

Computer Crime Professor Chichester 5297

SYLLABUS

Summer 2 Session, June-July, 2013

1. Course Summary

This course will survey several legal issues involving computer-related crime. The class will be divided into two parts. The first part will be devoted to substantive criminal law, specifically the scope and structure of the criminal laws as they pertain to computers. The second part will be devoted to criminal procedure, particularly those aspects affected by privacy and corporate policies. If there is time, Texas-specific statutes shall be addressed. However, since this is the first time that this class is being taught at the Law Center, I will be amenable to address student-suggested topics if time permits.

2. Materials

The course assignments are from *Orin Kerr, Computer Crime Law* (3d ed., 2013). You should download and/or print a copy of the Computer Fraud and Abuse Act and other federal statutes during the semester (or get the optional *2013 Statutory and Case Supplement* to the casebook).

3. Office Hours

As I have a “day job” practicing law, the best time to meet is either before or after class. However, meeting during the day is possible -- if arranged in advance. Please call me (713-302-1679) or email (Ron@TexasComputerLaw.com) if you wish to set up an appointment.

4. Final Exam and Class Participation

Because this is a short summer session, the final exam will be a two-hour open book, open note, and open statute (but not open Internet) with a mix of essay and multiple choice questions. There will be at least nine but no more than twenty multiple choice questions. The remainder of the exam will include one or more essay questions. Grading of the exam will be the average of the essay portion and the multiple choice portion. For those of you using Blue Books, please note that I do not give you the benefit of the doubt for poor handwriting. If I cannot read it, I will not give you points for it. If your handwriting is questionable (or downright bad) then I urge you to write the answers with the aid of a computer. You are free to write the answers to the multiple choice questions on the exam paper itself (which you will be required to turn in anyway).

I reserve the right to raise or lower your grade depending upon class participation. I do not call on my students to recite cases, but do expect you to answer questions during class

discussions. However, I often assign a “role” to a student in a case that is played out in class. While I try to assign roles based upon the student's lived experiences, that is not always possible.

5. Class Time and Room Assignment

There are only nine class sessions, but each are over 2.5 hours long, meeting on Monday and Tuesday from 6 PM to 8:35 PM. On the first day of class, a vote will be taken to determine whether or not to insert a ten-minute break halfway through each session (with the ending time shifted to 8:45 PM). Check the school schedule to find out *where* we will be meeting for class.

6. Class Assignments

The reading assignments are given below. NOTE, this is a lot of reading, and I do NOT expect you to have read all of this material thoroughly. While I would be thrilled if you read and understood the material thoroughly, I appreciate that this is only a two-credit class and would only assume that you will skim the material and be ready for the lecture where the key points of the material will be presented and discussed.

Class Number	Topic for Lecture	Casebook Assignment (Statutory Supplement)
1 (June 3)	Introduction to Computer Misuse, the Property-Based Approach to Computer Misuse, and an Introduction to the Computer Fraud and Abuse Act (18 U.S.C. §1030).	1-31 (18 U.S.C. §1030)
2 (June 4)	The Meaning of “Access,” an Introduction to “Authorization” and “Authentication,” the Meaning of Authorization: Contract and Norms-Based Approaches.	31-76 (18 U.S.C. §1030)
3 (June 10)	18 U.S.C §1030(a)(2), (a)(4), and (a)(5).	76-125 (18 U.S.C §1030(a)(2), (a)(4), and (a)(5))
4 (June 11)	Finish off 18 U.S.C §1030(a)(5), begin Property Crimes to Protect Economic Interests Online, the Economic Espionage Act, and Identity Theft.	125-172 (18 U.S.C. §1343, §2314, §1832, §1839 and §1028A)
5 (June 17)	Criminal Copyright Law, and an Introduction to Online Threats and Harassment.	173-212 (18 U.S.C. §219, 17 U.S.C. §506, 18 U.S.C. 875, 2261A and 47 U.S.C. §223)
6 (June 18)	Child Pornography Offenses and Virtual Child Pornography.	267-77, 280-90, 295-314 (18 U.S.C. §2252, §2252A, §2256)

Class Number	Topic for Lecture	Casebook Assignment (Statutory Supplement)
7 (June 24)	Traveler Cases and Online Entrapment, Introduction to the Fourth Amendment.	314-327, 376-386
8 (June 25)	Fourth Amendment “Searches” and “Seizures,” Exigent Circumstances and Scope of Consent.	387-430
9 (July 1)	Third Party Consent and Search Incident to Arrest, Boarder Searches, and Government Workplace Searches.	430-472