



The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES
STATE HOUSE, BOSTON 02133

KENNETH M. LEMANSKI
8TH HAMPDEN DISTRICT

ROOM 443, STATE HOUSE
TEL. 722-2460

May 24, 1983

Mr. Richard Kendall
Governor's Legislative Office
State House - Room 381
Boston, MA 02133

Dear Mr. Kendall:

Thank you for the opportunity to comment on H.6227, which revises the definition of "property" with respect to larceny.

The most important aspect of this bill, in my opinion, is the fact that it now allows electronic impulses to be defined as property. This is essential in combatting computer crime. As I am sure the Governor is aware, the Commonwealth is extremely dependent on computers of all types, business, academic and so on. H.6227 will give prosecutors what former Senator Ribicoff once called "wiggle room". That is, they will now be able to refer to a specific statute in the prosecution of what was formerly one of the most difficult types of crime. H.6227 directly attacks what, up until now, had been the judicial sticking point: are electronic data "property"? Our own Supreme Judicial Court agreed with earlier Federal opinions that the answer was no, under the existing statutes. H.6227 remedies this by explicitly including computer data in the definition of property.

The second section of H.6227 extends this definition to trade secrets, with the same intent. This is especially important when one stops to think of how much sensitive business data is contained in computers.

The Governor would be taking a great step toward furthering Massachusetts' reputation as a commercially and technologically progressive State by signing H.6227. I urge him most strongly to do so.

Thank you again for this opportunity, and please notify me of any signing.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ken", written in dark ink.

Kenneth M. Lemanski
STATE REPRESENTATIVE

KML/v