Computer Security and the Law
Ryan Vinelli

US Legal System
- Enacted through Legislature
  - Hierarchy of Laws
- Legal Precedent

Civil vs. Criminal
- Civil claims seek monetary compensation for events that aren’t crimes.
- Criminal claims seek to punish offenders who have broken laws through state mandated punishment.

Sniffing?
- Covered under the Fourth Amendment?
  - Not until 1967 according to the Courts.
- What Exactly is Sniffing?
- Patriot Act
**Wardriving**

- Benjamin Smith was caught using someone else’s wireless in St. Petersburg, Florida.
- Being charged under the Federal Electronic Communications Privacy Act

**Denial of Service**

- Who can be held accountable?
- *T.J. Hooper v. Northern Barge Corp* in 1932

**DoS and Bot-nets**

- Anthony Scott Clark, pleaded guilty to orchestrating a computer attack against eBay in July and August of 2003
- Used a bot-net gathered by a worm

**Phishing**

- "Hackers find the hole in the human firewall" - Mitnick
- "The problem is, that it is a good human quality to give people the benefit of the doubt, and unless you've been burned or you're paranoid, then you will probably trust them" - Mitnick
Bank of America

- A Miami man sued Bank of America in 2005 after being the victim of a phishing scam that cost him $90,000

Software Liability

- Who is liable for buggy software?
- Bad software has created new markets
  - Anti-virus
  - Anti-Spyware
  - Firewalls
  - Intrusion Detection Systems

End User License Agreements

- Dissolves Software makers of liability
- Hamilton et al. v Microsoft

Cyber Bullying!

- Star Wars “Kid” reached an out-of-court settlement with the families of three former schoolmates in April 2006.