

**CYBER BULLYING & OTHER HIGH TECH CRIMES
INVOLVING MICHIGAN KIDS -**

**ASSORTED HIGH TECH CRIME LAWS
IN MICHIGAN**

Patrick Corbett, Professor
Thomas M. Cooley Law School, Lansing, MI
corbettp@cooley.edu; (517) 371-5140

Child Sexually Abusive Material, MCL 750.145c

- Knowing production of child sexually abusive material
 - Punishable by up to 20 years in prison
- Knowing distribution of child sexually abusive material
 - Punishable by up to 7 years in prison
- Knowing possession of child sexually abusive material
 - Punishable by up to 4 years in prison

Soliciting a minor for immoral purposes, MCL 750.145a

- Punishable by up to 4 years in prison

Stalking and Harassment, MCL 750.411h & 411i

- Willful (person intends to frighten or harass victim) course of conduct involving “unconsented contact” with “another individual” that would make a reasonable person feel frightened or harassed, and that actually causes the victim to feel frightened or harassed.
 - Punishable by up to 1 year in prison; up to 5 years if “credible threat of death”

Using Computer to Communicate with Another to Commit Various Crimes,
MCL 750.145d

- Stalking, Death by Explosives, Sale to Minor of Bulk Explosives, False Bomb Threats, Child Sexually Abusive Activity, Child Sexually Abusive Material, Kidnapping, Criminal Sexual Conduct, Assault with Intent to Commit Criminal Sexual Conduct, Soliciting Child for Immoral Purposes, Recruiting Minor to Commit a Felony, Kidnapping Minor Under 14
 - Punishment varies depending on underlying crime

Cyber Harassment, MCL 750.411s

- Posting information, whether truthful or untruthful, about a victim, through any means of communication (including the Internet or a computer), that the person knows could result in “unconsented contact” with “another individual,” that is intended to cause conduct that would make a person feel frightened or harassed, that would make a reasonable person feel frightened or harassed and that actually causes the victim to feel frightened or harassed.
 - Punishable by up to 2 years in prison

Computer Crime, MCL 752.796

- Using a computer “to commit, attempt to commit, conspire to commit, or solicit another person to commit a crime.”
 - Punishment varies depending on underlying crime

Identity Theft, MCL 445.61-69

- Concealing, one’s true identity and using the personal identifying information of another person to commit another unlawful act
 - Punishment varies

Video Voyeurism, MCL 750.539j

- Photographing a person without clothes or in his/her underwear under circumstances in which the individual would have a reasonable expectation of privacy
 - Punishable by up to 5 years in prison

Voyeurism, MCL 750.539j

- Surveilling a person without clothes or in his/her underwear under circumstances in which the individual would have a reasonable expectation of privacy
 - Punishable by up to 2 years in prison

Use of Device for Recording Events in a Private Place; Distribution of Such Recording, MCL 750.539d

- Punishable by 2-5 years in prison

Eavesdropping, MCL 750.539a

- Overhearing “private discourse” without consent of parties engaged in the discourse
- Punishable by up to 2 years in prison

Unauthorized Computer Access, MCL 752.795

- The “intentional” and “unauthorized access” to a computer to “acquire, alter, damage, delete, or destroy property or otherwise use the service of a computer”
 - Punishable by up to 5 years in prison
- The “intentional” and “unauthorized” insertion of a computer program into another computer
 - Punishable by up to 5 years in prison

Using a Computer to Execute a Scheme to Defraud, MCL 752.794

- Punishment varies from 93 days to 10 years in prison depending on monetary loss

Using Internet or Other Device to Disrupt Public Safety, MCL 750.543p

- Using the Internet or a telecommunications device so as to disrupt the functions of the public safety, educational, commercial or governmental operations within this state
 - Punishable by up to 20 years in prison