

Cherokee Nation Code Annotated
Title 21: Crimes and Punishments
Part VII. Crimes Against Property
Chapter 70: Other Offenses Against Property Rights
§ 1952. Definitions

Cite as: 21 CNCA § 1952

As used in the Cherokee Nation Computer Crimes Act:

1. **"Access"** means to approach, gain entry to, instruct, communicate with, store data in, retrieve data from or otherwise use the logical, arithmetical, memory or other resources of a computer, computer system or computer network;
2. **"Computer"** means an electronic device which performs work using programmed instruction having one or more of the capabilities of storage, logic, arithmetic or communication. The term includes input, output, processing, storage, software and communication facilities which are connected or related to a device in a system or network;
3. **"Computer network"** means the interconnection of terminals by communication modes with a computer, or a complex consisting of two or more interconnected computers;
4. **"Computer program"** means a set or series of instructions or statements and related data which when executed in actual or modified form directs or is intended to direct the functioning of a computer system in a manner designed to perform certain operations;
5. **"Computer software"** means one or more computer programs, procedures and associated documentation used in the operation of a computer system;
6. **"Computer system"** means a set of related, connected or unconnected, computer equipment, devices including support devices, one or more of which contain computer programs, electronic instructions, input data, and output data, that performs functions including, but not limited to, logic, arithmetic, data storage and retrieval, communication, and control and software. **"Computer system"** does not include calculators which are not programmable and are not capable of being connected to or used to access other computers, computer networks, computer systems or support devices;
7. **"Data"** means a representation of information, knowledge, facts, concepts, computer software, computer programs or instructions. Data may be in any form, in storage media, or as stored in the memory of the computer or in transit or presented on a display device;

8. **"Property"** means any tangible or intangible item of value and includes, but is not limited to, financial instruments, geophysical data or the interpretation of that data, information, computer software, computer programs, electronically-produced data and computer-produced or stored data, supporting documentation, computer software in either machine or human readable form, electronic impulses, confidential, copyrighted or proprietary information, private identification codes or numbers which permit access to a computer by authorized computer users or generate billings to consumers for purchase of goods and services, including but not limited to credit card transactions and telecommunications services or permit electronic fund transfers and any other tangible or intangible item of value;

9. **"Services"** includes, but is not limited to, computer time, data processing and storage functions and other uses of a computer, computer system or computer network to perform useful work;

10. **"Supporting documentation"** includes, but is not limited to, all documentation in any form used in the construction, design, classification, implementation, use or modification of computer software, computer programs or data; and

11. **"Victim expenditure"** means any expenditure reasonably and necessarily incurred by the owner or lessee to verify that a computer system, computer network, computer program or data was or was not altered, deleted, disrupted, damaged or destroyed by the access.

Historical Data

LA 10-90, eff. November 13, 1990.