

RCW 9A.90.010 Findings—Intent—2016 c 164. The legislature finds that the rapid pace of technological change and information computerization in the digital age generates a never ending sequence of anxiety inducing reports highlighting how the latest device or innovation is being used to harm consumers. The legislature finds that this generates an ongoing pattern of legislation being proposed to regulate each new technology. The legislature finds that a more systemic approach is needed to better protect consumers and address these rapidly advancing technologies. The legislature finds that the application of traditional criminal enforcement measures that apply long-standing concepts of trespass, fraud, and theft to activities in the electronic frontier has not provided the essential clarity, certainty, and predictability that regulators, entrepreneurs, and innovators need. The legislature finds that an integrated, comprehensive methodology, rather than a piecemeal approach, will provide significant economic development benefits by providing certainty to the innovation community about the actions and activities that are prohibited. Therefore, the legislature intends to create a new chapter of crimes to the criminal code to punish and deter misuse or abuse of technology, rather than the perceived threats of individual technologies. This new chapter of crimes has been developed from an existing and proven system of computer security threat modeling known as the STRIDE system.

The legislature intends to strike a balance between public safety and civil liberties in the digital world, including creating sufficient space for white hat security research and whistleblowers. The state whistleblower and public record laws prevent this act from being used to hide any deleterious actions by government officials under the guise of security. Furthermore, this act is not intended to criminalize activity solely on the basis that it violates any terms of service.

The purpose of the Washington cybercrime act is to provide prosecutors the twenty-first century tools they need to combat twenty-first century crimes. [2016 c 164 § 1.]