

R.I. Gen. Laws § 11-52-1

Current through Chapter 24 of the 2024 Session

General Laws of Rhode Island > Title 11 Criminal Offenses (Chs. 1 — 70) > Chapter 52 Computer Crime (§§ 11-52-1 — 11-52-8)

11-52-1. Definitions.

As used in this chapter:

- (1) “Access” means to approach, instruct, communicate with, store data in, enter data in, retrieve data from, or otherwise make use of any resources of, a computer, computer system, or computer network.
- (2) “Computer” means an electronic, magnetic, optical, hydraulic or organic device or group of devices which, pursuant to a computer program, to human instruction, or to permanent instructions contained in the device or group of devices, can automatically perform computer operations with or on computer data and can communicate the results to another computer or to a person. The term “computer” includes any connected or directly related device, equipment, or facility which enables the computer to store, retrieve or communicate computer programs, computer data or the results of computer operations to or from a person, another computer or another device.
- (3) “Computer data” means any representation of information, knowledge, facts, concepts, or instructions which is being prepared or has been prepared and is intended to be processed, is being processed, or has been processed in a computer or computer network. “Computer data” may be in any form, whether readable only by a computer or only by a human or by either, including, but not limited to, computer printouts, magnetic storage media, punched cards, or data stored internally in the memory of the computer.
- (4) “Computer network” means a set of related, remotely connected devices and any communications facilities including more than one computer with the capability to transmit data among them through the communications facilities.
- (5) “Computer operation” means arithmetic, logical, monitoring, storage or retrieval functions and any combination of them, and includes, but is not limited to, communication with, storage of data to, or retrieval of data from any device or human hand manipulation of electronic or magnetic impulses. A “computer operation” for a particular computer may also be any function for which that computer was generally designed.
- (6) “Computer program” means a series of instructions or statements or related data that, in actual or modified form, is capable of causing a computer or a computer system to perform specified functions in a form acceptable to a computer, which permits the functioning of a

computer system in a manner designed to provide appropriate products from the computer systems.

(7) “Computer services” includes computer time or services, data processing services, Internet service providers’ networks and facilities located in the state or information or data stored in connection with them.

(8) “Computer software” means a set of computer programs, procedures, and associated documentation concerned with the operation of a computer, computer program or computer network.

(9) “Computer system” means a set of related, connected or unconnected, computer equipment, devices, and software.

(10) “Data” means any representation of information, knowledge, facts, concepts, or instructions which are being prepared or have been prepared and are intended to be entered, processed, or stored, are being entered, processed, or stored or have been entered, processed, or stored in a computer, computer system, or computer network.

(11) “Electronic mail service provider” means any business or organization qualified to do business in the state of Rhode Island that provides registered users the ability to send or receive electronic mail through equipment located in this state and that is an intermediary in sending or receiving electronic mail.

(12) “Financial instrument” includes, but is not limited to, any check, draft, warrant, money order, note, certificate of deposit, letter of credit, bill of exchange, credit or debit card transaction authorization mechanism, marketable security, or any computerized representation of any of these.

(13) “Owner” means an owner or lessee of a computer or a computer network or an owner, lessee, or licensee of computer data, computer programs, or computer software.

(14) “Person” shall include any individual, partnership, association, corporation or joint venture.

(15) “Property” includes, but is not limited to:

(i) Real property;

(ii) Computers and computer networks;

(iii) Financial instruments, computer data, computer programs, computer software and all other personal property regardless of whether they are:

(A) Tangible or intangible;

(B) In a format readable by humans or by a computer;

(C) In transit between computers or within a computer network or between any devices which comprise a computer; or

(D) Located on any paper or in any device on which it is stored by a computer or by a human; and

(E) Computer services.

- (iv) A person “uses” a computer or computer network when he or she:
- (A) Attempts to cause or causes a computer or computer network to perform or to stop performing computer operations;
 - (B) Attempts to cause or causes the withholding or denial of the use of a computer, computer network, computer program, computer data or computer software to another user; or
 - (C) Attempts to cause or causes another person to put false information into a computer.
- (v) A person is “without authority” when: (A) he or she has no right or permission of the owner to use a computer, or, he or she uses a computer in a manner exceeding his or her right or permission or (B) he or she uses an Internet service e-mail system offered by a Rhode Island based Internet service provider in contravention of the authority granted by or in violation of the policies set by the Internet service provider.
- (vi) Transmission of electronic mail from an organization to its members shall not be deemed to be unsolicited bulk electronic mail.
- (16) “Services” includes, but is not limited to, computer time, data processing, and storage functions.
- (17) “Source document” means an original document or record which forms the basis of every electronic entry put into a computer, computer system, or computer network.

History

P.L. 1979, ch. 217, § 1; P.L. 1989, ch. 136 § 1; P.L. 1999, ch. 421, § 1.

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