

Tutorial 9

Cyberbullying Results in Death

Chinmay Parikh (A059)

Questions

1. Do you believe that knowingly violating the terms of a Web site's service agreement should be punishable as a serious crime, with potential penalties of substantial fines and jail time? Why or why not?
2. Imagine that you are the defense counsel for Lori Drew. Present your strongest argument for why your defendant should not be convicted for violation of the Computer Fraud and Abuse Act. Now imagine that you are the prosecutor. Present your strongest argument for why Drew should be convicted. Which argument do you believe is stronger?
3. Do you think that Lori Drew was responsible for Megan's death? Do you think that justice was served in this case? Should new laws be created to address similar future cases?

Answers

1.
 - In my own opinion, I don't believe that knowingly violating the terms of a Web site's service agreement should be punishable as a serious crime.
 - We cannot deny the fact that there are sometimes a user agree with the service agreement in a particular web site without even reading nor attempting to understand it, in that case the user is not aware to the flow of the website service agreement it doesn't mean you must punish the user with a serious crime even if it depends with the flow of agreement of the web site but still penalties of substantial fines and jail time is not the appropriate to that violation.
 - In order to avoid such thing the website must give emphasize with the important terms, for the user to be more aware.
2.
 - If I am the defense counsel for Lori Drew, my argument for why Drew should not be convicted. Lori Drew should not be convicted, because

at the first place Lori Drew didn't have the idea what will happened if they continue what they are doing. Unexpectedly Megan commits suicide because of the different false statement issued to Megan.

- What's Megan did is wrong, committing suicide is not a valid reason to solve such problem it is not also Drew's fault because she never started with it, the responsible of this scenario will be Ashley Grills who made the whole idea. And If I'm going to be the prosecutor.
 - Lori Drew should be the one responsible of the crime as well as Ashley Grills. Since they both violated the terms/ services of the website. Drew must convict because of spreading false statement about Megan which is the cause why Megan commit suicide.
3. Yes, since Lori Drew is the one who make a fake identity and spreading the false statement towards Megan which is the reason why Megan commit suicide, Lori Drew is the responsible for Megan's death. I think the justice will be served in a way that the jury convicted Drew of charges in accessing computers without the authorization.