

Wi-Fi mooching and the law

By *srlinuxx*

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A man sitting in a Chevy Blazer in a residential neighborhood reportedly was [poking around](#) [2] nearby wireless networks in violation of computer crime laws, according to local police.

This appears to be the first arrest in which the sole offense was allegedly accessing a wireless network without prior authorization, and it's already being viewed as a probable test case. CNET News.com interviewed legal scholars to ask what rules apply to Wi-Fi (also called 802.1x) hot spots.

Is it legal to use someone's Wi-Fi connection to browse the Web if they haven't put a password on it?

Nobody really knows. "It's a totally open question in the law," says Neal Katyal, a professor of criminal law at Georgetown University. "There are arguments on both sides."

That doesn't make much sense. Is there a specific law that regulates Wi-Fi access?

Sort of. The primary law is the federal Computer Fraud and Abuse Act.

You can read it for yourself, but the important part (check out paragraph (a)(2)) covers anyone who "intentionally accesses a computer without authorization or exceeds authorized access." Nobody knows exactly what that means in terms of wireless connections. The law was written in 1986 to punish computer hacking--and nobody contemplated 802.1x wireless links back then.

What do prosecutors think?

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