

CDT Supports “Aaron’s Law” to Reform Federal Computer Crime Law

June 20, 2013

CDT applauds today’s [introduction](#) [1] of “Aaron’s Law” by Representatives Zoe Lofgren and Jim Sensenbrenner and Senator Ron Wyden ([bill text](#) [2]; [bill summary](#) [3]). The bipartisan bill would prevent the government from using the Computer Fraud and Abuse Act (CFAA) to prosecute mere terms-of-service violations as computer crimes, and prevent prosecutors from bringing multiple redundant charges based on a single crime. The bill is named for Aaron Swartz, a noted programmer and activist who was being aggressively prosecuted under the law at the time of his death.

“Breaking a promise is not the same as breaking into a computer, and [fibbing about your age on Facebook](#) [4] shouldn’t be a federal crime,” said Kevin Bankston, Director of CDT’s Free Expression Project. “The courts, sensibly, have already started to reject prosecutors’ attempts to charge computer crimes based on violation of a web site’s terms of service or an employer’s computer use policy. ‘Aaron’s Law’ would eliminate any ambiguity and make those courts’ decisions the law of the land. Only people who break into computers by circumventing technical restrictions should be prosecuted as computer criminals.”

CDT supported similar improvements that passed out of the Senate Judiciary Committee in September 2011 with bipartisan support. “Aaron’s Law” improves upon the prior Senate effort in a variety of ways, including by taking the additional step of removing duplicative portions of the law that enable prosecutors to double-charge certain computer crimes and rack up massive penalties.

“These important changes are long overdue,” added Bankston, “and CDT strongly supports Representatives Lofgren and Sensenbrenner and Senator Wyden in their efforts to rein in this dangerously overbroad computer crime law.”

- [CFAA](#)

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Links:

[1] <http://www.wired.com/opinion/2013/06/aarons-law-is-finally-here/>

[2] <http://www.lofgren.house.gov/images/stories/pdf/aarons%20law%20-%20lofgren%20-%20061913.pdf>

[3] <http://www.lofgren.house.gov/images/stories/pdf/aarons%20law%20summary%20-%20lofgren%20-%20061913.pdf>

[4] <https://www.cdt.org/blogs/greg-nojeim/3007why-fibbing-about-your-age-relevant-cybersecurity-bill>