

PROSECUTION STATUS REPORT FOR LORD VADER

FOR EYES ONLY, LORD VADER DO NOT READ UNLESS AUTHORIZED BY LORD VADER

OFFICE OF SPECIAL INTERGALACTIC INVESTIGATIONS

SECURITY STATUS: FOR EYES ONLY LORD VADER

FROM: Prosecutor Jorack **DEATH STAR STUDENT INTERN ID 15100**

TO: Lord Vader

RE: Prosecutor Assessments on the Matter of Admiral Motti Criminal Activities Star Date -
2016040316.9 Through 1201603042916.0

This memorandum is **for eyes only Lord Vader**. If you are not Lord Vader you are prohibited by the Office of Special Investigations from proceeding. If not Lord Vader, proceeding with reading this memorandum will be in violation of Lord Vader Special Decree with adverse consequences unless you have been *specifically and personally designated by Lord Vader to assist with advisement in this matter*.

This memo assesses prosecutor opportunities/assured conviction strategies for crimes committed by Admiral Motti over stated period in accordance with future "New York State Penal Code Law 156" and any other NYS Laws as noted below.

Backgrounder

Boba Fett appropriated a plate of cookies at an Empire Conference in order to curry favor with Jabba The Hutt. Admiral Motti observed this occurring and became furious. He used an Empire data terminal in the Admirals' Lounge to send a threatening email regarding this matter to Fett. This got Fett upset and when Lord Vader sensed this and read the email, Lord Vader determined that Admiral Motti's continually obstructive behaviors warranted removal by all means necessary from service to the Emperor and The Empire. The crucial objective defined in the matter by the Emperor and circumstances is to prosecute Motti in light of prophesied statutes by an entity in the future referred to by the Emperor as 'New York State Penal Code'. In light of this background we shall proceed via impulse power to the matter at hand.

On the Matter of Harassment/Computer Bullying, known in the future as 'Cyber Bullying'

Statute

N.Y. Penal Law § 240.30 A person is guilty of harassment in the first degree when he or she damages premises used primarily for religious purposes or if he or she places a swastika or noose on any building or real property or sets on fire a cross in public view. A person is guilty of harassment in the second degree when he or she communicates or causes communication by telephone, by telegraph, by mail, or to be initiated by mechanical or electronic means, makes a telephone call with no purpose of legitimate conversation, subjects another person to physical contact or attempts or threatens to, and/or commits the crime of harassment in the first degree and has previously been convicted of it.

Aggravated harassment in the second degree is a class A misdemeanor.

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Analysis

By Admiral Motti's own admission on stardate 1201603042916.9-0, he sent a message to Fett's iStar Communicator threatening retaliation by force to Fett for Fett's appropriation of cookies. Motti 1) admitted sending the message and furthermore 2) expressed remorse that he had embarrassed The Grand Moff and 3) publicly admitted "he was not acting as a representative of the Empire when he sent the email to Fett". Motti's purported *intention* is irrelevant. Motti's violation of NY State Penal Code § 240.30 is the operative concern and as such, criminal prosecution is a foregone conclusion given the admission of guilt. **The charge: Aggravated harassment in the second degree is a class A misdemeanor.** Aggravated Harassment can potentially be upgraded in this case to a felony, in particular if the fact pattern emerges that Admiral Motti has any previous conviction of Aggravated Harassment in the First Degree— 240.31 This matter is being investigated.¹

On the Matter of Computer Trespass

Statute

§ 156.10 Computer trespass.

A person is guilty of computer trespass when he or she knowingly uses, causes to be used, or accesses a computer, computer service, or computer network without authorization and:

1. he or she does so with an intent to commit or attempt to commit or further the commission of any felony; or
2. he or she thereby knowingly gains access to computer material.

Computer trespass is a class E felony

Analysis

More time for investigation and analysis is required in this matter. We are pursuing a possibility that criminal trespassing charges leading to a Class E Felony conviction may be brought against Admiral Motti under this statute. The investigation will be continued and this document updated as quickly as these investigations have concluded and attendant analysis completed. The pursuit at the current time is that 1) the Empire data terminals are intended **only** for use on Empire business (this matter is discussed below) and **furthermore specifically regarding the charge of Computer Trespass** 2) the Empire data terminals *in the Admirals' Lounge may be further restricted in intended use* in the manner of a 'single or limited/fixed-use application data terminal' (e.g. kiosk display). A 'kiosk' display is in general never intended for generalized access, email, *or even any generalized 'Empire business only' access.* Each Admiral in the Admiral's Lounge has been assigned their own iStar communicator with specific security authorization profiles and, in the conduct of Empire business, each Admiral is expected to use their own personalized communicator asset. The Admirals' Lounge data terminals may have a stricter, more "locked down" prescribed information retrieval function, potentially limited for example to only generalized Death Star status monitors (i.e. 'condition green' status, or days remaining to next preventive maintenance dry-dock, or dyllithium crystal reactor uptime or Community / Fleet

¹ <http://nyscrimallaws.com/penal.law/article240.htm#p240.31>

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News, etc.)

In some cases, a knowledgeable user (or their assignees) can bypass/circumvent the kiosk's operating system strictures and gain unlawful, unauthorized generalized SpaceNet access. This matter will be investigated to determine if 1) the device used by Admiral Motti is of a 'kiosk' limited-use design and 2) if this bypass/circumvention occurred to gain general access including use of email to email Fett. "*A person is guilty of computer trespass when he or she knowingly uses, causes to be used, or accesses a computer, computer service, or computer network without authorization and: he or she does so with an intent to commit or attempt to commit or further the commission of any felony*" – thus if Admiral Motti has a prior conviction of harassment, or can be investigated and successfully charged with a precedent incident of harassment, then this new conviction of computer trespass could render as a felony.

On the Matter of Computer Tampering

Statute

§ 156.20 Computer tampering in the fourth degree.

A person is guilty of computer tampering in the fourth degree when he or she uses, causes to be used, or accesses a computer, computer service, or computer network without authorization and he or she intentionally alters in any manner or destroys computer data or a computer program of another person.

Computer tampering in the fourth degree is a class A misdemeanor.

Analysis

If our investigation confirms that the data terminals in the Admirals' Lounge are of the category 'limited/fixed use kiosk', and if a forensic situational recreate and/or analysis of the logs of the data terminal in question reveal that Admiral Moti (or his assignee) *circumvented* this restricted functional application connectivity in order to gain email access and communicate to Boba Fett, then a serious charge of computer tampering can be brought against Admiral Motti. Computer tampering in the second degree is likely by future precedent (The People of the State of New York, Respondent, v. Robert Versaggi, Appellant) to be affirmable because it will be shown that defendant altered computer programs, preventing the computer from performing intended function(s).

If we are so inclined, we can encourage Boba Fett to seek emotional counseling and psychiatric treatment for any anxiety disorder resulting from the traumatic emotional battering in the email received from Admiral Motti. Doing so would not be able (in and of itself without any evidence of access to and/or changes by Admiral Motti or his assignee to Fett's medical records) to upgrade the charge from tampering in the fourth degree to tampering in the Second degree - but commencement or resumption of psychiatric counseling by Mr. Fett might impose additional sanctions cumulative to those inherent in a 'tampering in the fourth-degree' conviction.

On the Matter of the Misuse of Empire Data Terminal Assets for non-Empire related Communications

Statute

S 156.05 Unauthorized use of a computer.

A person is guilty of unauthorized use of a computer when he or she knowingly uses, causes to be used, or accesses a computer, computer service, or computer network without authorization.

Unauthorized use of a computer is a class A misdemeanor.

Analysis

That Admiral Motti knew his use of the computer was unauthorized is a foregone conclusion. There is no reasonable defense possible that he could have somehow construed in any way that his use of the data terminal for this non-Empire business was authorized. There is a ubiquitous culture inculcated in boot camp, through NCO training, through Office Candidate School and Officer training - that Empire data terminals are to be used only for "official business of the empire". Every single computer (and iStar Communicator for that matter) in the Empire has this message upon signon for each individual: "This device can only be used for official business of the empire". *The owner of the computer (in this case The Empire) has not given permission for the computer to be used for anything other than for Empire business, in fact has prohibited any such use, **AND** the user has been personally advised upon logon that they are prohibited from using the computer for anything other than Empire business.* Both elements are in evidence and thus conviction of unauthorized use of a computer is affirmed. 'NO' means...NO.

On the Matter of Threatening Empire Personnel

Statute

S 120.18 Menacing a police officer or peace officer.

A person is guilty of menacing a police officer or peace officer when he or she intentionally places or attempts to place a police officer or Peace officer in reasonable fear of physical injury, serious physical injury or death by displaying a deadly weapon, knife, pistol, revolver, rifle, shotgun, machine gun or other firearm, whether operable or not, where such officer was in the course of performing his or her official duties and the defendant knew or reasonably should have known that such victim was a police officer or peace officer.

Menacing a police officer or peace officer is a class D felony.

Analysis

There is a Uniform Code of Military Justice which includes statutes punishing abuse of power by senior officers against subordinate officers in The Empire. Our Emperor has prophesied future statutes in "New York State

