study used content analysis on the documents, archival records, and artifacts in an information-rich case from one state unemployment benefits office.

Most qualitative research on government policies has focused on standards for cyberdefense, the architecture of a cybersecurity framework, or security threats and attacks (Srinivas et al., 2018). Empirical research regarding cyberfraud has focused on private banking or retail industry fraud and the methods used to detect and prevent fraud (Okeke, 2015). Academic research has not addressed the state unemployment benefits office. The problem could be explored through a series of case studies on individual government agencies that administer unemployment benefits to understand the contextual environment (see Ravitch & Carl, 2021). An empirical research study investigating the environmental factors that affect a state unemployment benefits office's ability to prevent identity theft could remedy the situation. This problem impacts two aspects of the social problem: the human cost (identity theft) and the financial cost (government program fraud and individual recovery).

The purpose of my research was to provide a qualitative study to understand the environment that makes state unemployment benefits offices susceptible to identity theft. I conducted qualitative research through a case study. My alignment was an inductive research approach using open systems theory (OST). I used archival documents as the method of data collection to conduct content analysis. I used computer-aided/assisted

qualitative data analysis software (CAQDAS) to ensure transferability, confirmability, and dependability. The research results will provide empirical evidence regarding government policies and procedures toward state unemployment benefits offices to inform public policy decisions. The end goal was to improve procedural security measures and protect individuals and government entities from identity theft, thus reducing the human cost resulting from identity theft and the financial burden for government programs and individual recovery.

### **Nature of the Study**

Identity theft continues to pose an increasingly difficult problem for government entities. In 2019, more people filed an identity theft claim than reported any other type of consumer fraud (FTC, 2020). Stolen identities are used to obtain fraudulent government benefits or open lines of credit (FTC, 2020). The FTC received almost 1.4 million reports of identity theft in 2020 (FTC, 2020). The most common type of identity theft was benefits, with an increase of 1.663% from 2019 (FTC, 2020). State unemployment offices that quickly processed claims during the pandemic estimated total fraud claims to total over \$26 billion in unemployment benefits (FTC, 2020).

Most qualitative research on government policies focuses on standards for cyberdefense, the architecture of a cybersecurity framework, or security threats and attacks (Srinivas et al., 2018). Empirical research regarding cyberfraud focuses on private banking or retail industry fraud and the methods used to detect and prevent fraud (Okeke, 2015). Research focused on state-level offices does not exist. Using the state unemployment benefits office as the unit of analysis, I explored the variables from the

external environment. This problem impacts two aspects of the social problem: the human cost (identity theft) and the financial cost (government program fraud and individual recovery).

The problem negatively impacts the lives of the victims creates costs for taxpayers. As Ravitch and Carl (2021) noted, this topic may be explored through a series of case studies on individual government agencies to understand the contextual environment. There is an identified gap as empirical research regarding identity theft focuses on private banking or retail industry fraud and the methods used to detect and prevent fraud (Okeke, 2015). Qualitative research on government policies focuses on standards for cyberdefense, the architecture of a cybersecurity framework, or security threats and attacks (Srinivas, et al., 2018). A scholarly approach can be applied to avoid bias during investigation of the phenomenon. An exploratory case study on the environmental factors that affect state unemployment benefits offices' ability to prevent identity theft will provide guidance for future research and prevention measures.

Case study provides the proper method to examine a social science topic. As this study was exploratory to understand the phenomenon and describe the environment of casual relations, case study provided the rationale to understand the "how" and "why" (Yin, 2018). The scope of a case study supports an empirical inquiry into contemporary phenomena and boundaries within the environment (Yin, 2018). Case study also provides the ability to properly define the boundary between the organization and the environment (Yin, 2018). As noted by Yin (2018), case study provides the flexibility to define the unit of analysis, the assembly of qualitative data, and the criteria for analyzing the study's

findings. Content analysis was used to develop descriptions and analyses of the complex social phenomenon of political discourse. For this study, the qualitative case study provided the best method to understand the limited knowledge base and adapt a conceptual framework.

I conducted a qualitative case study of West Virginia's state unemployment benefits office, Workforce West Virginia. A qualitative case study has flexibility and can suit the diversity of a study (Hyett et al., 2014). I used the postpositivist viewpoint that requires developing a clear case study protocol with careful considerations for validity and bias to produce a generalized understanding of the problem (Hyett et al., 2014). Qualitative case study allows for data collection and analysis for complex phenomena explored through a variety of factors. It allowed me to determine the unit of analysis from document coding and allowed me to study the phenomenon within the natural context of the outside factors of the system (see Hyett et al., 2014). OST and qualitative case study methodology provided the greatest flexibility to study the environmental factors that influence the government policies and procedures of state unemployment benefits offices.

I chose West Virginia because it is my home state, and I was also a victim of identity theft. While I was deployed overseas with the military in 2020, my identity was used to secure unemployment benefits in multiple states and federal programs; West Virginia was one of those states. West Virginia ranks 43<sup>rd</sup> in terms of reports per 100,000 (FTC, 2022). It totaled \$10.2 million in fraud losses in 2021, with identity theft as the second most reported category (FTC, 2022). Among the identity theft category, benefits fraud represented 38% (FTC, 2022). According to the National Association of State

Budget Officers (2022), West Virginia total expenditures for fiscal year 2021 were \$19.1 billion. Although \$10 million may not seem like a large portion of the budget, for West Virginia it has potential implications.

For comparison, the lost revenue from fraud losses was equal to the 2021 budget for the Division of Justice and Community Services (Senate Bill 150, 2020). The budget covered programs such as Law Enforcement Professional Standards, the Sexual Assault Forensic Examination Commission, and Child Advocacy Centers (Senate Bill 150, 2020). Ten million dollars also represents the entire 2021 budget for the Bureau of Senior Services and the entire 2021 budget for the Department of Health and Human Services (Senate Bill 150, 2020). These state offices represent important resources for the citizens of West Virginia. I hope my study will be able to help the state of West Virginia mitigate identity theft losses and improve government financial security.

### **Research Question**

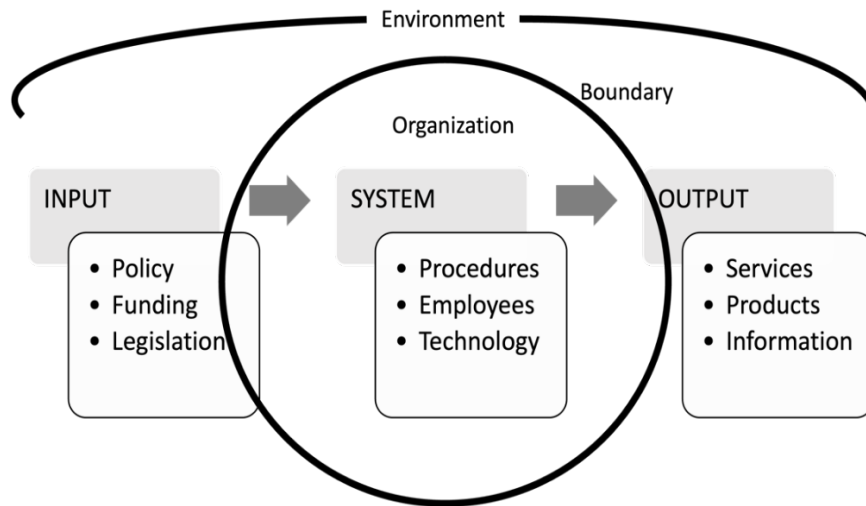
What are the barriers to state unemployment benefits offices' ability to reduce identity theft?

### **Theoretical Framework**

The theoretical framework for the study was OST. This theory originated from von Bertalanffy's general systems theory (GST), which indicated "studying the smallest elements of phenomena was disadvantageous because that way one lost sight of the whole" (von Bertalanffy, as cited in Sher, 2004, p. 613). OST refers to the concept that organizations are influenced by their environment (Bastedo, 2006). Developed after World War II, OST describes the environment as other organizations exert economic,

political, or social forces (Bastedo, 2006). GST emphasizes the arrangements, functions, and relationships of the elements of a system or phenomena (von Bertalanffy, as cited in Sher, 2004), while OST emphasizes the environment also imparts the key resources that sustain, lead to change, and provide for the survival of the organization (Bastedo, 2006). The concept of identity theft involves all aspects of OST, especially the influence from the environment.

OST was relevant to the study because state government offices can be divided into empirical elements. The empirical elements could include but are not limited to budgets, resourcing, processes, legislation, and technologies. As OST posits, one element can have a positive or negative effect on another element (Bastedo, 2006). Studying the unemployment benefits office as an open system enabled me to identify which empirical environmental elements are influencing state government offices and explain the relationship to the state government agency. Figure 2 represents my visual representation of OST. As this study was not focused on state benefits office organizational leadership, a systems theory approach proved more useful than an organizational theory, leadership theory, or management theory. OST was a logical choice for researching phenomena within state-level government entities.

**Figure 2***Open Systems Theory Model*

*Note.* Adapted from *Open Systems Theory* (Vol. 2, p. 711, by M. N. Bastedo, 2006, Sage Publications. Copyright 2023 by John Eberly.

### Conceptual Framework

I organized the conceptual framework to my data through a variation of Picazo-Vela et al.'s (2012) six categories to capture digital government applications. The categories are (a) general context, (b) institutional framework, (c) interorganizational collaboration and networks, (d) organizational structures and processes, (e) information and data, and (f) technology (Picazo-Vela, et al., 2012). Figure 3 represents a visual representation of the six dimensions of digital governance. Important within the six categories is the institutional framework includes the laws, regulations, norms, and other rules that govern the technological and social aspects of public policy. A qualitative case



study using documents, archival records, and physical artifacts organized into six categories was the most effective method to conduct my qualitative research.

**Figure 3**

*Dimensions Influencing Digital Governance*



*Note.* Adapted from “Understanding Risks, Benefits, and Strategic Alternatives of Social Media Applications in the Public Sector,” by S. Picazo-Vela, I. Gutierrez-Martinez, and L. F. Luna-Reyes, 2012, *Government Information Quarterly*, 29(4), p. 507

(<https://doi.org/10.1016/j.giq.2012.07.002>). Copyright 2019 by Julio Cesar Rodriguez.

**Operational Definitions**

*Fraud:* The intentional perversion of the truth for the purpose of inducing another person or other entity in reliance upon it to part with something of value or to surrender a legal right. Fraudulent conversion, obtaining of money or property by false pretenses,

confidence games, and bad checks, except forgeries and counterfeiting, are included (Federal Bureau of Investigation, 2019).

*Identity fraud*: Obtaining government benefits using the victim's personal information (DOJ, n.d.).

*Identity theft*: An incident in which someone steals and uses personal identifying information, such as a name or Social Security number, without permission to commit fraud or other crimes (account takeover) and/or a fraudster obtains account information to perpetrate fraud on existing accounts (FTC, 2022).

*Identity theft and identity fraud*: Terms used to refer to all types of crime in which someone wrongfully obtains and uses another person's personal data in some way that involves fraud or deception, typically for economic gain (DOJ, n.d.).

*Unemployment Insurance (UI)*: A joint state–federal program that provides cash benefits to eligible workers. Each state administers a separate UI program, but all states follow the same guidelines established by federal law (DOL, n.d.).

*Victim*: The individual filing an identity theft or identity fraud complaint (DOJ, n.d.).

### **Assumptions**

Creswell (2013) described four philosophical assumptions qualitative researchers must understand during research. For my study, the ontological assumption was the multiple forms of evidence would provide various perspectives on the phenomenon. The epistemological assumption was I would be close enough to the participants without affecting the phenomenon in its natural environment by conducting content analysis of

documents. The axiological assumption was the literature review and collected evidence would be value-added to the audience and enhance knowledge. The methodology assumption was the most important assumption for my study. I assumed the organization under investigation was directly influenced by the environmental factors.

There were several conceptual assumptions for this study. The overarching assumption was the transparency of government agencies and access to documents. I assumed published documents would be current and accurate and government entities would have published all public records for access. I assumed published statistical data would be accurate without manipulation. I also assumed state and federal government agencies would have executed the published legislation, policies, and statutes. For independent research institutions, I assumed their facts and figures would be accurate. I also assumed the sources for independent research would be credible. I deemed the philosophical and conceptual assumptions to be plausible and acceptable.

### **Scope and Delimitations**

The scope of this study was to explore the environment around state unemployment benefits offices' ability to prevent identity theft. The goal was to prevent abuse of government unemployment benefits and to protect consumer information. The scope also included content analysis of the factors influencing state government identity theft prevention measures. Content analysis was used to characterize and synthesize environmental factors affecting the entity. The study addressed the knowledge gap regarding the phenomenon to develop state-level identity theft prevention measures and identify areas for future research.

The delimitations of this study pertained to the data collection. The study was delimited to the state of West Virginia and applicable federal agencies. I excluded data from other states unless the policies and procedures of other states constituted an environmental factor. The theoretical foundation for the study was limited to OST and the elements influencing digital government. The findings of this study may be used to improve the ability of the state of West Virginia to prevent identity theft. The findings may not be directly applicable to other states. The study may, however, enable similar studies on other states or territories.

### **Significance of the Study**

#### **Significance to Practice**

The significance of the study resides in its potential to enhance the understanding of the policy, legal, procedural, and technological factors that affect the environment for state governments that may support advancements in preventing identity theft. The results may help to increase knowledge, identify gaps, promote consumer protection, and support state government legislatures in advancing resilient benefits programs. The findings of the study addressed the factors that influence state-level benefits programs. Identifying and understanding the influencing factors may be critical to ensuring citizens can receive benefits; states are able to mitigate budgetary deficits; and consumers are better protected from fraud. This study also adds to the body of knowledge for American federalism research.

**Significance to Theory**

Studying state-level benefits offices may result in a significant contribution to the public policy and administration discipline. Identity theft can threaten state government operations, budgets, and the overall welfare of citizens. The impact of identity theft can cause decreased budgets for state safety and security projects, decrease state resilience against natural disasters, and negatively affect the economic security of those affected by identity theft. The knowledge gap about this phenomenon represents an opportunity for scholars and public policy officials. By contributing to the body of knowledge, this study may support state-level program execution and serve as a foundation for future investigations targeting state-level benefits program research.

**Significance to Social Change**

This study may inform state-level public policy decision makers regarding the environment that makes state unemployment benefits offices susceptible to identity theft. One implication for positive social change involves reducing the human cost (identity theft) and the financial cost (government program fraud and individual recovery). Also, public servants may develop knowledge to apply resources, implement policies, and establish procedures to protect the identity information of consumers. Academic community members may become more aware of the importance of researching state-level governance and the task of executing government benefits programs. The results may improve economic resiliency at the local, state, and national levels.

### **Summary and Transition**

Identity theft is a national problem affecting millions of Americans and costing billions of dollars annually. The record-setting identity theft claims during and after the COVID-19 pandemic emphasized a multibillion-dollar-a-year problem federal and state governments were unable to address. As the actioning authority for unemployment benefits, the state-level unemployment benefits office is the most important organization to understand the phenomenon. Through this research, I sought to provide a better understanding of the environment that makes state unemployment benefits offices susceptible to fraud. During my research, I sought to understand the policies and legislation that impact the effectiveness of state governments in preventing identity theft. The impact on state governments is a concern for overall economic stability and the health and welfare of citizens.

For this qualitative case study, I used OST as the theoretical framework to understand identity theft at the state level. The theoretical framework supported studying the state unemployment benefits office, which is influenced by its environment. The conceptual framework was based upon the six dimensions of digital government that supported data collection and analysis. Content analysis supported data analysis of collected evidence. The results of the study provide an understanding for the environment of state governments that will support advancement in preventing identity theft. A reduced knowledge gap will support state-level program execution and serve as a foundation for future investigations examining state-level benefits program research. The implications for positive social change involve reducing the human cost (identity theft)

and the financial cost (government program fraud and individual recovery). In Chapter 2, I will discuss the existing literature related to the study.

## Chapter 2: Literature Review

### **Introduction**

State governments represent an influential government echelon in the American federal system. The relationships and interactions between and among governments at different levels are important fields in public policy and administration (Heidbreder & Bowman, 2016). According to leading scholar Dr. Ann O. M. Bowman, studying state institutions provides an opportunity to understand how governments function and operate by exploring an  $N$  as 50 rather than an  $N$  as 1 (Heidbreder & Bowman, 2016). Examining the phenomenon of identity theft through the lens of state governments should provide the foundation for active representation. Through this study, I sought to connect research to practice by bridging the gap between methodology and research and support to policy and legislation.

The problem to be addressed in this study was the environmental factors barriers that affect a state unemployment benefits office's ability to reduce identity theft. These factors that hinder the unemployment office's ability to prevent identity theft can damage state government economic viability, authority, and integrity. Moreover, the impact on consumers can cause financial and personal hardships to overcome and damages of identity theft to repair. At least 50% of all Americans have been victims of identity theft, costing a minimum of \$500 per person. Identity theft within unemployment benefits costs billions of dollars annually for federal and state governments. Identity theft in unemployment benefits challenges governance, public service, and the economy.



The following sections in this chapter include the literature search strategy, theoretical foundation, conceptual foundation, and literature review. The literature search strategy section contains a list of databases, search engines, terms, and search criteria used to discover germane literature. The theoretical framework section covers previous applications and the rationale relative to OST. The conceptual framework section covers applying the theory to study identity theft within state unemployment benefits offices. The chapter also includes current literature related to the identity theft phenomenon. The chapter concludes with a summary of the key topics and judgments from the literature review.

### **Literature Search Strategy**

The literature search strategy consisted of consulting a combination of scholarly databases, government websites, search engines, and books. Four scholarly databases were utilized in the literature search process: LexisNexis, ProQuest Central, ProQuest Dissertations & Theses at Walden University, and Science Direct. Additionally, government websites from the U.S. federal government and the State of West Virginia were used to search for literature. U.S. federal government websites included the U.S. Department of Homeland Security, the U.S. Department of Labor, the U.S. Department of Commerce, the Internal Revenue Service, the Federal Bureau of Investigation, OMB, the CIA, and the Executive Office of the President. Government websites for the State of West Virginia included the state executive office, the state legislature, and Workforce West Virginia. Google was the primary search engine used throughout the literature search process to navigate websites and search for terms.

The literature review focused on multiple aspects of *identity*. The terms used in the literature search included *cyber crime, cyber policy, identity fraud, fraudulent unemployment claim, identity theft, identity protection, FBI cybercrime statistics, bank fraud, credit fraud, fraud detection, fraud reporting, local government, and the United States*. Other terms, including *information assurance* and *West Virginia*, were used in ad hoc searches with no relevant results. Depending on the query capabilities of the database, website, and search engine, these terms were combined using the AND search operator and the OR search operator. The central combination of terms contained *identity fraud, identity theft, and unemployment fraud*. Walden University helped by providing a Boolean logic search term (TX unemployment AND identity theft or identity fraud or identity authentication or cybercrime or cybercrime or scam) was able to narrow the scope of searches to unemployment and also led to the discovery of previous research at the state level.

The iterative search process included ad hoc searches for each term and an analysis of the outcomes. Based on the analysis of the ad hoc results, the search terms were combined, adjusted based on results, or given narrowing criteria. The combination of terms that returned the most relevant results were *identity fraud OR identity theft AND government AND United States*. Additional criteria, including limitations to only full text, peer reviewed, and publication date, was used to ensure accessible, trustworthy, and relevant results. These conditions were applied to searches in ProQuest and Science Direct.

There was no academic research about identity theft at the state level. State-level resources focused on healthcare fraud or other white-collar crimes. All searches returned many articles related to cybersecurity. Articles regarding state government reduction of identity theft primarily came from news media and not from scholarly journals. However, the articles were not directly related to the phenomenon, especially regarding state-level manual procedures. Independent of the efforts to limit the results to state governments, the outcomes were relevant to national, international, and private sectors.

Several strategies compensated for the shortage of literature about the phenomenon at the local government level. First, search outcomes were limited to the literature on a national level and below, with priority for both state and local governments. Second, websites from the U.S. federal government and state governments were searched for laws, policies, and guidance related to identity theft and related concepts. Finally, private sector banking, retail, and credit laws, policies, and guidance related to identity theft prevention were included. Academic research on technology used to prevent identity theft focused on emerging technologies or technology implemented in similar identity theft prevention environments. Also, Lexis Nexis was used to search for laws enacted by the state of West Virginia.

### **Theoretical Foundation**

The concept of identity theft was the phenomenon I investigated as it relates to state unemployment benefits offices. The FBI defines identity theft as fraudulently obtaining government benefits using the victim's personal information (FBI, n.d.). Each state administers unemployment benefits under its law, with general oversight from the

U.S. DOL OIG (DOL, 2022). States are the appropriate government level to investigate the phenomenon because they are the executioner of unemployment benefits in a federal system. The state government unemployment benefits office was the studied organizational system.

Organizations can be studied and described within the context of an open system (Bastedo, 2006). State government benefits offices are open systems influenced by interacting with external and internal actors within their environment. The interaction makes OST the ideal theory for studying a state-level organization. Bastedo (2006) described the organization's survival as dependent upon its relationship with the environment. That environment is the economic, political, and social forces exerted on other organizations (Bastedo, 2006). For this study, state unemployment benefits offices were viewed through the resource dependency lens that organizations adapt to the environment dictated by resource providers (Bastedo, 2006). Understanding the effects of the environment was the key to this study.

OST originated from GST. GST emphasizes the arrangements, functions, and relationships of the elements of a system or phenomena (von Bertalanffy, 1972, as cited in Sher, 2004, p. 613), while OST emphasizes the environment also imparts the essential resources that sustain, lead to change, and provide for the survival of the organization (Bastedo, 2006). Developed after World War II, OST refers to the concept that organizations are influenced by their environment (Bastedo, 2006). Von Bertalanffy (as cited in Sher, 2004) argued that "studying the smallest elements of phenomena was

disadvantageous because that way one lost sight of the whole” (p. 613). OST provided the overarching framework to study the system for the conceptual framework.

A qualitative case study is a qualitative design for data collection and analysis for complex phenomena explored through various factors. Jung (2020) emphasized the importance of qualitative methods for exploring small samples in political science. The qualitative methodology allows for depth on an issue and focuses on the causal effects from independent variables (Jung, 2020). The case study methodology provides insight into political science through causal analysis (Jung, 2020) and has flexibility that can suit the diversity of a study (Hyett et al., 2014). I used the postpositivist viewpoint that requires developing a clear case study protocol with careful considerations for validity and bias to produce a generalized understanding of a problem (Hyett et al., 2014). The qualitative case study allowed for data collection and analysis for complex phenomena explored through a variety of factors; allowed me to determine the unit of analysis from document coding; and made it possible to study the phenomenon within the natural context of the system and the outside factors (Hyett et al., 2014). Hyett et al. (2014) noted the importance of an adequate contextual description of bounding.

A qualitative case study also allowed me to determine the unit of analysis from document coding. It allowed for studying the phenomenon within the natural context of the system and the outside factors. OST allowed me to see the environment that impacts an organization. The environment consists of other organizations that exert economic, political, or social nature forces on the organization. The environment also provides the essential resources that sustain the organization and lead to change. OST provided the

framework to understand the outside factors (policy, legal, procedural, and technological) that affect the internal processes of state unemployment offices. A phenomenological design grounded the study to focus on the objects and experiences that affect the phenomena.

A qualitative case study offers the flexibility to collect data through multiple methods for data triangulation. According to Yin (2019), the six sources of evidence for a qualitative case study include documents, archival records, interviews, direct observation, participant observation, and physical artifacts. I used documents, archival records, and physical artifacts for this study. Documents included legislation, administrative documents, legal documents, and news clippings (Davis, 2022). Archival documents included meeting minutes and historical records (Davis, 2022). Physical artifacts include tools and printed materials (Davis, 2022). The collected data from multiple sources offer insight into the lived experience of the phenomenon.

The conceptual framework to organize my data incorporated a variety of Picazo-Vela et al.'s (2012) six categories used to capture digital government applications. The categories are (a) general context, (b) institutional framework, (c) interorganizational collaboration and networks, (d) organizational structures and processes, (e) information and data, and (f) technology (Picazo-Vela, et al., 2012). Notable from the six categories is the institutional framework includes the laws, regulations, norms, and other rules that govern the technological and social aspects of public policy. A qualitative case study using documents, archival records, and physical artifacts organized into six categories was the most effective method to conduct my qualitative research.

Several theories supported organizing and operationalizing the collected data. Cressey's fraud triangle theory supported the conceptual framework for this study. The fraud triangle theory (FTT), proposed by Donald R. Cressey, determined people commit fraud based on the three elements of opportunity, pressure, and rationalization (Patterson, 2020). Opportunity is the occasion for someone to commit fraud because of weak controls; pressure derives from incentives that drive or inspire a person to commit fraud internally or externally; and rationalization allows ordinary human beings to justify to themselves and others doing something improper or out of character (Ramamoorti & Epstein, 2016; Zuberi & Mzenzi, 2019). Understanding the elements of opportunity, pressure, and rationalization to commit identity theft can help determine proper controls. I chose FTT for the conceptual framework for my study because state governments could apply the theory when creating legislation for state unemployment benefits offices. The theory can help create processes and procedures to mitigate identity theft.

For the case study of a state unemployment office, I also used Scott's criteria of authenticity, credibility, representativeness, and meaning to identify components of government laws, resources, finances, and training of identity theft. In a similar study on the private retail industry, Okeke (2015) offered an approach for collecting, collating, and assembling lessons using the case study research method to develop detailed guidelines. In another study, Friend, et al. (2020) categorized Ireland's societal and legal aspects designed to prevent and protect from cybercrime. Another important method to organize and analyze data is to use Cressey's FTT and Wolf and Hermanson's diamond fraud theory (DFT) to analyze how perpetrators go so far as to commit fraud (Sánchez-Aguayo,

et al., 2021). Incorporating the use of case studies in these early studies and building upon the theories guided data collection, organization, and analysis.

## **Literature Review**

### **General Context**

American federalism and the Tenth Amendment provide the general context for understanding the literature review. Agranoff and McGuire (2001) described the management model for unemployment benefits as jurisdiction-based within American federalism. Jurisdiction-based management is based on the extent to which local managers adjust services within their respective jurisdictions (Agranoff & McGuire, 2001). The state government has a critical intergovernmental role within any policy area to provide the necessary resources in order to execute programs within jurisdiction-based management (Agranoff & McGuire, 2001). The Tenth Amendment of the U.S. Constitution guarantees states the ability to implement and execute policies within their jurisdictions (Knauer, 2021). Similar to executing responses to the COVID-19 pandemic, the state has the legal authority to execute unemployment benefits within its jurisdiction. The overarching general context of American federalism and the Tenth Amendment is essential to understanding the influences within the remaining five categories of digital governance.

### **Influence of Institutional Frameworks**

Institutional frameworks to prevent identity theft are affected by two main influences. Ginosar (2014) mentioned the central debates focus on regulation and public policy. The public-interest theory of regulation and the rival private-interest theory are



umbrella theories for the different concepts within the debate (Ginosar, 2014). However, Ginosar concluded regulation could be an effective governance tool and serve the public interest using a theoretical framework to combine four concepts to address regulatory processes. First, the essential elements to secure public interests through regulation should include specific design architecture and nomination by a willing regulating body (Ginosar, 2014). Ginosar then used an analytical framework developed from an empirical study of the shaping of regulatory practices. The analytical framework consists of the four patterns of regulation and the four types of regulators (the selfish, the manipulative, the combative, and the coordinating; Ginosar, 2014). The lens of regulation and public policy provides the framework influences of government institutions.

The state government level is the confluence of regulation and public policy. According to Mamudu et al. (2020), state government regulation preempts bottom-up change by local or county governments. For example, empirical research indicated local jurisdictions in the Appalachian region of Tennessee cope with state-level regulation that is more strict than in neighboring Oklahoma or West Virginia (Mamudu et al., 2020). The explicit preemption of tobacco regulation in Tennessee prevents the adoption of local policies aimed at preventing tobacco use (Mamudu et al., 2020). Oklahoma also has an explicit preemptive law regulating tobacco use but was able to adopt local policies that mirror state youth access laws (Mamudu et al., 2020). Oklahoma adopted tobacco-free zones using the preemptive law (Mamudu et al., 2020). West Virginia, by comparison, does not have the same explicit preemption and community-based local tobacco laws that city councils and county boards of health enact (Mamudu et al., 2020). State legislatures

directly affect local policies and regulations that support or hinder regional or local needs. Federal regulations, lack of federal regulation, and inconsistent regulation also impact state regulations and policies.

Federalism has a unique impact on states toward enacting new regulations or policies. The Tenth Amendment guarantees states the ability to implement policies within their jurisdictions (Knauer, 2021). During the early period of the COVID-19 pandemic, states pursued actions in response to a public health crisis in the absence of federal action (Knauer, 2021). Often, the state defines inconsistencies between state and federal regulation. States currently dominate the preemptive federal legislation of marijuana regulation through a series of property rights (Sprankling, 2019). The institutional framework of U.S. federalism places the state as the principal actor for policy change to government programs.

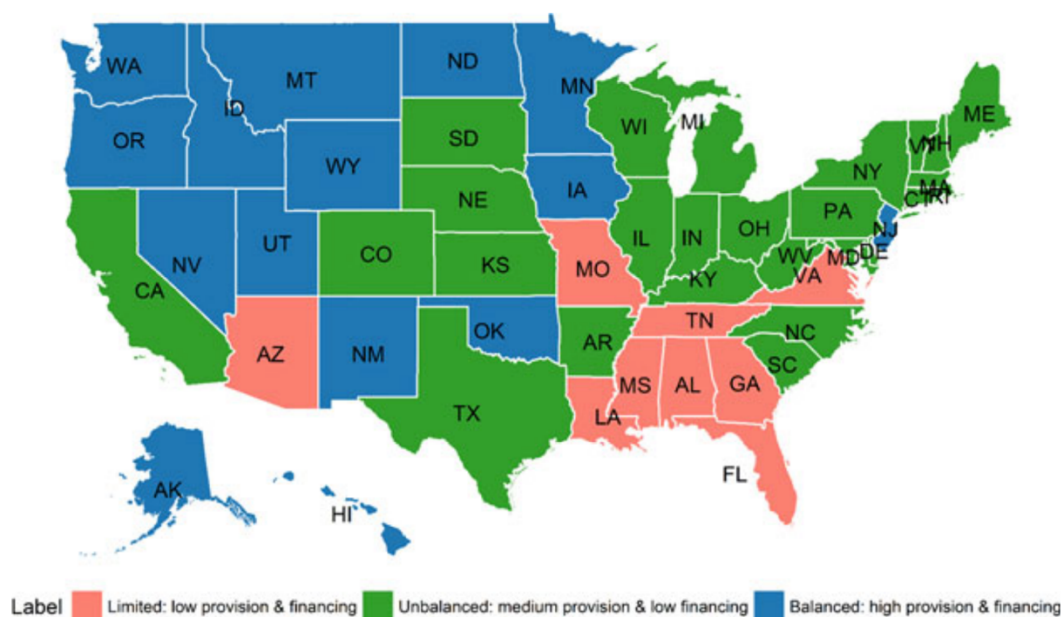
Changes to federal programs directly impact the execution of government programs. In 2011, the federal government changed the state unemployment insurance legislation on how states borrowed money to pay for unemployment claims (Lancaster, 2012). Lancaster (2012) noted the changes to unemployment insurance for federal funding to cover costs and assess penalties for fraud. In West Virginia, the governor can borrow money from the state Revenue Center Construction Fund up to \$20 million at a time for deposit into the Unemployment Compensation Fund (Lancaster, 2012). Moreover, the state is not held accountable for the overpayments from fraudulent claims (Lancaster, 2012). The changes in 2011 directly impacted the COVID-19 pandemic that

affected other state government programs and transferred the responsibility of recouping lost money from fraudulent claims to the federal government.

The American federal system creates an environment of 51 different unemployment insurance (UI) systems. According to a multidimensional policy indicators study of 51 states' UI programs conducted by Chang (2020), there were three different types of UI in the United States. The first type was a limited social protection approach noted by small social provision with a weak financing structure (Chang, 2020). The second type was the unbalanced social protection approach that featured a medium social provision with low financing sufficiency (Chang, 2020). The third style was the balanced social protection approach noted as being the most inclusive and adequate social provision with strong financing arrangements (Chang, 2020). Figure 4 shows Chang's disbursement of the three styles.

**Figure 4**

*Three U.S. Unemployment Insurance Approaches, 2007–2015*



*Note.* From “Unequal Social Protection Under the Federalist System: Three Unemployment Insurance Approaches in the United States, 2007–2015,” by Y. L. Chang, 2020, *Journal of Social Policy*, 49(1), p. 301

(<https://doi.org/10.1017/S0047279419000217>). Copyright 2020 by Y. L. Chang.

Chang’s findings highlighted state policymakers made inadequate or uncoordinated UI policy decisions and the level of federal involvement increased to compensate for unequal UI programs (Chang, 2020). West Virginia the second type of UI programs reflects a mixture of policy logic includes social protection, market stabilization, and work disincentives (Chang, 2020). The unbalanced approach response to prolonged economic recession, such as the COVID-19 pandemic, and a conservative government ideology can lead to uncoordinated responses that fail to achieve social

protection (Chang, 2020). West Virginia in the unbalanced approach category indicates a willingness to apply resources to unemployment benefits offices, but an inability to fully coordinate state wide collaborative policies.

### **Influence of Interorganizational Collaboration**

U.S. government interorganizational collaboration includes both cyber defense architecture and data sharing. Srinivas, Das, and Kumar (2019) noted the importance of various cyberdefense standards and the cybersecurity framework's architecture. Security threats, attacks, and measures in cybersecurity, and the standardization challenges in cybersecurity drive the national strategy to secure cyberspace and the government policies aimed at protecting the cyber realm (Srinivas, et al., 2019). For state governments, regulators should increase the public visibility of firms with weak cybersecurity practices to improve cyber security (Srinivas, et al., 2019). Established government policies to regulate cybersecurity standards and requirements provide a foundation for state government collaboration with federal agencies and other state governments.

Data sharing amongst state entities is essential for fraud investigation. Prior to 2013, individuals in Connecticut who committed unemployment compensation fraud were rarely criminally prosecuted (Pillsbury, 2019). In late 2012, the Connecticut Department of Labor and the Division of Criminal Justice formed a partnership (Pillsbury, 2019). Since then, the state has arrested over 230 individuals responsible for almost \$ 4 million of fraud, with over \$ 2.1 million recovered in restitution (Pillsbury, 2019). Pillsbury (2019) also noted unemployment fraud claim investigations involved

one or more than one states. Of more important note to the cost of fraudulent claims, 200 individuals were arrested in an attempt to collect more than \$5.5 million in fraudulent claims (Pillsbury, 2019). However, restitution recoupment was only \$1.8 million in restitution recoupment (Pillsbury, 2019). The discrepancy in recoupment highlights the need for preventative measures instead of investigative measures. Intrastate government organizational collaboration can provide the precedent for preventing and prosecuting unemployment benefits fraud.

Interorganizational collaboration can also involve the sharing of data at various government levels. Martinez (2018) discussed the benefit of sharing data amongst local, state, and federal agencies. That study focused on the need to share data to combat the opioid crisis, but the premise can be applied to other government issues that have both human and financial costs. Martinez (2018) mentioned the need to ensure data is collected efficiently and relayed promptly. The Centers for Disease Control and Health and Human Services seek to use lessons learned from identifying illness clusters toward identifying opioid outbreaks (Martinez, 2018). The opioid crisis is a national issue requiring collaboration from multiple government echelons. The sensitivity of opioid data is comparable to the sensitive nature of unemployment data.

Intergovernmental collaboration is also needed to combat fraud within the healthcare industry. Prescription Drug Monitoring Programs (PDMP) use state and federal methods of data collection systems to prevent substance abuse and doctor shopping (Martinez, 2018). As of 2017, each PDMP is state-run and varies between state health organizations or law enforcement (Martinez, 2018). Martinez (2018) noted the

lack of comprehensive federal regulation; instead, a sectoral framework and web of legislation and regulations hamper opioid data. Standardizing data became an important tool for intergovernmental efforts against healthcare fraud. Data sharing is already common amongst state and federal entities, but unemployment benefits records do not have a standardization for collecting and reporting data.

Standardization remains a common issue when sharing data. As Martinez (2018) noted, the lack of standardized sharing poses a significant hurdle for reporting and storage. Federal and state agencies need to agree on defining which data to collect (Martinez, 2018). They must also decide how to represent data through terminology and types (Martinez, 2018). Moreover, finally, states and federal agencies must determine how to code the data for transmission (Martinez, 2018). These common practices of standardization data have precedent for the government; laws and regulations would need to be explicitly established for unemployment benefits data.

The precedent for information sharing architecture already exists for homeland security established after 9/11. The 9/11 Commission cited failure in information sharing and established information sharing among federal, state, local, tribal, and private sectors through a series of policies (Bjelopera, 2011). Bjelopera (2011) reminded us a clear purpose and ensuring the right people have access to the correct information is necessary for information sharing to be effective. The 9/11 Commission concluded a smart government must integrate all information sources (Bjelopera, 2011). Information remains a powerful tool for government agencies. The human and financial cost of

unemployment benefits fraud also requires a collaborative, information-sharing framework to include all available information.

The spike in unemployment benefits fraud from the COVID-19 pandemic also required a federal response to create collaboration. The US Department of Labor (DOL) Office of the Inspector General (OIG) has oversight of the Unemployment Insurance Program (DOL, 2022). As each state administers unemployment benefits under its law, the OIG can only make recommendations to prevent fraud before it occurs (DOL, 2022). The OIG also reviews investigative matters conducted by the Department of Justice, a rise of 1,000 times the normal volume since the pandemic (DOL, 2022). Despite creating a task force to focus on intelligence sharing and investigation deconfliction, the OIG recommends legislation to facilitate access to data and establish controls in collaboration with states to mitigate fraud (DOL, 2022). The limited oversight role of the OIG cannot overcome the concerns needed to create an effective collaborative framework through proper legislation to combat unemployment benefits fraud.

### **Influence of Legislation**

Current U.S. legislation for identity theft comes from a series of federal laws. The Computer Fraud and Abuse Act, the Identity Theft Enforcement and Restitution Act of 2008, the Copyright Felony Act, and the Wiretap Act serve as. During an examination of sentence length in the U.S., Marcum, et al. (2011) noted identity theft crimes did receive longer sentences than other types of cybercrime. This research occurred before the spike in identity theft claims during the COVID-19 pandemic and would need to be updated to reflect investigations. As Marcum, et al. (2011) also noted, there is a gap in the literature



that fully examines the length of sentences for cybercrimes. To fully understand the effectiveness of the legislation for preventing identity theft will require a subsequent study.

As identity theft is considered a cybercrime, several federal regulations focus on cybersecurity regulations. The 1996 Health Insurance Portability and Accountability Act (HIPAA), the 1999 Gramm-Leach-Bliley Act, and the 2002 Homeland Security Act, which also includes the Federal Information Management Act (FISMA), are the three primary cybersecurity regulations (Srinivas, et al., 2019). Srinivas, et al. (2019) noted these regulations are only focused on protecting systems and need to be expanded because they fail to address many computer-related industries. Federal and state regulations only focus on cybersecurity and fail to fully create a legal framework to prosecute identity theft as an independent crime.

Insufficient legislation creates an environment unsupportive to the detection, investigation, or prosecution of identity theft cases. Leighton-Daly (2019) investigated the relevant legislation in Australia regarding identity theft and tax crimes. His conclusions highlighted inadequate legislation to support organizations attempting to prevent and prosecute perpetrators (Leighton-Daly, 2019). Moreover, inadequate legislation seems to aid perpetrators because the opportunity aspect of the fraud triangle doesn't exist (Leighton-Daly, 2019). Indeed, the need for government to adequately support organizations seeking to prevent, detect, and investigate identity theft cases begins with proper legislative frameworks.

Many states have tried to institute legislation that deals directly with individual protection from identity theft. All 50 states have laws that direct security measures for protecting a state's data and information systems (Ferguson III, 2020). But as Ferguson III (2020) notes, only about half of the 50 states have laws that directly address data security practices for private businesses. In North Carolina, Ferguson III (2020) specifically points out the legislation for both state entities and private businesses provides a narrow definition of personal information that focuses on protecting consumer economic interests. This focus on data breaches and economic protections creates difficulty when seeking to expand the definition of identity. The gap between data theft and identity theft leaves states vulnerable to deterrence and prosecution of fraudulent unemployment benefits claims.

A lack of legislation regarding the use of biometric technologies to protect individual identities also creates a vulnerability for private businesses. Commercial organizations have no legal restraint for using biometric technologies to determine their identity and are only defined by self-regulation (Sarabdeen, 2022). Private companies like social media companies use uploaded photos to monitor behavior, provide better customer service, and prevent crimes (Sarabdeen, 2022). Private companies use their databases, like the independent databases used by US executive departments for digital access, law enforcement, and physical security (Sarabdeen, 2022). The lack of legislative oversight for private businesses has led to a series of court cases that has created a patchwork of civil law of tort based upon court rulings (Sarabdeen, 2022). U.S.

government agencies are also looking at a series of civil tort laws through common law without codified legislation regarding government use of biometrics.

The U.S. Department of Homeland Security (USDHS) is currently dealing with identity and privacy issues. Manby (2021) rightly emphasized the need to create identity databases while protecting individual privacy. USDHS built the Homeland Advanced Recognition Technology (HART) database in 2018, which became the largest store of biometric and personal data on citizens and foreigners (Choudhury & Rabbani, 2020). The HART database covering over 500 million people included biometric data and information drawn from social media (Choudhury & Rabbani, 2020). The Electronic Frontier Foundation warned about the privacy infringement problem by the government for the collection and housing information of a vast number of citizens in one location (Choudhury & Rabbani, 2020). The challenge of identity and privacy will be a challenge for any government entity seeking to utilize biometric technology. DHS already has biometric technology deployed to borders to support border control efforts.

DHS is currently exploring the deployment of biometric kiosks to ports of entry. Through the Office of Biometric Identity Management (OBIM), DHS provides biometric identification services to federal, state, and local governments (US-Visit morphs into the Office of Biometric Identity Management, 2013). Since 2013, DHS has captured fingerprints and digital photographs of potential visitors. The system architecture revolves around deployable kiosks that can process biometric and biographic information in 15 seconds (US-VISIT program capabilities unveiled, 2004). According to a Congressional Research Service report, the State Department is fielding mobile kiosks to

support Mexico's immigration control and border security efforts (Seelke, 2022). The transition from collecting foreign national biometrics to supporting domestic security offers a unique joint agency approach. The legal ramifications of government repositories for national security may be a short-lived problem as individuals see the necessity of biometrics to safeguard identities in a digital era.

A survey on the opinion of citizens on using biometrics to secure cyber data highlighted the individual's emphasis on technology to safeguard identities (Norval & Prasopoulou, 2019). Norval and Prasopoulou (2019) captured the neutrality of technologies used to identify oneself in cyber realms. The algorithms and technology, such as fingerprints or iris scans, used to identify people expand the ability to provide security (Choudhury & Rabbani, 2020). The tradeoff between security and privacy reflects the historical practice of citizen representation in society (Choudhury & Rabbani, 2020). Manby (2021) reminded us international human rights treaties since 1948 established the right to identity. The continued use of technology to secure one's identity in a digital era is a natural progression of that right.

The framework to create a legal digital identity is an ongoing debate. In 2015, the United Nations (UN) General Assembly provided a target date of 2030 to provide legal identity across all global actors (Manby, 2021). The Sustainable Development Goals (SDG) set by the UN seeks to establish a legal identity to support child protection, public health, national security, and other government functions (Manby, 2021). As Manby (2021) noted, the lack of a definition or legal framework for a legal identity causes problems for governments, banks, and other organizations. One main problem is the

distinction between identity and identification (Manby, 2021). Identity is the person itself, with legal identity being the recognition of that identity (Manby, 2021). In contrast, identification establishes and confirms an identity (Manby, 2021). The distinction is causing the main issue as governments seek to craft legislation to establish the ability to compile digital identities.

### **Influence of Organizational Structures and Processes**

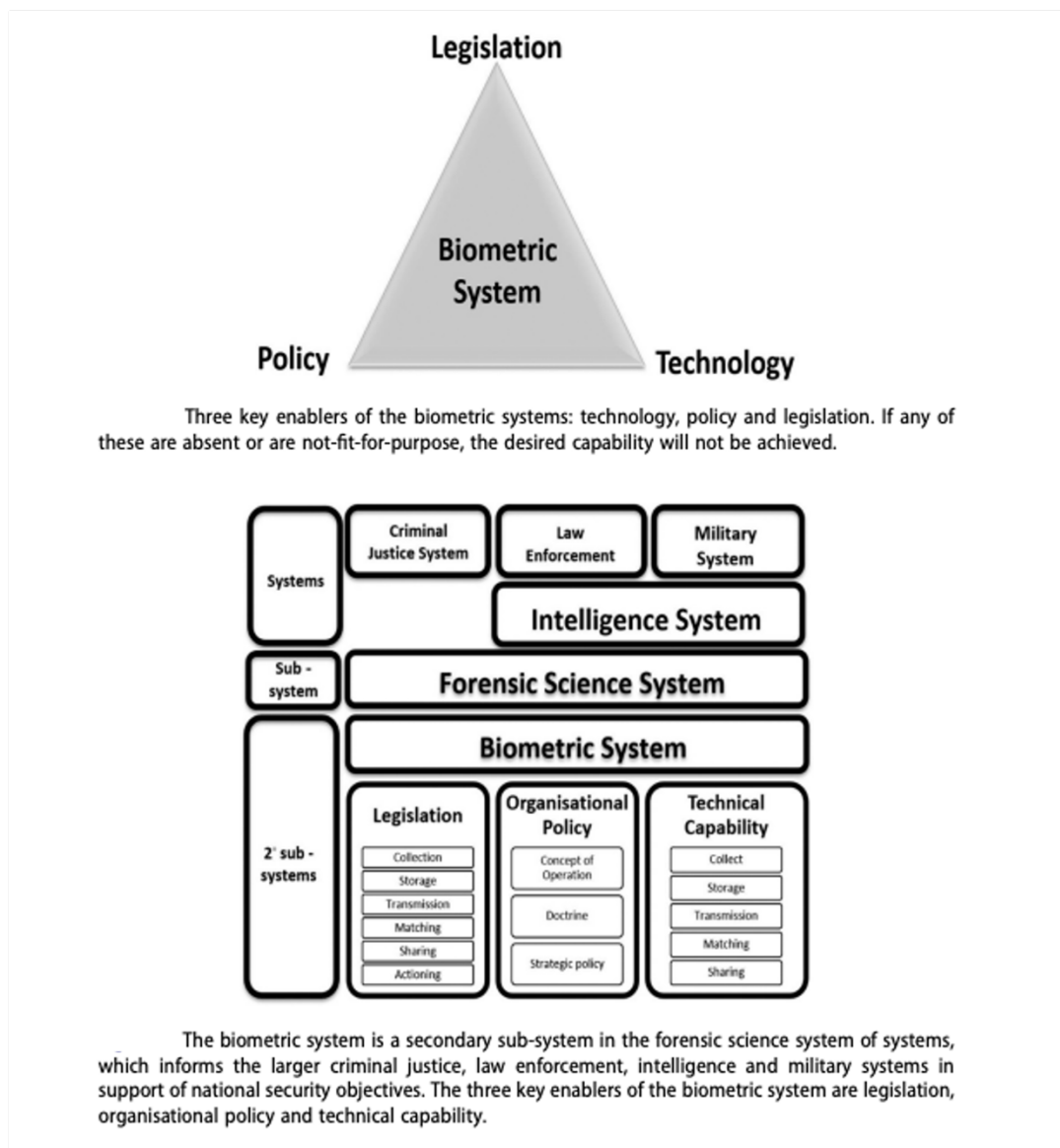
Implementing external and internal processes and procedures can reduce the number of identity theft crimes in the private retail business. Okeke (2015) studied the potential implementation of a process to reduce the amount of identity theft crimes. He concluded the need for integrating both external and internal requirements of an identity theft preventive strategy; adopting strategies to consult, engage, and communicate with stakeholders and employees in identity theft-related crime; and creating clear roles and responsibilities (Okeke, 2015). Effective processes and procedures aimed at internal and external factors can produce the desired outcome in fraud prevention. Primarily focused on the private retail industry, the implementation strategy could be transferred to the public sector.

Like large retail industries, small businesses also need internal structures and processes to prevent identity theft. Patterson (2017) noted the strategies successful small business owners use to make cyber-security decisions and concluded small business owners with a better understanding of strategies were better prepared to protect their data from cyberattacks. Patterson (2017) used the fraud triangle in addition to machine learning and deep learning techniques. Patterson (2017) concluded the framework allows

auditors to conduct fraud analysis by supporting data mining techniques to understand machine learning techniques and the fraud triangle for identity theft. Patterson's (2017) research design provides an example for future research into cybersecurity policies and procedures. The private sector provides the framework for internal and external processes and procedures that can be applied to government regulations.

Governments also need to understand the processes and mechanisms to create proper legislation. In Ireland, Friend et al. (2020) studied Ireland's societal and legal aspects designed to prevent and protect against cybercrime. They concluded Irish digital security experts noted the biggest concerns for cybercrime are education, reporting mechanisms, jurisdiction, legislation, and emerging technology (Friend, et al., 2020). Wilson et al. (2022) noted legislation application within an organization depends on policy. In Australia, the *Privacy Act* provides a case-by-case to share biometric data for investigative purposes (Wilson, et al., 2022). Compared with the USDHS, Presidential Directive 6 provides overarching direction for biometric sharing amongst the various government agencies (Wilson, et al., 2022). Moreover, Wilson et al. (2022) noted the policy needs to reflect the system owner as displayed in Figure 5. As seen from the perspective of several national governments, legislation and policy form an integral relationship to ensure each organization can function effectively.

Figure 5

*Key Enablers of Biometric Systems*

*Note.* From “Australian Biometric System to Meet National Security Objectives—Part II Legislation and Policy,” by L. E. Wilson, K. Wright, J. Robertson, and C. Lennard, 2022, *Australian Journal of Forensic Sciences*, 54(1), 133–148. Copyright 2022 by L. E. Wilson, K. Wright, J. Robertson, and C. Lennard.

The healthcare industry has a similar environment to understand the processes and procedures to prevent fraud. The healthcare sector reports over \$100 billion annual losses yearly due to fraud (Drabiak & Wolfson, 2020). The Center for Medicare and Medicaid Services (CMS) estimates fraudulent billing constitutes 3% to 10% of total health spending (Drabiak & Wolfson, 2020). There are four categories of fraud issues: administrative errors, inefficiencies, upcoding claims, and intentional fraud (Drabiak & Wolfson, 2020). A multi-layered strategy to mitigate fraud proposed by Drabiak and Wolfson (2020) included education and front-end analytics. Program integrity education would be weaved into medical schools and continue with various training models during employee onboarding (Drabiak & Wolfson, 2020). Front-end analytics would utilize a Fraud Prevention System to apply algorithms that analyze incoming claims and payments to flag suspected claims (Drabiak & Wolfson, 2020). Education and data analytics have integral parts of supporting fraud prevention.

At a state level, nurses and physicians play a crucial role in preventing medical fraud. In a quantitative study, Goel (2019) noted nurses' interaction with patients seemed better for controlling medical abuse. By examining the state level, Goel (2019) noted the demographics of more urbanized states affected the type of medical fraud. As individual states frame legislation and tax policy individually, it allows white-collar crimes to move across borders (Goel & Saunoris, 2017). An empirical study noted the nexus amongst white collar crimes (shadow economy, corruption, and uninsured motorists) at the state level (Goel & Saunoris, 2017). Goel and Saunoris (2017) concluded public policies in one state affect bordering states. More importantly, Goel and Saunoris (2017) noted the



need to better use technology and update laws to monitor and enforce compliance. State governments are the primary actor in organizational processes for most public benefits. States must also contend with internal and external organizational structures to change government services processing.

### ***Organizational Structures***

Within entities seeking to prevent identity theft, awareness and execution are just as important as policy. Abu and Adjel (2018) conducted a mixed-methods study to investigate cybersecurity awareness and policies within corporate organizations in Ghana. Abu and Adjel (2018) used mixed methods to provide multiple data points to capture perspectives on cybersecurity. Using quantitative and qualitative approaches, Abu and Adjel (2018) surveyed cybersecurity practices from participants in over 100 companies. Despite government legislation and business organization regulations, the companies surveyed did not implement the policy (Abu & Adjel, 2018). The collected data provided insight into the need for top-down and bottom-up approaches to cybersecurity. The disconnect between organizational policy and execution is a key component for cyber policy researchers. Focused on cyber practices, the need for organizational policy and execution has similar effects on the organizational process to prevent fraud.

### ***Organizational Processes***

Izadi et al. (2020) conducted a qualitative research study to determine a socially sustainable model for the historic environment by combining urban regeneration theory with Parsons' systems theory. They concluded society could remain sustainable and well-balanced only if it contains four economic, social, managerial, and cultural sub-systems

(Izadi et al., 2020). The social systems theory can be applied to a sustainable regeneration model in historic environments (Izadi et al., 2020). They used Parsons' system theory (or structural functionalism), the social sustainability model, and Scott's Criteria. The combination of theories is important for researchers examining the governance models.

### **Influence of Information**

Individuals have access to information to protect themselves from fraud and understand the process for filing a claim. Anders (2020) studied the resources available to taxpayers and tax professionals from the Internal Revenue Service (IRS) to protect against identity theft and data security. Anders' (2020) research focused on better understanding the IRS Criminal Investigative Division's Annual Report and resources available to help individuals prevent or recognize if identity theft has occurred. The IRS Criminal Investigative Division is important to understanding the government oversight of identity theft claim investigations.

After becoming a victim of identity fraud, victims are more likely to seek extra protections. According to a study of victims conducted by Vanhee (2022), people who experience identity theft use more protective measures than those who were not. Moreover, individuals repeatedly victimized use more protective measures than those who experienced it once (Vanhee, 2022). Furthermore, individuals are more likely to practice protective measures when they experienced either financial loss of as little as 1 dollar or other financial problems from their victimizations (Vanhee, 2022). As noted by Vanhee (2022), identity theft protection or credit monitoring services can be costly leaving some victims to be more likely to check credit statements and credit reports. The

exact number of Americans using identity theft protection or credit monitoring services is unknown. But the rise in identity fraud victims is creating a population that is more aware of the available individual protective measures.

## **Influence of Technology**

### ***Computer Automation***

Automation of systems creates various unique problems for governments to overcome. Elyounes (2021) rightly noted the human requirement to automate the detection and investigation of welfare benefits fraud. Using two case studies from Michigan's Unemployment Insurance Agency and the Netherlands Ministry of Social Affairs and Employment, Elyounes (2021) concluded algorithms prevented street-level bureaucrats from applying discretion when detecting and investigating fraud (Elyounes, 2021). The implication underscores the problems when relying solely on technology to prevent fraud. There is a need to understand the relationship between laws, government automation processes, and human discretions for benefits fraud (Elyounes, 2021). A further look into automated systems shows the necessity of both humans and technology.

Before the spike in unemployment fraud claims during COVID-19, Michigan instituted a data system to prevent fraudulent claims. In October 2013, the Michigan Unemployment Insurance Agency (UIA) launched the Michigan Integrated Data Automated System (MiDAS) to remove human interaction during the unemployment claims process (Charette, 2018). The lack of human interviews during the claims process resulted in an 85% spike in incorrect fraud determinations from October 2013 to August 2015 (Charette, 2018). The 40,195 cases of fraud detected by the algorithm were

estimated to cost 30 million for the over 34,000 individuals wrongly accused of fraud (Charette, 2018). Moreover, Charette (2018) noted the UIA defended the MiDAS system in court and prevented a full discovery of personal and financial damages. The faulty algorithm and the government administrator's response caused more damage than it prevented.

The New Mexico Department of Workforce Solutions introduced predictive analysis and behavioral science techniques to prevent unemployment insurance fraud. The system uses a series of certification boxes and pop-ups to remind unemployment claimants to review information for accuracy (McCandless, 2016). Officials noticed a 40% reduction in the likelihood of committing fraud and nine out of 10 people were twice as likely to enter earnings correctly (McCandless, 2016). Also, the office noticed messages indicating a consequence for not doing something correctly deterred claimants from providing information (McCandless, 2016). Predictive analytics assessed certain points in an individual's career place the person at a higher risk for improper payments. The combination of technology and predictive analytics required little additional resources for New Mexico and helped to keep New Mexico at one of the lowest rates for improper payments at just over 5%.

There are mixed reviews for third party services from ID.me. The COVID-19 pandemic accelerated the biometric authentication service to include major U.S. federal agencies, 22 states, and over 400 corporations (Jumio and ID.me hit the jackpot, 2021). Florida, Virginia, Pennsylvania, the Internal Revenue Service, and the Department of Veterans Affairs contracted ID.me to handle the facial recognition service (Donnen et al.,

2022). With the increase in the use of ID.me also came complaints. Problems included software issues, unable to reach a trusted referee to resolve issues, and poor internet connectivity (Donnen et al., 2022). In a recent Congressional Research Report, Congress recommended state unemployment benefits offices and the Department of Labor not use ID.me and instead look for a long-term solution (CRS, 2022). Currently, academic research has not scrutinized ID.me and without adequate academic scholarly research, it is difficult to determine the value of using ID.me or other biometric authentication services.

### ***Biometrics***

Using biometrics to prevent identity theft encompasses three main points for discussion. First, biometric technology is an improved method of identification to prevent identity (Lee, 2008). Second, biometric systems are targets of identity theft and require countermeasures to prevent data theft (Lee, 2008). And third, biometrics brings both societal and operational challenges (Lee, 2008). Another issue revolving around biometrics is the standardization of policies (Dobbie, 2020). These topics affect both private and public sector entities.

### ***Improved Method***

The increased need for technology to support identity theft prevention creates the discussion for using biometrics to protect identity online. Edwards (2014) proposed the use of fingerprint authentication to prevent cybercrime. Even before the surge in identity theft during the COVID-19 pandemic from the rise of online claims, annual losses from cybercrime cost hundreds of billions of in annual losses (Edwards, 2014). The concept of

using fingerprints to identify individuals requires a solution that prevents the recreation of the fingerprint once scanned (Edwards, 2014). Any biometric identification system requires convenience, compactness, security, robustness, and affordability (Edwards, 2014). As the prevalence of a government operating in a digital environment continues to expand, so will the need for identity authentication in a digital environment.

Another biometric trait, the iris, can provide digital authentication to prevent identity theft. Rajasekar, et al. (2020) note the iris is the most reliable and has the leading biometric technology available for biometric recognition. The distinctive patterns of the human iris between the cornea and the pupil provide the most accurate and domain-bounded recognition (Rajasekar, et al., 2020). Combining multiple biometric identifiers can also increase accurate identification (Aleem et al., 2020). Aleem et al. (2020) argued multimodal biometrics through facial and fingerprint recognition provided effective overlapping and fusion for better identity authentication. Biometric trait authentication systems will require further research on the applicability for government services in the prevention of theft or fraud. Private sector banking has already begun using such technology.

### ***Targets of Theft***

The banking industry, which has already transitioned to using fingerprint identification or other biometrics for security, is noticing the types of attacks to overcome biometrics. Spoofing is the attempt to deceive a biometric sensor into accepting a false biometric sample as legitimate, such as prostheses or audio playback (Lee, 2020). Bypassing is a method that attempts to circumvent the biometric sensor by creating

difficulty for the sensor, such as filing down fingerprints (Lee, 2020). A third method involves overloading the sensor with flashing strobes or heat (Lee, 2020). Banks noted a key issue concerning the potential use of faked biometrics when a research group extracted and recreated a cloned fingerprint using a 3D printer (Dobbie, 2020). The value of using biometrics to prevent identity theft will require countermeasures to protect sensors and data.

### **Countermeasures**

The protection of biometric data repositories requires similar countermeasures to any information system. Information technology security techniques, firewalls, and data encryption can serve as appropriate countermeasures for protecting data (Lee, 2020). A two-novel approach for encrypting iris templates to avoid compromise of data from hackers (Alex et al., 2019). Second, as Lee (2008) discussed, is the protection of biometric data. Countermeasures to protect biometric data can include the capture data system, firewalls, multifactor identification, and system challenges (Lee, 2008). Most importantly, Lee (2008) reminded us of the consequences of fraud are important for protecting sensitive data. Like any information system, data security remains a high priority for protection against fraud.

Protecting the sensor and biometric collection can prevent deception at the sensor level. An individual present during biometric collection can protect against certain types of spoofing (Lee, 2020). Uni-modal biometric sensors are subject to a variety of issues for deception (Aleem, Yang, Masood, Li, & Sheng, 2020). A multimodal system based on the fusion of face and finger can help prevent a single sensor from being deceived

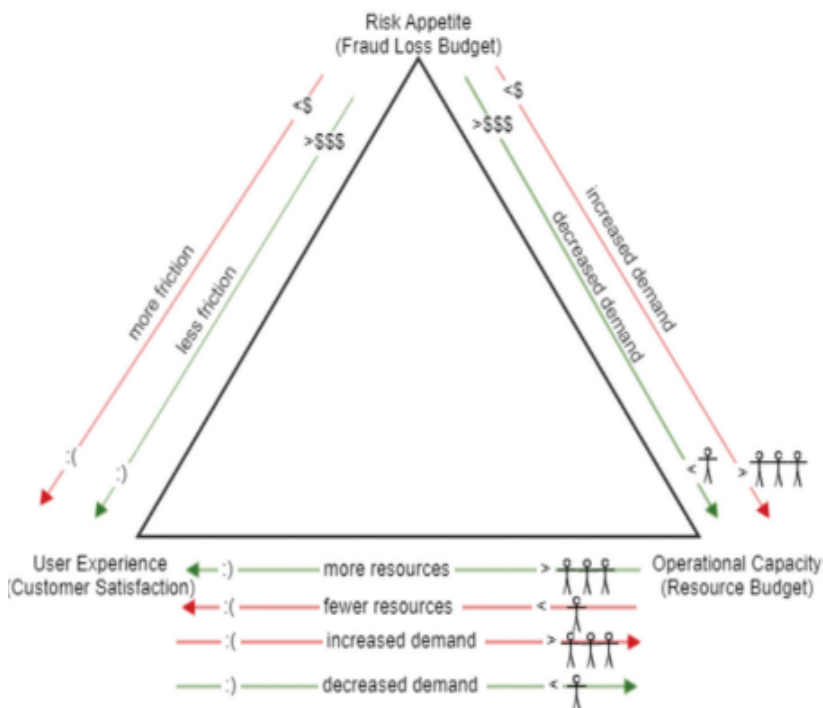
(Aleem et al., 2020). Combining fingerprints with facial recognition provides multimodal physical security to protect the biometric sensor (Aleem et al., 2020). Other multi-model systems can utilize intra-modality by requiring a right index finger one day and the left thumb another (Lee, 2020). Increasing the accuracy of the sensor while protecting the sensor can protect sensors from biometric identity theft.

Processing and coding can also protect biometrics traits within a database. Rajasekar, et al. (2020) used hyperelliptic curve cryptography to overcome high computational time, minimal accuracy, and maximum recognition. The enhanced iris recognition resulted in a lesser false acceptance rate, lesser false rejection rate, maximum accuracy of 99.74%, a maximum true acceptance rate of 100%, and minimal recognition time of 3 seconds as shown in Figure 6 (Rajasekar, et al., 2020).



**Figure 6**

*The Triangulation of Interrelated Constraints That Are Holding Back Banks From Progress*



*Note.* From “Enhanced Biometric Recognition for Secure Authentication Using Iris Preprocessing and Hyperelliptic Curve Cryptography,” by V. Rajasekar, J. Premalatha, and K. Sathya, 2020, *Wireless Communications & Mobile Computing*, 2020, Article 8841021 (<https://doi.org/10.1155/2020/8841021>). Copyright 202 by V. Rajasekar, J. Premalatha, and K. Sathya.

Just as identity theft will remain a problem for banking and government sectors alike, the need to identify an individual online will continue to pose a technological and policy issue.

## **Societal and Operational Challenges**

### ***Standardized Policy***

A policy challenge is the definition of key terms in policy and legislation. Bustard (2015) noted the important step the European Union (EU) was taking to better define “personal data” in order to protect individual privacy rights. Biometric data is subject to personal data protection legislation once it is gathered (Bustard, 2015). The broad definition used by European Data Protection Regulation means any data linked to an individual is considered personal (Bustard, 2015). The EU also further distinguishes between personal data and sensitive personal data (Bustard, 2015). As biometrics is considered part of the physical body, some biometric data can be considered sensitive (Bustard, 2015). Bustard (2015) rightly noted limiting the complexity and application of legal restrictions reduces time and resources. For state governments, the federal government would need to establish standardization to ensure data compatibility.

### ***Innovation Diffusion***

The slow implementation of new technologies is apparent across government levels. Zeng et al. (2018) reminded us of the slow diffusion rate of new renewable energy technologies. Even in US hospitals and healthcare systems, Plum et al. (2020) discussed the lack of adaptation to incorporate new technological innovations. Park et al. (2022) importantly noted the use of innovation diffusion to support the nursing shortage in the

United States. In Taiwan, Leisure Agriculture responded to the post-COVID -19 switch to online shopping by shifting to online marketing (Lee, et al., 2022). Surveys of Taiwan Leisure Agriculture marketing users noted respondents had high online usage scores and easy-to-browse websites were more encouraging for people to participate (Lee, et al., 2022). Despite a proclivity for the slow adoption of new technologies, the use of websites and online tools can be effective for government organizations.

An effective framework to overcome innovation diffusion could provide an informed method for implementation. The Iowa Implementation for Sustainability Framework focused on ten domains, building upon the original Iowa implementation strategy focused on people and systems (Cullen et al., 2022). However, as Cullen et al. (2022) noted, a framework may not be able to overcome diffusion without updates to implementation strategies. Cullen et al. (2022) focused on healthcare and nursing to bridge the gap between research and practice for adoption and implementation. As I have noted previously, healthcare and unemployment data are similar in the need to adapt and protect consumers.

### **Summary and Conclusions**

The literature surrounding identity theft continues to grow and contribute to the overall body of knowledge, especially since the experiences of the COVID-19 pandemic. My literature review focused on cybersecurity, private industry, and the federal government. Cybersecurity alone cannot prevent identity theft and needs to be coupled with legislation (Goel & Saunoris, 2017). Moreover, with the 10th Amendment guarantees states the ability to implement polices within their jurisdictions (Knauer,

2021), the state level is the appropriate for change discussion. As noted by Mamudu et al. (2020), state government regulations can preempt bottom-up change by local or county governments and top-down by federal oversight. My focus in this literature review addressed the existing research for identity theft and the importance of focusing on state government institutions.

For my literature review, I focused on understanding the phenomenon and using the conceptual framework to organize the literature. The literature search strategy addressed the databases, keywords, and search parameters used to find relevant sources. The major themes found during the literature review were in alignment with categories defined as influencing digital government. Elements of interorganizational collaboration included federal regulation, data sharing (Pillsbury, 2019), and data standardization (Martinez, 2018). Organizational structures and processes highlighted the need for proper legislation to prevent cybercrime (Friend et al., 2020) and similar issues of fraud within the health care system (Drabiak & Wolfson, 2020). Legislation uncovered issues with the primary laws for investigation and prosecution of identity theft (Marcum et al., 2011). Regarding technology, the literature review addressed the issues with algorithms in government programs (Elyounes, 2021) and the need to continue to explore biometrics for identification (Lee, 2008). Although my literature review focused on cybersecurity, private industry, and the federal government, it was important to understand this research shared similarities with the phenomenon.

Private banking, health care, and the opioid crisis have similarities with the problem of unemployment benefits fraud. Martinez (2018) noted prescription drug

monitoring programs to combat opioid executed at the state level are impacted by the lack of a comprehensive federal regulation, and opioid data are hampered by a sectoral framework and web of legislation and regulations. Goel (2019) focused on the state-level programs to prevent medical fraud and noted the data can be used to understand the demographics to better understand the types of medical fraud. The banking sector provides valuable research into biometrics and strategies to prevent the various methods to bypass biometric sensors (Lee, 2020). Some states have implemented strategies to prevent identity theft with varying results.

Michigan and New Mexico are two states that implemented strategies prior to the COVID-19 pandemic surge. Michigan's UIA discovered the problems when relying on computer algorithms to detect fraud (Charente, 2018). New Mexico implemented a system that combined predictive analysis and behavioral science to prevent unemployment insurance fraud (McCandless, 2016). Since the COVID-19 pandemic, several states have started using third party authentication such as ID.me to prevent fraud (Donnen et al., 2022). Within the federal government, USDHS built the largest database of biometric and personal data of citizens and foreigners to support law enforcement efforts (Choudhury & Rabbani, 2020). However, researchers have not scrutinized these programs to determine the effectiveness of the algorithmic, third party, or government biometric programs.

In Chapter 3, I describe the research methods I used for this study. I explain how the methodology aligns with the gap discovered during the literature review. The gap in the literature regarding state government benefit offices' efforts to prevent identity theft

required the qualitative case study design to contribute to the knowledge base. OST allowed me to design the study based upon the variety of variables and collect as much data as possible to answer the research question. Chapter 3 also includes descriptions of the research design, role of the researcher, methodology, and strategies to address trustworthiness.

### Chapter 3: Research Method

The research design of qualitative case study for this research facilitated the understanding of the barriers to or facilitators of state unemployment benefits offices' ability to reduce identity theft. This phenomenon involves the environment that affects the state unemployment benefits offices' ability to detect and prevent identity theft. The study also addressed key issues such as administrative budgets, employee training, and identity verification. The aim of the study was to identify the themes and patterns of the environment using content analysis. The outcomes of this investigation may help staff of state government agencies to understand policies and procedures by providing administrative, operational, and technical controls.

This chapter includes the rationale for the research design, the role of the researcher, the methodology, and issues related to trustworthiness. The design rationale section includes the reasoning for the qualitative case study and the research question. The methodology section includes a discussion of the research instrument, data collection, and data analysis. The chapter also addresses ethical concerns and treatment of data.

#### **Research Design and Rationale**

I used a case study as the qualitative design for this study. A qualitative case study has flexibility and can suit the diversity of a study (Hyett et al., 2014). I used the postpositivist viewpoint to produce a generalized understanding of the problem (see Hyett et al., 2014). The qualitative case study design allowed for data collection and analysis of a complex phenomenon explored through a variety of factors, allowed me to

determine the unit of analysis from document coding, and allowed me to study the phenomenon within the natural context of the system and the outside factors (see Hyett et al., 2014). Hyett et al. (2014) noted the importance of an adequate contextual description of bounding. I used a standardized assessment of the data prior to coding. A qualitative case study provided me a flexible research design for my research problem, which had a variety of complex topics.

Case study provided the proper method to examine a social science topic. George and Bennett (2005) noted case studies provide the method to apply theories to better understand phenomena in political science. As this study was exploratory to understand the phenomenon and describe the environment of casual relations, case study provided the rationale to understand the “how” and “why” (Yin, 2018). The scope of case study supports an empirical inquiry into contemporary phenomena and the boundaries within the environment (Yin, 2018). Case study also provided the ability to properly define the boundary between the organization and the environment (Yin, 2018). As noted by Yin (2018), case study provides the flexibility to define the unit of analysis, the assembly of qualitative data, and the criteria for analyzing a study’s findings. For this study, qualitative case study provided the best method to understand the limited knowledge base and adapt a conceptual framework.

Data triangulation was the best choice for data collection for my chosen approach of a qualitative case study. Yin (2018) noted the six sources of evidence for an effective case study should include documents, archival records, interviews, direct observation, participant observation, and physical artifacts. A qualitative case study should include as



many data sources as possible to allow for collection and source triangulation. Data triangulation allows a researcher to form a better understanding of the phenomenon (Carter et al., 2014). Methodological data triangulation allows a researcher to use several qualitative methods to corroborate findings (Bekhet & Zauszniewski, 2012). I incorporated documents, archival records, and physical artifacts in this qualitative case study.

Documents, archival records, and physical artifacts from the six major sources offer specific strengths for understanding the environment affecting a government agency. Documents can be easily viewed and are also specific to details (Yin, 2018). Documents are also unobtrusive and allow the researcher to gather broad evidence of an organization and the environment (Yin, 2018). Examples of documents for this study included administrative materials, format studies, letters, and news media (Yin, 2018). Archival records offer strengths like documents and are also precise in details regarding a topic (Yin, 2014). Examples of archival records for this study included government statistical data, organizational records, and survey data (Yin, 2018). Finally, physical artifacts provide insight into organizational cultures and operations (Yin, 2018). Examples for this study included printouts and informative pamphlets from the organization (Yin, 2018). The collected data supported data triangulation during data analysis.

To ensure triangulation, the data were collected from multiple data sources. Using multiple sources for the evidence allowed for the development of converging lines of inquiry (Yin, 2018). For this study, I gathered evidence from government agencies,

academic institutions, private research institutes, and the organization. Triangulation occurred by following the principles of navigation by intersecting different reference points to gain precision and accuracy (Yin, 2018). The creation of a case study database allowed for the organization and documentation of evidence for orderly preservation and analysis of the evidence (Yin, 2018). To truly understand how a particular incident occurred, it is important to seek convergence of evidence (Yin, 2018). Evidence collection was driven by the research question.

The research question supported the purpose of the study and the method for conducting the study. The qualitative research question served as a guide for navigating the literature review and collecting data in this study. The research question also allowed me to address the environmental factors that affect the prevention of identity theft: What are the barriers to state unemployment offices' ability to prevent identity theft?

The research question was used to explore the barriers to or facilitators of state unemployment offices' ability to reduce identity theft. The ontology of the question ensured research alignment by bridging the relationships between the theoretical approach, the conceptual approach, and data collection (see Ravitch & Carl, 2021). The epistemology of the question provided a justification for the greater good to protecting both individuals and government institutions (see Ravitch & Carl, 2021). Addressing this topic may inform the efforts of state governments to reduce the financial cost and human cost of unemployment claims that involve fraudulent identification.

The central phenomenon of this study was obtaining state unemployment benefits through identity theft. For this study, the concept of identity theft prevention is the

relationship between the external environment affecting the organization and the processes and procedures that state unemployment benefits offices use to prevent individuals from using stolen or fraudulent identities to obtain government benefits. Identity theft continues to pose a difficult problem for government entities. In 2019, more people filed an identity theft claim than any other type of consumer fraud report (FTC, 2020), and that number continued to increase in 2020 from the effects of the global pandemic (FTC, 2021). Stolen identities are used to obtain fraudulent government benefits or open lines of credit (FTC, 2020). Failing to adopt safeguards can be costly to the government and to the affected individual.

Previous research on government policies regarding identity protection focused on preventing identity theft with standards for cyberdefense, the architecture of a cybersecurity framework, or security threats and attacks (Srinivas et al., 2018). Empirical research regarding cyberfraud focused on private banking or retail industry fraud and the methods used to detect and prevent fraud (Okeke, 2015). Ravitch and Carl (2021) noted this topic could be explored through a series of case studies on individual government agencies to better understand the contextual environment. Qualitative case study through the theoretical approach of OST provided a solid framework to understand the phenomenon.

The purpose of this study was to explore the policy, legal, procedural, and technological barriers of state unemployment benefits offices' ability to reduce identity theft. During the study, I also researched the current efforts of state governments to reduce the financial cost and human cost from identity theft. In the study, I further

addressed the primary factors influencing identity theft prevention for legislative, budgetary, and legal constraints. This problem impacts two aspects of the social problem: the human cost (identity theft) and the financial cost (government program fraud and individual recovery).

### **Role of the Researcher**

My role was that of a doctoral candidate, researcher, and affected consumer. I remained detached and neutral as a doctoral candidate and researcher. At the same time, I am an affected consumer with personal experience regarding identity theft and a vested interest in avoiding future incidents. My identity was used to secure unemployment benefits in multiple states and was used in an attempt to secure federal assistance program funds while I was deployed overseas with the military in 2020. As a victim of identity theft from government data breaches and a victim of identity theft to obtain fraudulent government benefits, I would contend the government has poor security protocols. Furthermore, it appears government agencies are willing to provide guidance to individuals and businesses, but guidance to government agencies is absent. My roles, at odds with each other, could have led to ethical issues or bias. My intent with my research was to explore the environmental factors that can affect the state's ability to execute unemployment benefits.

To avoid ethical issues or potential bias, I followed my theoretical framework and focused on the data collection. Based on my design, data from organizations and groups have the best potential to become data for collection and analysis (see Ravitch & Carl, 2021). Official documents provided the government's formal and organizational context

for the research topic (see Ravitch & Carl, 2021). I explored annual government reports to understand the phenomenon of cyber fraud. Data collection was iterative and recursive based on the research topic. I was reflexive throughout the research process to ensure proper data collection methods were used. I also provided an identity and positionality memo to provide readers with my background and personal experience (see Ravitch & Carl, 2021). Identifying, collecting, and organizing neutral and unbiased data to understand the vulnerabilities of certain government agencies may provide information to make recommendations for positive social change.

## **Methodology**

### **Document Selection Logic**

The phenomenon of interest was the factors that affect the ability of the state unemployment office to prevent identity theft. I collected data from a sample of official legislative records, government documents, official press releases, and government reports. An in-depth search of Workforce West Virginia and related documents was conducted focusing on unemployment benefits. The number of documents included in the study was dependent upon available information until I reached data saturation, which was the point when no new information was being found. Information regarding policies of U.S. federal government organizations was also included in the study.

### **Instrumentation**

The data collection for my alignment included documents, archival records, and physical artifacts. A qualitative case study is a qualitative design for data collection and analysis for complex phenomena explored through a variety of data sources. Yin (2018)

noted the six sources of evidence for an effective case study should include documents, archival records, interviews, direct observation, participant observation, and physical artifacts. A case study should include as many of the data sources as possible to allow for collection and source triangulation. The qualitative case study design also allowed me to determine the unit of analysis from document coding and allowed for the study of the phenomenon within the natural context of the system and the outside factors.

OST allowed me to analyze the environment that impacts an organization. The environment consists of other organizations that exert economic, political, or social forces on the organization (Yin, 2018). The environment also provides the key resources that sustain the organization and lead to change (Yin, 2018). OST provided the framework to understand the outside factors (policy, legal, procedural, and technological) that affect the internal processes of state unemployment offices. A qualitative case study design grounded the study to focus on the environmental factors that affect the phenomena.

As the researcher, I was the instrumentation for data collection (see Ravitch & Carl, 2021). Statistical documents from organizations and groups have the potential to become data for collection and analysis (Ravitch & Carl, 2021). Documents, archival records, and physical artifacts will provide formal or organizational context for a research topic (see Ravitch & Carl, 2021). The sources of information used in this study were drawn from the state legislature, the state governor's office, and the Workforce West Virginia office. I also collected data from U.S. federal government agencies including the Department of Justice and the Department of Labor for national statistics and federal

regulations. Content analysis was used to bridge the theoretical framework to the conceptual application.

I used a conceptual framework to determine the inclusion and exclusion criteria for the collected material. My conceptual framework to organize my data incorporated a variation of Picazo-Vela et al.'s (2012) six categories to capture digital government applications: (a) general context, (b) institutional framework, (c) interorganizational collaboration and networks, (d) organizational structures and processes, (e) information and data, and (f) technology. The six categories include the institutional framework that addresses the laws, regulations, norms, and other rules that govern the technological and social aspects of public policy. A qualitative case study including archival documents organized into six categories was the most effective method to conduct my qualitative research.

For the case study of a state unemployment office, I also used Scott's criteria of authenticity, credibility, representativeness, and meaning to identify components of government laws, resources, finances, and training of identity theft. Okeke (2015) also offered an approach for collecting, collating, and assembling lessons using the case study research method with the aim to develop detailed guidelines. In a similar study, Friend et al. (2020) categorized the societal and legal aspects in Ireland designed to prevent and protect from cybercrime. Another important method to organize and analyze data was to use Cressey's FTT and Wolf and Hermanson's DFT to analyze how perpetrators go so far as to commit fraud (Sánchez-Aguayo et al., 2021). The incorporation of the theories helped to guide data collection, organization, and analysis of the archival documents.

### **Procedures for Data Collection**

My data collection for my alignment included documents, archival records, and physical artifacts. Statistical documents from organizations and groups have the potential to become data for collection and analysis (Ravitch & Carl, 2021). I began my research by understanding the overall nature of identity theft. Then, I began data collection by searching for government data on the use of identity theft to obtain benefits. I then shifted to understanding public sector processes and procedures to prevent identity theft. Finally, I collected data on government laws, regulations, and budgets focusing on identity theft. Each document was screened for the inclusion criteria so only documents pertaining to unemployment benefits were included. Duplicate documents and documents that did not mention state unemployment benefits were omitted.

For this study, I focused on collecting documents, archival records, and physical artifacts from relevant West Virginia government agencies and relevant U.S. federal government agencies. I collected data from the state government using archival records requests and by obtaining documents readily available to the public on the internet or through local libraries. Secondary data were collected from federal agencies that oversee, monitor, or investigate unemployment benefits fraud. These documents were annual reports, federal regulations, and legislation. Official documents provided context into formal or organizational context for the research topic (Ravitch & Carl, 2021). I also conducted an analysis of the collected documents to determine the level of importance to the phenomenon. Content analysis of the collected documents further determined the relevance to the research question.



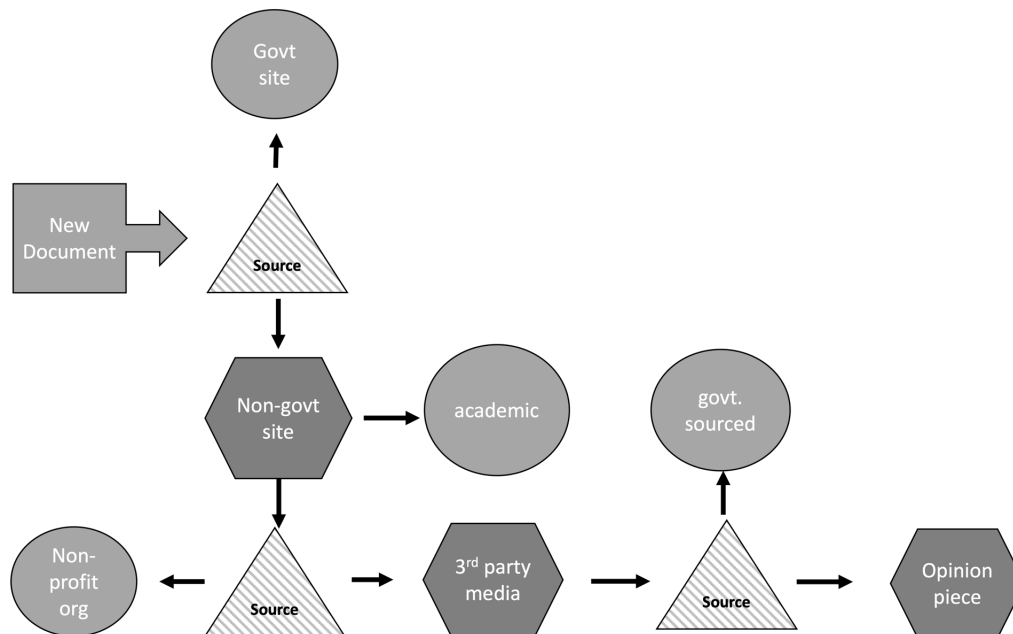
Documents helpful for my research came from a variety of state and federal sources. The state budget for West Virginia provided insight into the expenditures of the state as whole and for the unemployment office. The Workforce West Virginia website provided links to the required documents to request benefits, the state's Workforce Innovation and Opportunity Act, the Claimant Handbook, and requests for procurement. These documents provided general context, institutional framework, information and data, and technology. Specifically, the documents supported the understanding of the procedures for verifying identification and the process for innovation. The state governor's office website provided links to press releases and executive orders. These documents provide information on interorganizational collaboration and networks; organizational structures and processes; and information and data. The state legislature provided access to documents to support the institutional framework that includes the laws and regulations that govern the organization. A request to the state archives provided Workforce specific archival records that were not readily available to the public.

Federal government publications also provided relevant information to understand the phenomenon. The FTC website provided access to the annual Consumer Sentinel Network Data Books. These annual reports provided general context for the size and scope of the research problem. The Federal Bureau of Investigation Internet Crime Complaint Center (IC3) website provided reports related to fraud. Specifically, the annual IC3 report provided general context for various types of fraud. The U.S. Department of Labor Office of Inspector General (OIG) provided access to audits and reports on

unemployment benefits. The OIG offered insight into technology, institutional framework, inter-organizational collaboration and networks, and organizational structures and processes.

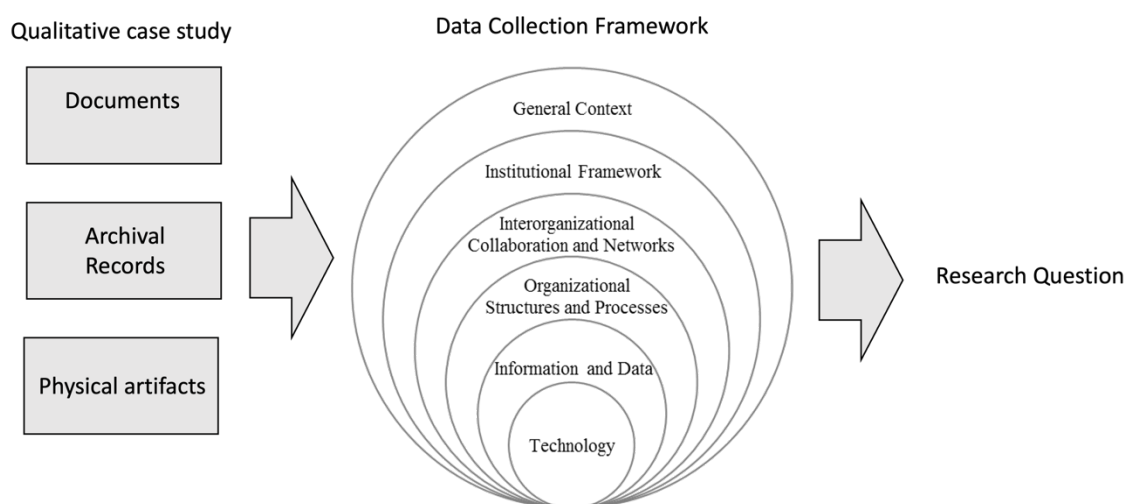
### **Data Analysis Plan**

The purpose of this study was to explore the environment surrounding state unemployment benefits office's ability to reduce identity theft. OST provided the theoretical framework to identify environmental factors for data collection. I conducted content analysis of government documents and archival records for the primary sources of data. Artifacts from the state unemployment office were also used for content analysis. I used a standardized assessment of the source to determine credibility. First, I determined whether the document came from a government publication. If yes, then the document was deemed credible. If no, then I will determine the source of the material. Figure 7 provides a visual representation of the assessment process.

**Figure 7***Document Inclusion and Exclusion Criteria Flow Chart*

Content analysis was used to bridge the theoretical framework to the conceptual application. Analyzing documents provided an unobtrusive method that offered an unfiltered perspective of the phenomenon (Nair, 2014). Content analysis provided a research technique to gain new insights and knowledge as the researcher is disassociated from the source of the phenomenon (Krippendorff, 2019). For the initial coding of the data, I used the three distinct approaches of content analysis to organize the unstructured data: conventional, directed, and summative (Edelman, 2013). The first step was to use the directed approach that uses the OST as a guide. The second analysis used the conventional approach to gather themes and sub-themes based on the six categories of digital governance.

After content analysis, a defined conceptual framework supported operationalizing the data. The categories of (a) general context, (b) institutional framework, (c) interorganizational collaboration and networks, (d) organizational structures and processes, (e) information and data, and (f) technology (Picazo-Vela et al., 2012) will allow for data analysis. Then the summative approach involved counting and comparing the recurring themes from the categories. Each document used a variety of terms that are synonymous with identity theft. After first and second level coding of documents, I organized evidence based on the six categories of digital governance. The nature of the reference to each of the categories was analyzed to answer the research question. Figure 8 provides a visual representation of the data analysis framework.

**Figure 8***Data Analysis Framework Flow Chart*

*Note.* Adapted from *Case Study Research and Applications: Design and Methods* (6th ed.), by R. K. Yin, 2018, SAGE Publications, and “Understanding Risks, Benefits, and Strategic Alternatives of Social Media Applications in the Public Sector,” by S. Picazo-Vela, I. Gutierrez-Martinez, and L. F. Luna-Reyes, 2012, *Government Information Quarterly*, 29(4), p. 507. Copyright 2023 by John Eberly.

Content analysis provided the iterative process during the line-by-line process to sort common words, phrases, or ideas. I used Microsoft Excel software to support the summative process of content analysis. Microsoft Excel provided data analysis tools to collect, organize, and analyze data from interviews, documentation reviews, and field notes. Microsoft Excel provided an adaptable tool with many options for viewing and organizing the data.

## **Issues of Trustworthiness**

### **Credibility and Dependability**

I used multiple sources for documented evidence for credibility and dependability. Credibility is reliant on the scholar to produce policy-relevant research that informs the policymakers with trustworthy information (Williams, 2019). I used fraud triangle theory, diamond fraud theory, OST, and data triangulation to ensure credibility. Content analysis supported credibility during data analysis. I will use data from government-published resources, academic research, and independent institutions to conduct data triangulation to ensure dependability. Moreover, dependability ensures the study can be repeated by subsequent researchers (Patton, 2015). I used publicly available data to ensure subsequent practitioners can access the same information.

### **Transferability and Confirmability**

Transferability ensures the study is relevant in other contexts (Patton, 2015.). By using categories established by Friend et al. (2020), I can ensure the research can be conducted with other state unemployment benefits offices. Confirmability removes bias and establishes the researcher's neutrality (Patton, 2015). I used a systematic approach to determine the credibility of data to create transparency and trustworthiness (see O'Kane et al., 2021). Inductive research using open system theory, which is part of my alignment, will provide reflexivity and will provide the ability to address a specific issue or problem. (O'Kane et al., 2021). Ravitch and Carl (2021) highlighted the importance of transparency in data. Relevance to other state unemployment benefits offices and the use of standardization will support transferability and confirmability.

### **Ethical Procedures**

I obtained approval from Walden University's Institutional Review Board before collecting data. My approval number from the Institutional Review Board was 04-27-23-0980973. Because this study will not involve participants, the ethical considerations for human subjects does not apply. I will not include any personally identifiable information regarding organizations or people in this study.

### **Summary**

The purpose of this qualitative exploratory case study was to understand the environment that affects a state unemployment benefits offices' ability to reduce identity theft. The phenomenon of investigation was obtaining state unemployment benefits using identity theft. The organization in this qualitative case study was the state of West Virginia Work Force West Virginia. OST provided the theoretical framework to understand the environmental factors that affect the state unemployment benefits office. The six categories of digital governance provided the framework to conceptualize the theory. Data was collected from a purposive sample of official documents, archival records, and physical artifacts. These sources of evidence for a qualitative case study from multiple sources allowed for the pursuit of depth on an issue (see Jung, 2020; Yin, 2018). Content analysis was applied to the data using the three distinct approaches from unstructured data. The framework supported the research to develop an insight into the relationship between the organizational environment and the phenomenon. Chapter 4 provides the research elements of setting, data collection, evidence of trustworthiness, and results of content analysis.

## Chapter 4: Results

The purpose of this qualitative case study was to explore the environmental factors that make state unemployment benefits office susceptible to identity theft. The state in this case study was the State of West Virginia. Official government documents, executive orders, state legislation, press releases, and archival records that pertained to Workforce West Virginia were collected and analyzed to address the following research question: What are the barriers to state unemployment benefits offices' ability to reduce identity theft?

This chapter contains the findings of this study. The provided setting and sample of the study highlight the context of West Virginia. I also describe the data collection and analysis processes. I coded the results of the analysis in accordance with the six dimensions of digital governance across the data set. A summary concludes this chapter.

### **Setting**

The setting for this study was the State of West Virginia after the COVID-19 pandemic. From 2020 to 2021, fraud cases rose by 70%; in 2021, the FTC received 5.7 million fraud cases, which resulted in over \$2.8 billion in losses (National Council on Identity Theft Protection, 2022). The FTC further divides fraud into the subcategory of identity theft, which represented 25% of all reported fraud in 2021 (FTC, 2022). The trend continued in 2022, with identity theft representing the most reported type of fraud at 22% or over 1 million reports (FTC, 2023). Government responses to the COVID-19 pandemic thrust state unemployment benefits offices into the spotlight. In March 2020, Congress passed Coronavirus Aid, Relief, and Economic Security (CARES) Act and the



subsequent Coronavirus Response and Consolidated Appropriations Act in December 2020 (Department of the Treasury, n.d.). The CARES Act implemented various programs to provide financial aid to Americans (Department of the Treasury, n.d.). In West Virginia, the state unemployment benefits office, Workforce West Virginia, received more than 150,000 unemployment claims in March and April 2020 (Office of the Governor, 2020). Workforce West Virginia typically receives an average of 3,400 monthly claims (Office of the Governor, 2020). A Workforce West Virginia employee must handle any claims with discrepancies in person (Office of the Governor, 2020). With an increase of over 2,000% over the 2-month time period, West Virginia was an example of a national trend that expedited unemployment claims for Americans.

### **Sample of the Study**

The number of documents included in this study was 20. The documents included official records, government documents, state legislation, executive orders, and official press releases pertaining to Workforce West Virginia or the unemployment compensation program. The attributes are shown in Table 1.

**Table 1***Sample of the Study*

File name	Document title	Date	Type of document
E 01	Executive Order No. 4-20	March 19, 2020	Government document
E 02	Executive Order No. 57-20	July 31, 2020	Government document
E 03	Executive Order No. 11-21	March 29, 2021	Government document
M 01	Memorandum of Understanding WIOA	October 19, 2018	Government document
M 02	Memorandum of Understanding WIOA	October 20, 2022	Government document
H 01	House Bill 2873	March 03, 2021	Government document
S 01	Senate Bill 2	February 02, 2022	Government document
R 01	Special Report Workforce West Virginia Unemployment Claims Data	December 2021	Government document
B 01	Workforce Development Board Bylaws	October 30, 2015	Government document
C 01	§5B-2B-9 Workforce Investment Act	1985	Government document

File name	Document title	Date	Type of document
S 02	Senate Bill 582 Workforce Resiliency Act	March 12, 2022	Government document
C 02	West Virginia Code 21A Unemployment Compensation		Government document
S 03	Senate Bill 59 Amendment to State Code 21A	February 14, 2023	Government document
A 01	SIDES	2023	Archive
P 01	Award of 2.4M in funding to WV	January 31, 2022	Press release
F 01	Claims Resolution Act of 2010	December 8, 2010	Government document
F 02	Unemployment Insurance: Legislative Issues in the 116 <sup>th</sup> Congress	March 8, 2021	Government document
F 03	Families First Coronavirus Relief Act	March 18, 2020	Government document
R 02	State Quality Service Plan	August 14, 2014	Government document
R 03	Unified State Plan	2023	Government document

*Note.* Documents for data analysis. The above documents are included based upon the document inclusion criteria.

The two most common types of documents were executive orders from the governor of West Virginia and legislation from the state legislature of West Virginia. The two most common types of documents from the federal government were Congressional acts and reports from the Congressional Research Committee. Five of the documents were published prior to the start of the COVID-19 pandemic in March 2020, and six documents were published within 1 year of the start of the COVID-19 pandemic. Each document provided an important glimpse into the importance of identity theft prevention within the unemployment insurance program before, during, and after the COVID-19 pandemic.

### **Data Collection**

The data collection method involved a strategic search of relevant Workforce-West-Virginia-related documents. Data collection started on April 28, 2023, and continued until June 9, 2023. I used purposive sampling to select the sample secondary sources. The following keywords served as the search terms: *West Virginia, Workforce, identity theft, identity fraud, unemployment benefits, identity protection, FBI cybercrime statistics, bank fraud, credit fraud, fraud detection, fraud reporting, local government, and the United States*. I also submitted a request to the West Virginia State Archives. The archivist returned a list of 40 documents. I submitted a formal request for copies of two documents I could not find online. I received the documents in a digital pdf format.

Each document was screened for the inclusion criteria of the sampling technique such that only documents pertaining to the state unemployment benefits office program integrity were included. Duplicates and documents without evidence of the six

dimensions of digital governance were omitted. The search and screening process yielded 20 documents to be used in the analysis. Given the systematic approach used to gather sources, the comprehensive keyword search, and the screening of data to remove sources that did not meet inclusion criteria, I considered this sample size sufficient.

### **Data Analysis**

The data analysis procedures involved content analysis using the READ approach proposed by Dalglish et al. (2020). The READ approach consists of the following steps: “(1) ready your materials, (2) extract data, (3) analyze data, and (4) distill your findings” (Dalglish et al., 2020, p. 1424). I conducted a thematic analysis to organize the data set. I utilized Microsoft Excel software to complete the analysis.

During the first step of the READ approach, I compiled all electronic copies into one folder and renamed the documents used based on a specific filing system. The system involved categorizing each document based on type. The publication date was not a factor in ordering the documents, as this study was not timebound. Executive orders were labeled as “E,” memorandums of understanding were labeled as “M,” legislation was labeled as “L,” state codes were labeled as “C,” artifacts were labeled as “A,” Workforce West Virginia bylaws were labeled as “B,” press releases were labeled as “P,” and federal records were labeled as “F.” As I wanted to focus on state-level actions, I combined federal records into one category. After renaming the files, I organized the documents using a Microsoft Excel spreadsheet to ensure each document was coded, organized by dimensions of digital governance, and added to the document.

During the second step of the READ process, I repeatedly read each one of the data to extract units of meaning. First, I searched for key terms, then read the documents for specific examples. The general patterns were then organized by the Microsoft Excel spreadsheet. I used the Microsoft Excel spreadsheet to keep track of the patterns and referred to the spreadsheet during a close reading of each document. The units of meaning extracted from statements were relevant to the general patterns represented the units of measurement.

The third step involved grouping the documents by the six dimensions of digital governance. I utilized a Microsoft Excel spreadsheet to annotate which of the six dimensions each document represented. Documents that represented more than one dimension were annotated multiple times. This step in the process allowed me to group the units of measurement obtained during Step 2 into each of the six dimensions. These unit codes represented the smallest units of meaning and allowed me to cluster similar meanings within delimitation of the six dimensions. The process resulted in the development of themes for each of the six dimensions of digital governance.

During Step 4 of the READ approach, I refined the general patterns under codes that described the environment in which the state unemployment benefits office operates. This phase of data analysis involved clustering and itemization. I refined the codes within the scope of the six dimensions of digital governance as the central themes. The themes from the six dimensions of digital governance were central to answering the research question. I reviewed the themes in the comparison with the coded text and the number of

occurrences in the data. I followed three steps recommended by Moustakas (1994) to validate the codes and themes:

- Are codes and themes expressed explicitly in the complete transcription?
- Are codes and themes compatible if not explicitly expressed?
- Delete not explicit or compatible codes and themes.

I removed not explicit codes and themes (Moustakas, 1994). The codes identified as not compatible but valid to the study were moved to compatible nodes. Those identified as not consistent with the study were deleted. During the validation phase, the themes were aligned to reflect the six dimensions of digital governance. The counts of the six dimensions of digital governance and general patterns are reported in the Results section. The list of codes organized by general patterns is provided in Table 2.

### **Evidence of Trustworthiness**

This section provides evidence for establishing trustworthiness during data collection and analysis. I addressed the four components of trustworthiness: credibility, transferability, dependability, and confirmability (see Patton, 2014). Trustworthiness, especially for qualitative writing, provides the reader confidence in the work. This section articulates the four components of trustworthiness to establish trustworthiness in my research.

#### **Credibility**

I utilized triangulation of sources to establish credibility by utilizing different data sources. Peer-reviewed articles, state government documents, federal government documents, and independent research institutes accomplished data triangulation. The data

sources included archival records, published documents, and digital artifacts. Data saturation occurred after exhausting all available data sources. Content analysis allowed for making valid inferences from the data, and coding provided meaningful ideas from the data for analysis. Most importantly, I established credibility by accurately representing the phenomenon of interest.

### **Transferability**

The literature review was presented in Chapter 2 with references to all the artifacts reviewed during the process. Chapter 3 provided a profuse description of the methodology to facilitate the replication of the study in another setting. This chapter provided a comprehensive description of the settings, codes, themes, and other characteristics as a means for readers to determine the transferability of the findings to other settings. The delimitations were discussed in the Data Collection and Data Analysis sections and should have no significant impact on the transferability of the study.

### **Dependability**

The dependability of the research was demonstrated through the collection techniques and procedures of the proposal. This was supported through audit trails of my prospectus, literature review, research design, and data collection. The audit trails provide documentation for outside inquiry. My committee approved my proposal, which outlined the problem, purpose, and research questions and provided an overview of the research design, framework, and methodology, before I began the final study. There was no change to the qualitative study after approval, and the findings were established within



the research setting. Finally, I established dependability through the data collection techniques and procedures of the final data set.

### **Confirmability**

Confirmability was established by checking and rechecking the data throughout data collection and analysis. The research design included bracketing by looking at the phenomenon and refraining from judgment to avoid biases. A clear coding schema documented the codes and patterns of the analysis, and Excel pivot tables provided visual representations of the data. I isolated the phenomenon and studied the environment in the context of objectivity. In addition to bracketing, Creswell (2013) mentioned auditing could be used to support confirmability. My dissertation supervisory committee and URR served as the auditors for the overall trustworthiness of the research. These strategies provided confirmability by illuminating research bias, deferring prejudgments, and sustaining objectivity. The data collection and analysis can be repeated by other researchers.

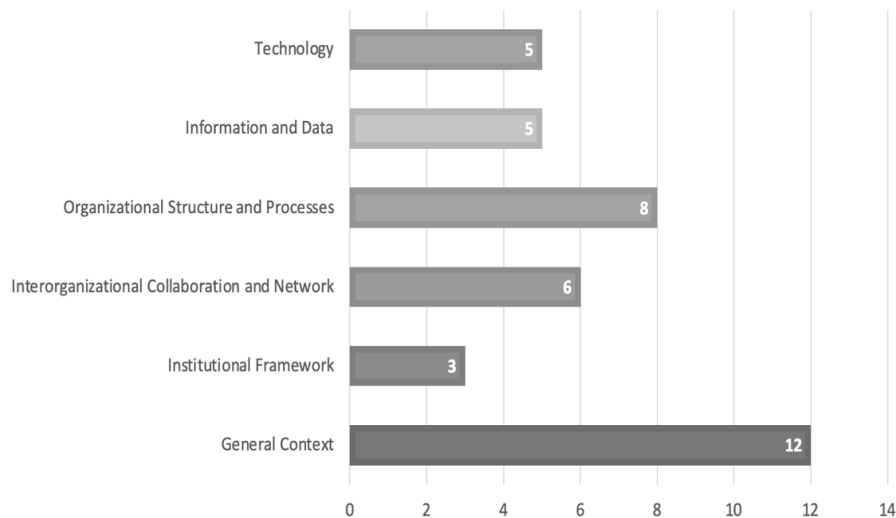
### **Results**

This section contains the results that addressed the primary research question: What are the barriers to state unemployment benefits offices' ability to reduce identity theft? The themes were separated by the six dimensions of digital governance: (a) general context, (b) institutional framework, (c) interorganizational collaboration and network, (d) organizational structure and processes, (e) information and data, and (f) technology. Figure 9 displays the number of documents for each of the six dimensions of digital

governance. I will discuss the implications for the low number of documents for the technology, information and data, and institutional framework dimensions.

### Figure 9

*Documents Grouped by Six Dimensions of Digital Governance*



*Note.* This figure illustrates the number of documents associated to each dimension of digital governance.

Table 2 displays the relationship of the six dimensions of digital governance to the number of documents and occurrences from the general patterns. Institutional framework and organizational structure and process had the highest number of occurrences of general patterns. Technology with only five documents had 19 occurrences of general patterns.

**Table 2***Overview of the Central Themes*

Dimension	Number of supporting documents	Count of general patterns within documents
General context	12	5
Institutional framework	3	9
Interorganizational collaboration and network	6	29
Organizational structure and processes	8	29
Information and data	5	9
Technology	5	19

*Note.* Data analysis of the central themes of the six dimensions of digital governance.

This table illustrates the relationship of the dimensions to the number of documents and occurrences from the general patterns.

An overview of the central themes is provided in Table 3 displays the occurrences of the general patterns from coding in relation to the general patterns. The full list of coding is available as an appendix.

**Table 3***Overview of the General Patterns*

General patterns	Occurrences of general patterns
Collaboration	1
Data	1
Human resources	11
Innovation problems	2
Interstate collaboration	19
Intrastate collaboration	14
National oversight	1
National requirements	3
Program constraints	1
State regulation	9
State requirement	22
Technology	1
Web-based technology	10
Workforce requirements	5

*Note.* Data analysis from Microsoft Excel pivot table. This table illustrates the occurrences of the general patterns from coding in relation to the general patterns.

Each dimension is described in the following subsections. I also provided analysis to the implications of the environmental effects on the organization.

### **General Context**

The number of supporting documents considered to provide data on general context for Workforce West Virginia or the Unemployment Insurance Program was twelve. Documents E 01, E 02, E 03, H 01, R 01, C 01, S 02, P 01, F 01, F 02, F 03, and P 02 provided information to the situation, setting, and social circumstances of the organization. After analyzing the data from the twelve documents, the general context documents provided specific language that was also coded under other categories. Only five instances within the general context documents provided general guidelines. The documents could be further divided into state requirements and national requirements.

### ***State Requirements***

State requirements provided the overarching guidance for Workforce West Virginia. C 02 (West Virginia Code §21A Unemployment Compensation) established the unemployment compensation program, outlined the guidelines for the system, and established program integrity. Specific guidance to the commissioner is discussed in the organizational structure and processes section. R 03 (The Unified State Plan for West Virginia Plan Years 2020-2023) provided the most robust general context for Workforce West Virginia. The State Plan overview explained “Under the Workforce Innovation and Opportunity Act (WIOA), the Governor of each State must submit a Unified or Combined State Plan to the Secretary of the U.S. Department of Labor (DOL) outlines a four-year strategy for the State’s workforce development system.” States are required to

have an approved plan in order to receive funding for core programs. C 02 and R 03 authorized Workforce and provided the requirement to obtain funding.

State legislation established the oversight and management of Workforce West Virginia. B 01 (West Virginia Workforce Board Bylaws) establishes a general context for the oversight and management of Workforce. Article III stated, “the Board shall make recommendations regarding program implementation, operation, and modifications to all state agencies administering workforce investment programs.” Article IV further stated the “Board may adopt additional functions and responsibilities that are not inconsistent with any and all applicable state or federal law or these Bylaws.” These articles are important to the establishment and execution of Workforce policies and procedures. The immediate response to COVID-19 would directly affect the established guidelines.

After the COVID-19 pandemic, the state ordered a review of the unemployment benefits system. R 01 (West Virginia Special Report: West Virginia Unemployment Claims Data) from December 2021 provided general context insight into the situation around the COVID-19 pandemic environment. The special report was “Pursuant to West Virginia Code §4-2-5, the legislative auditor directed the Performance Evaluation and Research Division to conduct an information report on the surge of fraudulent unemployment claims resulting from the COVID-19 pandemic and were paid by Workforce West Virginia.” Moreover, the report stated, “the objective of this report was to provide information on the unprecedented number of unemployment claims filed in response to the COVID-19 pandemic, the amount paid in fraudulent claims, and the causes for many fraudulent claims being paid.” The special report specifically mentioned

two important items. First, Workforce did not conduct cross matching with other agencies. And second, Workforce has since implemented a fraud unit, a cross matching unit, and an investigations unit. This indicates the affects changing the environment for Workforce West Virginia during the COVID-19 pandemic. Established state requirements are important to ensure organizations can achieve institutional outcomes.

### ***National Requirements***

National requirements provided the overarching guidance for roles and responsibilities of state unemployment benefits offices. F 01 (Claims Resolution Act of 2010) section 801 changed the enforcement of state debts. In subparagraph (B), the language “due to fraud” was removed and replaced with “is not a covered unemployment compensation debt.” And in subparagraph (C), “due to fraud” was struck and replaced with “is not a covered unemployment compensation debt.” The change in language removed the incentive for states to invest in preventing fraud, as they were no longer held accountable for repaying the loss. The 2021 budget creates new integrity measures, such as corrective action measures in response to poor state administrative performance (Whittaker & Isaacs, 2021). F 01 displayed the biggest effect on the environment from the national level. This indicates the relationship between state identity theft prevention efforts and accountability. State accountability is an important aspect to the unemployment program integrity measures.

Another federal legislative act that provided general guidance without implementing state requirements was F 03 (Families First Coronavirus Response Act). Section 4102(a) provided up to a total of \$1 billion in “emergency administrative grants”

to states in calendar year 2020. Half of each state's share was available if the state met certain requirements related to UC eligibility notifications and claims access. The second half of each state's share was available if it qualified for the first half and if the state experienced at least a 10% increase in UC claims over the previous calendar year and met certain other requirements related to easing UC eligibility requirements for individuals affected by COVID-19. Additionally, there were reporting requirements to DOL and committees of jurisdiction within one year for states that received these grants. The act did not establish specific regulations or requirements for the state. F 03 showed the biggest implication for allocating resources to states without direct regulations or requirements for state accountability. State and national requirements provide the general guidance necessary for program management.

### **Institutional Framework**

The number of supporting documents considered to provide data on institutional framework was three with nine instances of general patterns for Workforce West Virginia or the Unemployment Insurance Program. Documents R 01, B 01, and R 02 provided information to the formal laws, regulations, procedures, conventions, custom, norms, and behaviors of the organization. Within the dimension of institutional framework, human resources were a common theme in the documents that focused on training, staff development, staffing resources, and other personnel related codes. This indicates a connection between the environment's importance on human resources and the ability of the organization to implement personnel requirements. Human resources was a major



general pattern for Workforce West Virginia employee hiring, training, cross-training, and finances.

### ***Human Resources***

Human resources represent the human capital and knowledge of the organization. M 01 (West Virginia Interagency Collaborative Team Memorandum of Understanding (MOU) 2018-2019) provides terms of agreement for cooperation with regard to work force investment. The MOU specifically mentions the need for staff development and resource development. “To ensure and sustain an effective, high quality workforce development system, especially at the state agency level, adequate and knowledgeable staff must be in place. The better the knowledge and skill levels across the system, the greater the experiences and results the system can deliver on a regular basis.” M 02 (West Virginia Interagency Collaborative Team Memorandum of Understanding (MOU) 2022-2023) provides the same statement with no updates. The MOUs represents the state’s focus on human capital development.

Training for employment services staff is another important aspect for human resources. R 03 (Unified State Plan 202 -2023) addressed training as it directly stated: “As training needs are identified, WFWV will develop curriculum and conduct instructional sessions.” R 03 discusses a self-paced UI process training tutorials are available through the intranet. R 03 noted: “These tutorials will be enhanced to incorporate the identification of eligibility issues and appropriate referral for UI adjudication.” Moreover, R 03 discussed training is available locally across partner agencies to ensure employees are cross-trained. Because core partners utilize the same

management information system, all employees are trained to identify UI adjudication issues for further review by UI staff. This emphasis on partner cross training indicates agencies external to Workforce also interact with the unemployment benefits claims. Each agency employee is a potential mitigation measure to prevent fraud.

Agency cross training is important because Workforce has multiple vacancies within the organization. R 02 (Workforce West Virginia Unemployment Insurance State Quality Service Plan for fiscal year 2014-2015) provided an overview of the unemployment compensation division organizational structure and employee positions. The position descriptions revealed five vacancies within the organization. The unfilled positions indicate a need to collaborate with partner agencies until positions can be filled. The unfilled positions also indicate the state will need to emphasize hiring efforts.

Funding for many state unemployment insurance program initiatives start with federal funding. P 02 in 2012, the DOL announced a grant of over \$169.9 million to 30 states, the District of Columbia, Puerto Rico, and the Virgin Islands to improve unemployment insurance program integrity. As noted in the press release, “The grants will support the integrity of the UI program through the prevention, detection and recovery of improper UI benefit payments by assisting states in addressing the core root causes of UI improper payments, updating information technology system infrastructures, and expanding their use of re-employment and eligibility assessments, which have been shown to be an effective strategy for reducing improper payments.” Additionally, three grants were awarded to a consortium in multiple states to improve the unemployment insurance program. The press release mentioned re-employment and eligibility

assessments are effective at reducing improper payments. West Virginia was not one of the states to receive a grant in 2012. This indicates a lack of emphasis from the state to procure federal funding for Workforce prior to the COVID-19 pandemic. After March 2020, the state was overwhelmed with unemployment compensation applications. Federal funding was a lifeline for state governments.

In response to the COVID-19 pandemic, federal funding provided financial support to state efforts to improve unemployment insurance programs. P 01 in 2021, DOL awarded \$8 million in grants for projects that “continue operations of the UI Integrity Center of Excellence, provide funding for the continued oversight of the UI Interstate Connection Network (ICON), and provide funding for the continued operations of the UI Information Technology Support Center (UI ITSC).” Access to funding is important for state unemployment benefits offices to improve the general context of unemployment benefits programs. The human resources and funding environment are important to ensure an organization’s institutional framework dimension.

### **Interorganizational Collaboration and Network**

The number of supporting documents considered to provide information on interorganizational collaboration and network dimension was six with 29 instances of general patterns. Documents M 01, M02, S 01, S 02, A 01, and R 02 provided information on the process of collaboration between two or more different organizations. The high number of instances from the documents indicates the importance placed on collaboration to identity theft prevention measures. Collaboration can be further divided into instances of interstate collaboration and intrastate collaboration.

### ***Interstate Collaboration***

Mentioned in several documents, the primary method for interstate collaboration is the State Information Data Exchange System (SIDES). R 02 (Workforce West Virginia Unemployment Insurance State Quality Service Plan for fiscal year 2014-2015) directly mentioned the solicitation to join SIDES. A 01 (digital artifact) linked from the Workforce West Virginia website provides evidence West Virginia participates in SIDES. Taken from the SIDES login website, “The State Information Data Exchange System (SIDES) was developed through a strategic partnership between the United States Department of Labor (DOL) and state unemployment insurance (UI) agencies to provide employers and TPAs the ability to respond quickly and accurately to UI information requests electronically.” Joining SIDES was voluntary for the state. Involvement with SIDES is a collaborative web-based technology to support the technology dimension and represent an important venue for states to collaboratively prevent identity theft.

The Workforce West Virginia Unemployment Insurance State Quality Service Plan for fiscal year 2014-2015 provides direct reference to interstate collaboration. The service plan mentioned the participation in a consortium project with Maryland and Vermont to develop a modernized unemployment insurance system. No further mention of a consortium project between West Virginia and other states was discovered in the documents. SIDES and the consortium indicate Workforce West Virginia’s involvement to state partnerships.

### ***Intrastate Collaboration***

West Virginia's interstate collaborative efforts represent an extensive network of localized organizational efforts. M 02 (West Virginia Interagency Collaborative Team Memorandum of Understanding (MOU) 2018-2019) provided the designated partners of Workforce West Virginia. Those partners are:

- Bureau of Senior Services
  - State Unit on Aging (Title V of the Older Americans)
- Council for Community and Technical College Education
- Department of Education
  - West Virginia Department of Education, Office of Adult Education and Workforce
- Development (AE)
  - Office of Diversion and Transition Programs (ODTP) 3
- Department of Commerce
  - Division of Rehabilitation Services (Title IV of the Workforce Innovation and Opportunity Act)
- Department of Health and Human Resources
  - Bureau for Children and Families
  - Temporary Assistance for Needy Families (Personal Responsibilities and Work)
- Opportunity Reconciliation Act of 1996)

- Food Stamp Employment & Training, United States Department of Agriculture (Farm Security & Rural Investment Act of 2002)
- Department of Military Affairs and Public Safety
  - Division of Corrections and Rehabilitation
- Development Office
  - Community Development Division (Community Services Block Grant Act)
  - BID (Business Industry Development) representatives

These organizations represent the partnerships available to Workforce through an established MOU. M 02 West Virginia Interagency Collaborative Team Memorandum of Understanding (MOU) 2022-2023 continued the designated partners of Workforce West Virginia with no updates from the previous version. Established MOUs indicate a dedicated focus on state agencies working together to prevent identity theft. Both interstate and intrastate collaboration are important aspects to utilize finite resources across organizations.

### **Organizational Structure and Processes**

The number of supporting documents considered to provide information on organizational structures and processes was eight with 29 instances of general patterns. Documents E 01, E 02, E 03, M 01, H 01, R 01, R 02, and P 02 provided information on the work, tasks, decision making, and activities needed to achieve the outcomes of the organization. The references within the documents had direct implications on Workforce West Virginia for managing its organizational structure and executing its processes and

procedures. These can be further divided into general patterns of state requirements, state regulations, national requirements, and national regulations.

### ***State Requirements***

State requirements provided codified guidance to Workforce West Virginia to address identity theft. R 02 (Workforce West Virginia Unemployment Insurance State Quality Service Plan for fiscal year 2014-2015) was the only document that included specific language on an Integrity Action Plan to address improper payments. Those different methods included:

- Enhance our National Directory of New Hires (NDNH) procedures to stop payments upon receipt of a “hit” from the NDNH system until information can be obtained and course of action determined.
- Continue to educate new employees on basic unemployment compensation procedures and policies through online power point training modules. This training includes benefit year earnings criteria.
- Due to issues detected, continue re-design of our overpayment system to simplify the ETA 227 as well as ensure accuracy by passing the Data Validation Populations 12, 14, and 15 which deal with overpayments.
- Utilize the new IVR system to add additional verbiage, improve question sets, and provide telephonic initial claims with Benefit Rights Interview with certification for telephonic initial claims (intestate only).
- Enhance our UI System to detect out of country IP addresses.

- Enhance system to add edit checks on the entry dates in relationship to last day worked when a claimant files a new initial claim.
- Continue to ensure interstate claimants are registered with Job Service in their state of residence using the Eligibility Review Program to request registration documentation.

For overpayment detection, R 02 included the following two methods:

- Continue the Expansion of the State Information Data Exchange System (SIDES) for both separation requests and earnings verification to a minimum threshold of our employer community by use of Business Consultants and the use of messaging tools provided by Department of Labor.
- Continue to utilize additional Supplemental Budget Funding to obtain extra staff to conduct match case in an effort to detect more improper payments.

The Integrity Action Plan represents a dedicated effort to prevent identity theft and meet the state requirements. Many of the efforts noted in the plan may need to be updated based upon current information.

### ***State Regulation***

State regulations in the form of executive orders and legislative acts had the most impact on Workforce West Virginia's ability to execute organizational process. E 01 (Executive Order No. 4-20) signed by West Virginia Governor Jim Justice directed Workforce West Virginia to waive many processes. The declaration from March 16, 2020 allowed the following to be waived:

- the one week waiting period for benefits (W.Va. Code § 21A-6-2)



- the able to work and available to work requirements (W. Va. Code § 21A-6-1(3))
- the work search requirements (W.Va. Code § 21A-6-1(6)); and
- the actively seeking work requirements (W. Va. Code § 21A-6-1(6)).

The executive order also ordered the postponement of in person contact with the individuals applying for unemployment benefits. E 02 (Executive Order 57-20) signed July 31, 2020 further ordered the waiver of Workforce West Virginia processes by removing the actively seeking work requirement for Extended Benefits under West Virginia Code § 21A-6a-1(12)(E)(i). This was the first executive order signed by the governor in response to the COVID-19 pandemic. E 02 (Executive Order 57-20) further amended E 01 and removed the actively seeking work requirement for the Extended Benefits provision during the state of emergency. The two executive orders effectively removed the many of the necessary program integrity requirements from R 02. The executive orders indicated a need to quickly change the organizational structure and processes dimension. State governments responded quickly to the COVID-19 pandemic causing changes to processes and procedures.

A third executive order changed the structure and process for recovering improper payments. E 03 (Executive Order 11-21) signed on March 29<sup>th</sup>, 2021, ordered Workforce West Virginia to not recover unemployment benefits that were distributed incorrectly. The executive order specifically mentions moneys received from the federal Coronavirus Aid, Relief, and Economic Security Act; the Consolidated Appropriations Act, 2021, specifically Division N, Title II Subtitle A, the Continued Assistance for Unemployed

Workers Act of 2020; the American Rescue Place Act of 2021; and any subsequent federal legislation of program designed to provide unemployment relief. Workforce West Virginia was suspended from collecting non-fraudulent unemployment overpayments that were “received without fault on the part of the claimant” and “recoupment of the overpayment would be against equity and good conscience.” H 01 (House Bill 2873) introduced in the 2021 regular session sought to codify the executive order into law. The state legislature directly affected the environment of Workforce West Virginia when it passed legislation to codify the changes to organizational processes. A subsequent state legislation directly addressed unemployment insurance program integrity.

S 01 (Senate Bill 2) introduced during the 2022 regular session provides the largest update to Workforce West Virginia processes and procedures. Article 2D Unemployment Insurance Program Integrity Act §21A-2D-2 updated the unemployment insurance program. First, the commissioner is required on a weekly basis, unless otherwise specified, to “check the unemployment insurance rolls against the Division of Corrections and Rehabilitation’s list of imprisoned individuals to verify eligibility for unemployment benefits and ensure program integrity”. The commissioner is also required on a weekly basis to check new hire records against the National Directory of New Hires. And finally, the commissioner is required on a weekly basis to crossmatch the unemployment insurance rolls against a commercially available database.

On a monthly basis, the commissioner is required to cross-check the unemployment insurance rolls against state death records and verify the identity of unemployment claimants. The legislation included the use of verifying the identity of an

applicant prior to awarding benefits and requiring multi-factor authentication as part of online applications. The amended language was also adjusted for §21A-2d-2a Automatic claim review. The commissioner shall perform a full eligibility review of suspicious or potentially improper claims in cases including, but not limited to:

- multiple or duplicative claims filed online originating from the same IP address;
- claims filed online from foreign IP addresses;
- multiple or duplicative claims filed that are associated with the same mailing address; and
- multiple or duplicative claims filed that are associated with the same bank account.

The legislative changes represent a substantive change to the tasks, decision making, and activities of the organization to achieve the outcomes. This indicates a state level legislative effort to prevent identity theft in the unemployment benefits program. The state legislature continued its efforts in the following session.

During regular session 2023 the state legislature passed a bill to amend and reenact §21A-2D-2 and §21A-2D-3 of the Code of West Virginia, 1931. S 02 (West Virginia State Senate Bill 59) article 2D specifically focused on amending the unemployment insurance program integrity. Subsection 2a regarding automatic claim review was revised to state: “The commissioner shall perform a full eligibility review of suspicious or potentially improper claims in cases including, but not limited to: (1) Multiple or duplicative claims filed online originating from the same IP address; (2)

Claims filed online from foreign IP addresses; (3) Multiple or duplicative claims filed that are associated with the same mailing address; and (4) Multiple or duplicative claims filed that are associated with the same bank account.” Subsection 2d-3 regarding data sharing was updated to state: “The commission may exchange information with any department, agency, or division as necessary to carry out the requirements of this article.” The updated language indicates a focus on Workforce West Virginia to check suspicious claims and to share data with any necessary partner.

Reporting from both the state of West Virginia and the federal government discussed the lack of conducting established procedures to prevent identity theft. However, external factors from the state-level reduced the requirement to conduct established processes. The dramatic increase in unemployment claims in 2020 combined with state regulations to remove processes directly affected the environment for Workforce West Virginia efforts to prevent identity fraud.

### ***National Requirements***

Federal action to support state unemployment benefits offices also impacted organizational processes to prevent identity theft. F 03 (Families First Coronavirus Response Act) subsection under the Emergency Unemployment Insurance Stabilization and Access Act of 2020 provides requirements for funding allocation and regulations for reporting procedures for states during the pandemic response. Within 60 days of the act, 50 % of funds allocated from the emergency administration grant. The act does require states to notify applicants once the application “is being processed, and in any case in which an application is unable to be processed, provides information about steps the

applicant can take to ensure the successful processing of the application.” The act does specify applications are accessible in at least two of three: in person, by phone, or online. Not later than 1 year after the date of enactment of the Emergency Unemployment Insurance Stabilization and Access Act of 2020, each state receiving emergency administration grant funding under paragraph (1)(C)(i) shall submit “an analysis of the reciprocity rate for unemployment compensation in the State as such rate has changed over time” and “a description of steps the State intends to take to increase such reciprocity rate.” The time between executing the claim and reporting to the federal governments indicates a gap for data analysis of the unemployment compensation program.

### **Information and Data**

The number of supporting documents considered to provide information on data and technology was five with nine instances of general patterns. Documents S 01, A 01, F 01, R 02, and R 03 provided information on the collection, organization, storage, transfer, and processing on data and information. The results of this study showed a connection amongst the low number of documents regarding data and technology. S 01 (Senate Bill 2) updated the data sharing language for Workforce West Virginia. §21A-2D-3 updated in 2022 now states “the commissioner may exchange information with any department, agency, or division as necessary to carry out the requirements of this article”. The new language gives the commissioner unilateral authority to establish data sharing agreements. This indicates the state government understands the importance of data sharing to protect unemployment benefits programs. Information exchanges is a key component to identity theft prevention efforts.

The federal government also provided updates to information and data. F 02 (Congressional Research Service Report) noted the 2021 budget required states to use three specific data sources to confirm an individual's eligibility for UC benefits. First was the State Information Data Exchange System (SIDES, administered by Information Technology Support Center [ITSC] and DOL) (Whittaker & Isaas, 2021). Second was the National Directory for New Hires (NDNH, administered by the Department of Health and Human Services) (Whittaker & Isaas, 2021). And finally, was the Prisoner Update Processing System (PUPS, administered by the Social Security Administration) (Whittaker & Isaas, 2021). The federal requirements for data verification indicate the important federal oversight places on information and data.

Federal oversight also understands the state as the executor of the unemployment benefits program is the entity most at risk. F 02 (Congressional Research Service Report) also detailed the use of information to detect or prevent improper unemployment insurance payments. The report discussed the use of a data platform adapted from the oversight of the American Recovery and Reinvestment Act of 2009. More importantly, the report mentioned the role of states as a risk factor for improper payments. According to the Inspector General community:

Some states were better prepared than others to implement pandemic programs with the appropriate controls given the focus on rapid disbursement. States also depended on guidance from the administering federal agency to implement program operations and related processes. Some observers have stated that such

guidance may have been unclear or insufficient, making it difficult for states to ensure program integrity.

The report also highlighted individuals and groups used the waiving of verification or validation to defraud programs. This indicates the effectiveness of data verification toward identity theft prevention efforts. State governments, with support from the federal government, should coordinate data verification mechanisms to ensure preparedness for future identity theft efforts targeting unemployment insurance programs.

The state of West Virginia also noted a change to information and data. R 03 (Unified State Plan for West Virginia Plan Years 2020-2023) describes data collection and reporting processes for all programs. All partners share common data elements through a regular file exchange to allow access to information in real time. All core programs have mutual memorandums of understanding to facilitate the integrated service delivery system. Staff members are also cross trained about each core program. As stated, “This information will be shared among the partners in order to provide better and more efficient services to individuals enrolled in one or more programs and to employers served by the system.” The USP further describes linkages in place to allow partners to access the information through the extent allowed by the State Wage Interchange System (SWIS) agreement. The MACC is WFWV’s management information system covers all DOL, except for the Unemployment Compensation systems. It also allows the tracking of an individual’s participation in all programs, including what services have been given or are scheduled to be given, development plans, outcomes, and other pertinent information. This indicates the importance of sharing state level data with all applicable organizations

to support identity theft prevention measures. Data sharing amongst state organizations has the potential to mitigate limitations in resources.

The state also publicly provides the potential applicants with an information and data sharing notification. R 03 has specific language regarding information sharing for enrollees. The unified state plan states, “By enrolling with WorkForce West Virginia, you agree that WorkForce West Virginia and its mandated partners may access and use all of the information contained within your application in order to best assist you in obtaining employment and in determining your eligibility for training and other services.” State policies or guidance for workforce development system can be found at <https://workforcewv.org/public-information/guidance-notices-and-policies>. The information and data dimension is an important aspect to identity theft prevention because it also requires the technology dimension.

### **Technology**

The number of supporting documents considered to provide data on technology was five with 19 instances of the general patterns. Documents M 01, S 02, R 02, R 03, and P 02 provided information on the application of methods, systems, and devices of the organization. The result of this study showed a connection amongst the low number of documents regarding technology. The higher level of instances indicates the importance these themes have on unemployment insurance integrity but indicate less documented action taken toward the technology dimension of digital governance.



### ***Web-Based Technology***

Web-based technology was the highest instance of general pattern coding from the documents. Most instances of technology discussed the use of a system of record for agencies within West Virginia. The M 01 (West Virginia Interagency Collaborative Team Memorandum of Understanding (MOU) 2018-2019) provides terms for the system of record for common technology and integrated information systems. “The Mid-Atlantic Career Consortium (MACC) or, other replacement system approved by the West Virginia Workforce Development Board, and the CTO.” The West Virginia Interagency Collaborative Team Memorandum of Understanding (MOU) 2022-2023 provides the same statement with regards to MACC with no update.

As previously discussed under the interstate collaboration section, SIDES is a primary mechanism for data exchange. Mentioned in documents R 02 (Workforce West Virginia Unemployment Insurance State Quality Service Plan for fiscal year 2014-2015) and A 01 (digital artifact) SIDES is sponsored by the Department of Labor to create interstate and federal collaboration. Furthermore, A 01 (digital artifact) mentioned “Workforce WV currently utilizes Separation Information and Earnings Verification exchanges with plans to include additional exchanges in the future.” Discussion of SIDES in multiple documents and within multiple dimensions indicates the direct link between data sharing has with collaboration.

A separate central theme from technology was the discussion of an auto dialer system. Mentioned in R 02 (Workforce West Virginia Unemployment Insurance State Quality Service Plan for fiscal year 2014-2015) was the Phase 1 of an Interactive Voice

Response System. The auto dialer system was designed to aid in the collection of over payments. No other mention of this technology was discovered with the documents. This indicates the state did not complete the implementation of the auto dialer system and Workforce West Virginia may need external support to fully implement technology.

The technology dimension for digital governance is a key environmental factor of the organization. The organization, state government, and federal government should focus on increasing the discussion of researching, testing, and implementing new technologies to support unemployment insurance program integrity. The literature review and this study noted the importance technology has on preventing identity theft.

### **Summary**

The central question of the study was to understand the environment that affects the state unemployment benefits office's ability to prevent identity theft. The result of the study corroborated importance of the elements the six dimensions of digital governance. The organizational structure and processes dimension provided a connection between the high number of instances of external influence and reduced ability to conduct identity theft prevention efforts. Addressing human resources was an important finding within the institutional framework dimension. Collaboration, information and data, and technology dimensions identified crucial resources needed to provide the organization with effective mechanisms to gather, share, and obtain information to execute identity theft preventative measures. The dimensions of digital governance are fundamentally linked. The organization requires an environment that fosters each dimension of digital governance.

The following chapter covers the interpretation of the findings, a discussion of the delimitations, and a discussion on the limitations of the study. The interpretations include a discussion on the broadening of the body of knowledge and the relationship with the literature review. The chapter also includes recommendations for future studies and implications to social change, theory, and practice.

## Chapter 5: Discussion, Conclusions, and Recommendations

The phenomenon addressed in this study was the use of identity theft to obtain state unemployment benefits. Current research focuses on protecting information systems' hardware, software, and related infrastructure, focusing on cyberattacks such as phishing, Trojan horses, or illegal access. The U.S. government focuses on informing the consumer and assists small businesses through risk assessments, strategic plans, and regulations for cybersecurity. Researchers have not conducted a thorough investigation of the environment outside of information systems that makes state government benefits offices susceptible to identity theft. The purpose of this qualitative case study was to explore the environmental factors that make state unemployment offices susceptible to identity theft. I used the state of West Virginia for this single, exploratory case study. I used a nonintrusive, qualitative case study to apply the six dimensions of digital governance to 20 documents.

In this chapter, I discuss the findings of the study concerning the current literature on the topic of interest. I also offer an interpretation of the findings in the context of open systems theory (OST), the theoretical framework for this study. Additionally, I discuss delimitations and limitations of the study, provide recommendations for further research, and identity theft prevention measures. Finally, I provide implications for social change, implications for theory, and implications for practice.

### **Interpretation of Findings**

Data analysis of the 20 documents provided the information to understand the environmental factors influencing the state of West Virginia's unemployment benefits

office's ability to deter identity theft. In this section, I provide a discussion of how these findings relate to the current literature based on the six factors of digital governance. Additionally, the findings are interpreted through the OST theoretical framework.

### **Delimitations**

The delimitations of this study regarded data collection. The study was delimited to the state of West Virginia and applicable federal agencies. Fourteen state documents, five federal documents, and one artifact were used. The delimitation excluded data from other states unless they directly related to interstate commerce. However, no report from another state was discovered. The 20 documents were analyzed through the theoretical foundation for the study, OST, and the six dimensions of digital government.

### **Limitations of the Study**

The limitations of the study were identified as the sampling strategy and the availability of data. The purposeful sampling strategy concentrated on obtaining state-level documents and records. The strategy proved effective as the data were obtained directly from state government holdings and archives. However, it would have been beneficial to have more documents that specifically addressed prevention of identity theft. Only one document directly mentioned program integrity. Another limitation was the need to request records from the state archives. This data were limited to the documents and records provided by Workforce West Virginia to the state archives. Working with the state archivist, I determined only two documents had value to the study. Not having information firsthand from Workforce West Virginia prevented access to insider knowledge.

The dependability of the data was limited to the depth and breadth of literature on identity theft. As discussed in the literature review, the body of literature was limited to the private sector, cybersecurity, and national-level guidance. Therefore, the literature was not focused on the organizational level of the state institution operationalizing the prevention of identity theft. Not having this aspect of the literature prevented a comprehensive understanding of the environmental factors affecting the unemployment benefits office. Data on identity theft, especially during the COVID-19 pandemic, continue to be updated and adjusted. Common terms and data reporting techniques will continue to be a limitation until formalized. As data continue to be updated, similar studies can adjust accordingly.

### **Recommendations**

Several recommendations developed from the study. These recommendations are to be used to conduct further research on state unemployment benefits offices. The recommendations are based on the strengths and limitations of the study, which include the literature, theory, methodology, and delimitations. The theoretical approach for this study was OST. Studying the unemployment benefits office as an open system allowed me to identify which empirical environmental elements are influencing state government offices and explain the relationship to the state government agency. The environment around the state unemployment benefits office was able to be divided into empirical elements. As OST posits, one element can have a positive or negative effect on another element (Bastedo, 2006). I was able to demonstrate the principles of OST provided the

necessary concept to understanding the environment and should be used on future studies examining other state unemployment benefits offices.

Case study provided the proper method to explore the phenomenon and describe the environment of casual relations; case study provides the rationale to understand the “how” and “why” (Yin, 2018). The scope of the case study supported an empirical inquiry into a contemporary phenomenon and the boundaries within the environment (Yin, 2018). Case study also provided the ability to properly define the boundary between the organization and the environment (Yin, 2018). As noted by Yin (2018), case study provides the flexibility to define the unit of analysis, the assembly of qualitative data, and the criteria for analyzing the study’s findings. I was able to demonstrate the case study approach is the proper mechanism to investigate individual state governments in the American federal system.

The conceptual framework also proved useful to the study of identity theft. As state governments continue to transition to the digital environment, the dimensions influencing digital governance provided a critical understanding of the environment affecting the phenomenon. The six dimensions of the conceptual framework—general context, institutional framework, interorganizational collaboration, organizational structures and processes, information and data, and technology—provided an effective mechanism to operationalize the theory. It is recommended future studies focus on individual dimensions within the setting or utilize all dimensions when conducting a similar study in another state. Based on the data collected from the literature review, further research related to the institutional framework and organizational structures and

processes could be beneficial to continue to bridge the knowledge gap about this phenomenon. Empirical research into the effectiveness of technology used to prevent identity theft would also be beneficial for future research. A comparative study with another state unemployment benefits office would provide variables for a controlled comparison to better understand conditions (George & Bennet, 2005). Because each state executes unemployment benefits differently, more case studies are required to fully understand the phenomenon.

The scope and delimitations of the study were necessary to obtain as much knowledge about the phenomenon given the lack of literature at the state level. The delimitations of this study pertained to the data collection from the state of West Virginia and applicable federal agencies. I excluded data from other states unless the policies and procedures of other states constitute an environmental factor. The theoretical foundation for the study was limited to OST and the six elements influencing digital government. As noted by Yin (2018), a qualitative case study helps to describe an unknown phenomenon. Future studies for Workforce West Virginia should focus on conducting a participant study of the leadership of the state unemployment benefits office; a participant study of the employees at the state unemployment benefits offices; and a participant study of individuals who access state unemployment benefits. The results from this study provide a wholistic understanding of the environment and will help to generate effective participant study questions for data collection. The limited number of documents and archives will need to be offset by a phenomenological study of individuals operating



within the affected organization. Recent allocation of money from the Department of Labor could fund coordinated participant research studies.

## **Implications**

### **Implications for Social Change**

Academic contributions to identity theft research continue to increase since the COVID-19 pandemic. The results of this study provide awareness of identity theft affecting both the individual and state governments. Consumers are becoming more educated on online protection measures, ransomware scams, and phishing schemes. State governments are enacting legislation to improve unemployment program integrity. The results of this study will support individual education on a specific type of identity theft trend and provide information to affected individuals and organizations. Individuals, however, are only able to do so much to protect themselves, and they must rely on the government to provide a layer of defense as well. State governments need to ensure they are providing state unemployment benefits office an environment supportive to protecting unemployment benefits program integrity.

The dramatic increase in unemployment benefits claims during the COVID-19 pandemic highlighted the susceptibility of the state organization. The vulnerability of state governments for individual identities being used to obtain fraudulent benefits will continue to increase. Added to the body of research, the results of this study will help to increase the awareness of the importance of the state institution within the American federal system. The levels of theft that occurred in 2020 have subsided, but the vulnerability remains. Another economic crisis like the 2008 Great Recession or the

COVID-19 pandemic of 2020 will create another deluge for state unemployment benefits offices. Criminals will continue to seek the easiest method to conduct identity theft, and the next national crisis may be their next opportunity. As noted in the West Virginia Special Report, “WorkForce is learning, along with other states, from its experiences with the COVID-19 pandemic, and is developing proactive processes for addressing suspected fraud activity.” Now is the time to implement prevention strategies.

### **Implications for Theory**

The main methodological implications were the effectiveness of the research approach and the influence of the research design. The theoretical approach of OST proved to be an effective methodology to isolate and study an individual state government office. The theoretical lens to interpret findings provided the necessary conceptual framework to identify different elements with each of the six dimensions of digital governance. OST was able to provide the understanding that the state unemployment benefits office is affected by the environment. The relationships and influences of the environment need to be studied to understand the inputs, processes, outputs, and feedback loops.

Case study and content analysis provided the mechanism to execute the study through published documents and records. Other qualitative methodologies such as phenomenological study or interviews could have made the participants hesitant to engage in the research and affected the environment. The methodological approach reduced the knowledge gap of state unemployment benefits offices and will serve as a foundation for future investigations examining state-level research. The approach also

identified the importance of the requirement to address access to archival records and documents to build an information-rich case study. This case study should serve as repeatable model to conduct future studies.

### **Implications for Practice**

The implications for practice are based on the findings uncovered within the elements of the six dimensions influencing digital governance. The implications can help to provide general awareness of the general context, mechanisms to strengthen the institutional framework, improvements for interorganizational collaboration, information resources, and technology. The results of this study can assist the state of West Virginia and other states seeking to prevent identity theft.

Analysis of general context noted the need for state-level accountability. The Claims Resolution Act of 2010 section 801 changed the enforcement of state debts. In subparagraph (B), the language “due to fraud” was removed and replaced with “is not a covered unemployment compensation debt.” And in subparagraph (C), “due to fraud” was struck and replaced with “is not a covered unemployment compensation debt.” The change in language removed the incentive for states to invest in preventing fraud as they were no longer held accountable to repay the loss. The 2021 budget created new integrity measures such as corrective action measures in response to poor state administrative performance (Whittaker & Isaacs, 2021). The Congressional Research Service report from 2021 provided several remedies for this issue. Addressing the implications for an ineffective state program and providing incentives for an effective program will improve state-level investment into identity theft prevention.

According to this study, there is a gap in the institutional framework regarding human resources at the state level. Training, staff development, staffing resources, and other personnel-related issues were a common theme from the documents. Investing in hiring proper staff and training new and current staff should be a priority. Online PowerPoint slides will need to be updated to reflect the importance of ensuring all employees understand the available resources to prevent identity theft. A coordinated, dedicated recruitment program would assist Workforce with filling all vacant positions and expanding the program. Instituting a centralized training program beyond PowerPoint slides will ensure new employees are trained to standard.

A virtual application process led to applicants possibly never entering a Workforce facility and removed the process to verify individual applicants. To overcome this, the use of a soft credit check will offer individuals with credit monitoring services the opportunity to be notified if their identity is being used. As noted by Vanhee's (2022) study, victims of identity theft are becoming more aware of the resources available to protect themselves. A soft credit check would allow potential victims to be notified through credit statements and credit reports or from identity theft protection or credit monitoring services. This change would require a legislative act from the state government and would also require an education campaign to potential applicants. Funding from DOL grants or Workforce budget could provide applicants with pamphlets that explain that a soft credit check does not impact credit scores.

Technology was identified as the most significant gap. The state legislature authorized Workforce West Virginia to seek technology to support the office. As shown

in the literature review, computer algorithms are often problematic and have not been seen as a mechanism to prevent identity theft. The case of New Mexico might be the best example of technology. DOL funds could be used for board members to travel to New Mexico and receive institutional knowledge of New Mexico's success in preventing identity theft, even before the pandemic. A similar case study on New Mexico's unemployment benefits office could be combined for comparison. As noted by Chang (2020), states do not have a coordinated technology investment strategy. West Virginia should leverage the lessons from other states and work with other states and the federal government for a technology implementation strategy.

Another aspect of technology is the use of facial recognition. The Department of Homeland Security (DHS) has mobile facial scanners used at ports of entry, and the West Virginia Department of Motor Vehicles (DMV) is already using facial recognition to prevent fraudulent identification. West Virginia could collaborate with the DMV, FBI, and DHS to serve as a test location to determine the effectiveness of installing facial recognition systems inside of Workforce West Virginia offices to prevent identity theft. This would require DOL funding to obtain the systems, hardware, and training. A comprehensive information campaign would also be needed to inform applicants of the system. Entering into facial recognition agreements supports collaboration and technology dimensions. Although not a proven technology at the local or state level, the technology was successful for DHS internationally.

## **Conclusions**

Criminals will continue to exploit vulnerabilities in the perpetration of identity theft crimes. State government benefits offices represent an exposure during national economic upheavals. State governments are the primary mechanism for the execution of government benefits and remain an under researched aspect of American federalism. The results of this study contribute to the body of knowledge to bridge the gap between literature, theory, and practice.

The results of the study provide information on the environmental factors related to the state unemployment benefits office's ability to prevent identity theft. The outcome of the study validated the applicability of the open system theory for researching state government agencies. The six dimensions influencing digital government expanded the conceptual frameworks as theoretical lenses to study the phenomenon. The results of the study also provided research-based solutions for prevention strategies against identity theft.

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## Appendix

### **Collaboration**

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Commissioner may exchange information with any department, agency, or division as necessary

### **Data**

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Data transfer

### **Human Resources**

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Continue to educate staff

Cross train staff

Desk aide

Ensure and sustain an effective, high quality workforce development system

Hire more staff

Insufficient staffing resources

Legal background to assist with the education of tax examiners

Loss of programming staff

Staff development

Training

### **Innovation Problems**

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Limitations in technology

Technology systems not modernized

### **Interstate Collaboration**

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Alien verification for entitlement

Allow partners to access the information

Check new hire records against the National Directory of New Hires

Check the unemployment insurance rolls against a commercially available database

Cohesion between states

Commissioner shall perform a full eligibility review of suspicious or potentially improper claims in cases

Deceased individuals

Federal prisoners

Interstate connection

Multi state claimants

Multi-State Claimants

Multi-state collaborations

Payments across state lines

SIDES

SIDES was designed to alleviate the challenges associated with responding to paper-based unemployment compensation requests

Social security numbers of deceased individuals

Strategic partnership between the United States Department of Labor (USDOL) and state unemployment insurance (UI) agencies

Verify the identity of unemployment claimants by methods

### **Intrastate Collaboration**

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Check new hire records against the National Directory of New Hires

Check the unemployment insurance rolls against a commercially available database

Check the unemployment insurance rolls against the Division of Corrections and Rehabilitation's list of imprisoned individuals

Commissioner may exchange information with any department, agency, or division as necessary

Cross-matching Partnerships with West Virginia State Agencies

Establish cooperative and mutually beneficial relationships

Interagency collaborative team

On a monthly basis, cross-check the unemployment insurance rolls against state death records

Use of common technology and integrated information systems

Verify the identity of unemployment claimants by methods

Workforce did not employ cross-matching mechanisms with other agencies for fraud detection/prevention.

Workforce has implemented a fraud unit, a cross match unit, and an investigations unit in addition to developing partnerships with various state agencies to cross match data and to identify “bad actors.”

### **National Oversight**

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The Secretary of Labor may prescribe any operating instructions or regulations necessary to carry out this section.

### **National Requirements**

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President’s 2021 budget would require states to use three specific data sources to confirm an individual’s eligibility for UC benefits

State notifies applicants when an application is received and is being processed,

The State ensures that applications for unemployment compensation, and assistance with the application process, are accessible in at least two of the following: in-person, by phone, or online

### **Program Constraints**

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Inundated with fraudulent claims

### **State Regulation**

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Establish cooperative and mutually beneficial relationships

Interagency collaborative team

Postpone all mandatory in-person contact

Preventing the state from coping with the emergency

Recovery of improper payment

Shall not recover or attempt to recover unemployment benefits

Use of common technology and integrated information systems

Waive or interpret flexibility

Waive state laws, regulations, and policies as appropriate

### **State Requirements**

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Address weaknesses

Allocating both future development costs and ongoing operational costs

Annual reporting requirements

Auto entry system

Commissioner shall on a weekly basis unless otherwise specified

Commissioner shall perform a full eligibility review of suspicious or potentially improper claims in cases including,

Criteria for waiver

Data exchange

Five-year planning cycle, with annual review and modifications to the plan as needed

Innovation

Placing burden on insured to prove eligibility for waiver

Program accountability

Reduce

Repayment of overpaid unemployment insurance

Software solutions

Technology based tools

The Board shall make recommendation regarding program implementation, operation, and modifications to all state agencies

Agencies administering workforce investment programs.

When an overpayment of unemployment benefits has occurred for which, the claimant is not at fault

Commissioner shall waive repayment when repayment would be against equity and good conscience

### **Technology**

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Interactive voice response system

### **Web-based Technology**

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Detect out of country IP addresses

Foreign IP address detection

Multiple or duplicative claims filed online originating from the same IP address

Multiple or duplicative claims filed that are associated with the same bank account

Multiple or duplicative claims filed that are associated with the same mailing address

Suspicious email accounts

### **Workforce Requirements**

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Cross matching

Data validation

Documentation requirements for self-certifying

In person assessments

Re-employment and eligibility assessments