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presents

Government, Choices, & You



Technology

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With support from these donors, other organizations, and individuals, Project REAL is able to provide our resources at no cost to tens of thousands of Nevadans each year.

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This book is inspired by and partially adapted from '*Play By the Rules: A Guide to 200 Nevadan Laws*', That publication was originally created by the Alabama Center for Civic Education in partnership with Project REAL in 2004, and then printed and produced by Project REAL with their permission from 2004 - 2018.

Nearly 100,000 students have better lives today because of the work *Play By the Rules* helped us achieve, and so we would like to thank everyone who helped make that resource such a significant success in Nevada for nearly 15 years.

Government, Choices, & You is what comes next,
and we can't wait to see what happens!

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About Project REAL

Project REAL reduces crime, protects students’ futures, and makes Nevada safer for everyone by engaging them in conversations about laws and the consequences of breaking them, and their Constitutional rights and how to exercise them.

Justice is rooted in knowledge, and our work brings more fairness and justice into the lives of the students we reach. We ensure that all of our resources are available at no cost to the schools, organizations, and families who wish to use them.

Project REAL helps the students of Nevada to become the greatest versions of themselves with respect for the law through unique activities and educational resources that engage them in critical thinking about citizenship, selfless action, democracy, and the law.

Our program helps to ensure that Nevada is populated by residents who respect the law, contribute to their community, and work to create a world they are proud to call home. By fostering actions of mutual respect and selflessness, and by encouraging commitments to local communities, we contribute to a safer Nevada for us all.

Legacies

This book – and the many other **Project REAL** activities and publications that have preceded it – would not have been possible were it not for the vision, generous support, and championing of Irwin Molasky and **Project REAL**’s other founders.

Since 2004, **Project REAL** has been teaching the students of Nevada about the law and their rights. **Project REAL** was founded to ensure that the young residents of Nevada have consistent access to informative and empowering law related education. Because of **Project REAL**, Nevada’s students are and shall remain safer, wiser, and more informed members of the communities they live in.

About This Book & How You Should Treat It

The book you hold in your hands has been provided to your school by **Project REAL**, a nonprofit organization that serves the students of Nevada. Where most companies exist to make money, nonprofits work to spend money in ways that make the world a better place. The money to do this kind of work comes from donations made by companies, government agencies, and people just like you.

Since we are a nonprofit, we provide these books at no cost to anyone in Nevada who requests them, when we have them in stock and are able to provide them. We are happy to do that – it’s why we exist as a nonprofit - but that also means we can only print and distribute a limited amount of books each year based on the donations we receive. Given that, we *hope* you will treat this book carefully and with respect while it is in your possession.

Even though this guide has been donated to a school or community organization, you can get your own free copy!

Free digital versions of this guide and access to other resources are available on our website and in our mobile app that can be downloaded from Google Play and iTunes.



bit.ly/realandroid



projectrealnv.org



bit.ly/realios

About These Lessons

Government, Choices, & You has been designed to help you understand scenarios in which you and other students your age (around 10 – 15 years old) might think the biggest risk you're taking is getting grounded or detention, when you're taking risks that could get you arrested or lead to other serious criminal consequences.

This isn't just a book-length lecture or a list of laws you need to learn. In fact, it isn't that at all! Even if you pay more attention than anyone else in your class, we're not expecting you to memorize the more than 200 laws in this guide (let alone the consequences of breaking them). Instead, this guide has been designed to help you avoid 'accidental crimes' by teaching you to 'think within the law'.

This also isn't just about teaching you about laws you might end up breaking – knowingly or accidentally. It's also about teaching you about laws that protect you from others, and that help give you control over your own life, safety, and happiness. Like the criminal laws that will be explained though, we won't be giving you a list to memorize. Instead, if you pay attention, you'll learn how to find the help you need when you suspect the law is on your side (without just assuming you know there's a law that helps you in a way that actually causes you more trouble than you were in before).

Students, Parents, & Guardians: This Is Not Legal Advice

The information in this book is not intended as legal advice. **No legal advice is being given.** If you are facing legal issues, whether criminal or civil, seek professional legal counsel to get your question answered. This book is not a replacement for legal advice. Instead, *Government, Choices, & You* is designed to be a first step as adolescent readers develop an understanding of just how American Law will shape their choices and outcomes on a 24-hours 7-days-a-week rest-of-their-lives basis. Rather than serving as an index of laws and a guide to applying them, this guide can aid the reader in understanding how laws might apply to many different situations they may encounter while living their day-to-day lives.

To be 100% clear: If you ever find yourself in a situation where your life is intersecting with the law, we highly encourage you to seek the advice and services of a licensed and practicing attorney.

You should also keep in mind that laws are ever-changing. Consider how you are taught from an early age that The United States Constitution is a living document. Laws work similarly and each year many new laws are created while some existing laws are repealed. Given the ever-changing landscape of laws in the United States, we highly suggest that you contact an attorney if you ever find yourself with questions related to the law.

Project REAL's staff and volunteers worked extensively to research the book you hold in your hands. We have ensured that the information provided herein is accurate, true, and up-to-date at the time of publication (with this edition's publication occurring in September 2022). While the book will introduce you to key concepts, rights, responsibilities, and laws which you are likely to encounter throughout your life, it is neither an encyclopedia nor a replacement for sound legal advice. This is a starting point meant to empower you, however the laws which are referred to in this book may be different based on where you live and when you are reading the material. It was also written with Nevada's laws in mind. Whether you're from another state or moving away, laws can be different depending where you live, especially when it comes to issues like immigration, technology, civil law, and gun rights. Should you find yourself living outside of Nevada, be sure to familiarize yourself with local laws and statutes as they may be different from the ones detailed in this manual.

On a final note, we are committed to maintaining this guide with up-to-date information. We will update the digital version of this text regularly as the laws continue to change. You can always download the most up-to-date version we have available from our website. On our site, we've dedicated a page specific to this guide where you'll find the digital copy. Once there, you'll also be able to access a number of other links & resources you may find helpful. That page, and all the resources it contains, can be found here:

ProjectRealNV.org/choices

*Technological progress
has merely provided us
with more efficient means
for going backwards.*

Aldous Huxley

Writer & Philosopher

From 'Video Interview with Aldous Huxley' (1962)

CHAPTER 13

Technology

More often than not, whatever the new app is that everyone's using to get into trouble or if there's some new trick for hiding online activity, kids your age will have that stuff figured out long before the adults in your lives do. That's why it might seem exhausting whenever you have an adult try to talk to you about technology: you already know ten times more than them.

We know that. We get that. We still really need you pay attention to this chapter.

You've spent 12 other chapters learning about over 200 laws – many of which we're guessing you didn't know about before. All of that was done to prepare you for right now, because there is no easier way for someone your age to get into trouble with the law, than with technology. Why? Well, that's simple:

Technology is the pathway to Pajama Crimes.

*What are Pajama Crimes? **Pajama Crimes** are any kind of crime you can do easily in just a few seconds while resting in the comfort of your home while in your pajamas. See, there's the danger: you can be home alone in your pjs just goofing off on your phone, and in half a second break five federal laws and another three state laws. Saying the wrong thing in a video chatroom, buying something without your parent's permission, or just watching a movie online can lead to serious and lengthy adult criminal consequences.*

It's not like getting into a fight. It's not like an impulsive decision to shoplift a \$1 candy. Heck, it's not even like sneaking off with some fireworks you're not supposed to have, knowing you might cause a brushfire. There's no buildup – no moment of worrying someone will see you and you'll get in trouble. That danger factor is gone. It's the power to press one button and make a half second decision that ruins your life...and it's just sitting in your hands.

You've got these massively powered devices at the tips of your fingers, and access to the entire world. Most of your parents and teachers barely had any idea how easy it would be to be connected (to so many people - and so constantly) when they were growing up. These are new risks to your liberty – to your freedom and happiness - and we hope you'll take this chapter seriously by allowing us to prepare you to encounter them in your life.

Computer Crimes

You are probably pretty familiar with computers. Maybe you use one at school. Maybe you have one at home. Maybe you use one for homework, or social media, or online shopping.

If you ever download music, videos, or games from sites that don't make you pay for them, you may want to review the rules in this section before making that kind of choice again. Some online behaviors are actually illegal, and you could face serious consequences. While most states have laws against online crimes, generally computer crimes are prosecuted at the federal level, because internet does not just exist in one state or another, but everywhere at the same time.

DOWNLOADING & DUPLICATING

If you have a cell phone, you have likely downloaded media before: songs, television shows, movies. Downloading entertainment so that you can enjoy it when you don't have a WIFI connection is a pretty common practice.

There are absolutely legal ways to do this. Streaming services for music and movies typically will allow you to download media to your phone. However, these services almost always require you to pay for subscriptions. When a company like Netflix offers a film or a show on their platform it is because they have purchased the rights to it, and are selling you the right to watch it. This is legal, and there are some sites out there that legally offer these services for free.

Downloading a movie or an album from a website that has not been authorized (given permission) to share that media is against the law. Most creative material, including books, music, and movies, are copyrighted. A **copyright** gives the sole right to print, publish, record, and distribute creative material to the artist. Copyrights are protected under federal law.

The U.S. Copyright Act and the "No Electronic Theft" (NET) Act are two federal laws that protect copyrighted material. Downloading or making copies of copyrighted material without the permission of the creator is a serious crime. This kind of copyright infringement carries heavy penalties for those who get caught. Offenders face penalties in both civil and criminal courts.





In civil court, you can be ordered to pay up to \$30,000 per violation, and in some circumstances up to \$150,000 per offense. At the same time, you could face up to 5 years in prison and \$250,000 per offense in criminal court.

Software and computer games are also protected under copyright. Downloading, copying, or selling computer programs without authorization is called **software piracy**, and carries the same heavy penalties as copyright infringement.

Always be cautious of websites that offer media for “free” (unless it’s a free trial of a subscription to a service that will charge a fee after the free trial).

It may not feel like a big deal to download a song or a movie without paying for it, but the consequences if you get caught are not worth it.

Again, this is what we’re trying to warn you about with ‘pajama crimes’. No one sees you do it, there’s no immediate punishment...but once you get caught? Yikes!

Copying music and other media online can get you into a lot of legal trouble. Copying text (written material) can get you into trouble in school. Taking something you found on the internet and pretending like you wrote it for a school assignment is called **plagiarism**.

Plagiarism is against school rules, and you can face disciplinary action for doing this. Your teachers can explain the right way to cite (give credit) a writer or text so that you can avoid this.



OTHER DIGITAL CRIMES

Accessing a computer or computer network without permission or authorization is against the law. This is called **computer hacking**, and it can be charged as a misdemeanor or a felony depending on the circumstances. Using unauthorized cheating codes and methods in online video games has been treated as criminal computer hacking by prosecutors! When it comes to digital activity, be really careful with the choices you make!

We've talked about bullying in previous chapters. Bullying that takes place online or through the use of technology is called **cyberbullying**. Cyberbully is considered harassment, and will be charged as a misdemeanor. A minor that engages in cyberbullying may face consequences in juvenile court.

Even if you think of bullying as a school thing, it's important to understand that cyberbullying is a crime no matter when or where it takes place: if you dedicate weeks to finding someone you know online and making them feel absolutely awful over the chat of a videogame they play (not just saying mean things, but saying horrible things, and saying them so often it hurts the person's emotional health), you'll be guilty of cyberbullying and are likely to face criminal charges.

GET IT FOR THE 'GRAM? IT DEPENDS

Most mobile phones have cameras that can take photos or shoot videos. It doesn't matter what app you and your friends are using (the writers of this book still use Instagram and will have probably ruined TikTok by the time you read this) - you should be cautious of what, where, and when you record something on your phone.

Certain buildings, like courthouses, have rules about what can be recorded. There are laws, both at the state and the federal level about recording people without their knowledge or permission.

You should always follow all of the rules about technology. This is not only because committing crimes can get you into trouble, but also because using technology inappropriately can actually be dangerous.

ONLINE LIVES & DANGEROUS GAMES

In earlier parts of this book, we explained how making false reports to police is a crime. Some people (mostly teens and young adults) have taken this a step further by trying to turn law enforcement officers into accidental bullies.

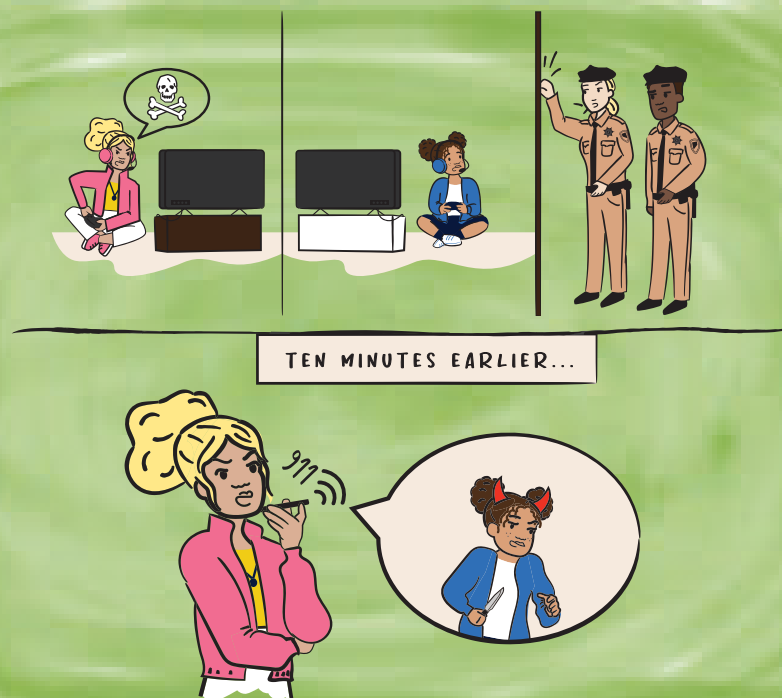
Swatting is when a false report of an immediate and violent emergency is made to a law enforcement agency. The goal of the report is to force an emergency response by a SWAT-Team. These are the police officers who look like they're in the military (they have body armor and carry huge guns) – not the kind that pull over your parents for driving too fast.

A swatter will accomplish this by making claims like “There’s a person with a gun holding the family across the street hostage! Here’s their address” before giving the address of someone they hope to scare by having police show up – guns blazing – with helicopters and a full emergency response.

Swatters can be charged with felonies not just for the call, but also for the deadly consequences of their so-called-pranks. Since police are expecting an emergency, it can lead to accidental deaths (and this has happened). Those deaths can be charged not just as manslaughter, but as murder!

Swatting is just one example of **weaponizing** law enforcement, meaning they’ve taken tools designed to accomplish good work and turned used them to hurt other people. Making a false report to anonymous tip lines (like the ones to report other students) is another criminal use of law enforcement resources. Even if it’s something like an ‘anonymous student reporting line’ that isn’t clearly run by police, if you use that to harass another student it is likely to lead to investigations and eventual criminal charges. That situation can get even more complicated, since there are elements of bullying, fake reports, and fraud!

The point here is that you need to be careful with the words you use. Even jokes can get you in trouble! **Edge-lording** is a type of comedy style for people with no taste. This is when people say offensive and outlandish things just to get a reaction out of other people, even if they don’t mean it. When people are online, they may issue threats of violence as ‘jokes’ or attack the identity of their victims, which is a **hate crime**. It doesn’t matter if you’re joking though – a threat is still a threat, and a hate-crime is still a hate-crime. Don’t get caught up in trying to argue ‘freedom of speech’ either. **Free speech is not irresponsible speech.**



Staying Safe

There are some websites that provide false or misleading information (not everything you read or see online is true!), and you should be careful about which sites you use: especially if you're online looking for facts to complete your homework or other important projects. However, some sites don't just spread misinformation, they actually can be harmful to your computer or mobile device. There are certain precautions you can take to protect yourself from these malicious websites.

ONLINE

Criminals often use the internet to take advantage of people. Your parents and your school have likely downloaded security systems to the computers you access, but there are still things you should know about the internet and how to use it safely.

Usually cybercriminals (people that use the internet to commit crimes) are after personal information: social security numbers, bank account numbers, usernames, passwords. They use this information to steal the person's identity.

Identity theft is a crime where someone uses another person's information in order to take out loans, apply for credit cards, and otherwise benefit financially. Identity theft happens frequently online because many people do not do enough to protect their personal information.

One thing to watch out for is spam messages in your email inbox. **Spam** is unsolicited (uninvited or not asked for) electronic mail that gets sent to a bunch of people at one time. Spam messages can contain harmful attachments.

Another dangerous kind of email message is one that looks like it is sent from an official, or 'safe', source like a bank, credit card company, online store, or streaming service that you are subscribed to. However, it won't really be from a legitimate source (it is actually from a cybercriminal that is trying to steal your information).

The message will tell you that there is something wrong with your account and ask you to sign in. Once you have entered your username and password the sender will have access to your account. This is called **phishing**.





There are some tips you can follow to stay as safe as possible online:

- Don't. Accept. Friend. Requests. From. Random. People.
- Never send anything that could be used against you (like secrets you have, or pictures of yourself you wouldn't want anyone to see): this is an unfortunate new kind of crime online that has begun targeting towards adolescents and young teenagers as victims instead of adults. Criminals do to get kids to try to handover their parent's credit card info in exchange for agreeing to not release the information. It's a type of crime called **blackmail**, and you do not want to be a victim of it.
- Never enter your personal information online, especially on websites that you aren't sure are secure.
- Never download or install software unless you know that it's from a legitimate company—ask a parent or teacher before downloading anything to your laptop or phone.
- Don't share sensitive (personal) information over unsecure connections—like free Wi-Fi networks.
- Choose strong passwords, only share them with your parents.
- Report any suspicious or threatening messages you receive online.
- Never enter payment information while placing an online purchase unless you are sure the site is secure (it's probably a good idea to check with a parent before buying stuff online, anyway).

Be sure to follow all school rules about how and when to use school computers, and respect any restrictions your parents place on internet use at home.

ON THE PHONE

Compared to safely using computers, protecting phones from hackers and identity thieves is a newer digital safety practice. In fact, your phone can actually expose you to more danger than a computer if you're not careful with how you use it.

You should never give your phone number to someone you don't know, and you should always be careful about answering the phone or responding to text messages from a number you don't recognize.

Stay cautious about potentially dangerous websites if you have access to the internet through an app on your phone. It is still possible for someone to steal your personal information if you are entering it onto a webpage through your cell.

Posting photos and updating statuses on social media platforms are pretty normal activities. However, you should be aware that some mobile phone apps enable 'geotagging'. That means even if you aren't intentionally sharing your location, the stuff you post online is keeping track of where you are.

You should never be on the phone—talking, texting, posting on social media—while driving. It is a civil infraction that results in a fine, and it's also incredibly dangerous!

As you get closer to an age where you are going to start learning to drive, keep this very important rule in mind. If you're behind the wheel, stay off the phone. You can actually get in trouble for being on your phone while on a bike too if you're in the street, and depending what community you're in!

Technology is essential to daily life. The internet is a wonderful tool that can be used in a lot of great ways. Just be aware of the potential risks and avoid behaviors that might get you into trouble while you surf the web.



Laws & Consequences

KEYWORD	CLASSIFICATION	SUMMARY + DETAILS	CODIFICATION
Cell Phones While Driving	Traffic Violation	It is illegal in Nevada for a driver to use a cell phone unless a hands-free device is used; violation of this law may result in up to \$250 in fines.	NRS 484B.165
CFAA (Computer Fraud & Abuse Act)	Federal Act	One of the first anti-hacking efforts, this bill was passed in 1986 – <i>long</i> before the internet became part of Americans' (if not people of the worlds') daily lives. While there were some misdemeanor type crimes, most misbehavior you can imagine taking place on computers were classified as felonies.	CFAA
Computer Hacking	Misdemeanor	Knowingly and willfully accessing computer networks or an individual's computer without authorization is a misdemeanor.	NRS 205.4765
Copyright	Legal Definition	A copyright is the legal right granted to an author, composer, playwright, artist, or publisher to exclusive publication, production, sale, or distribution of an original literary, musical, dramatic, or artistic work; it is illegal to violate a copyright.	17 U.S.C.102-122
Copyright Infringement	Federal Crime	The duplication of copyrighted material without the consent of the owner is illegal; under federal law a person can be prosecuted and punished by up to 10 years in prison and fined up to \$50,000.	17 U.S.C. 506 18 U.S.C. 2319
Cyberbullying	Misdemeanor	Using technology to harass or threaten another person is a form of harassment and is a misdemeanor.	NRS 207.180 NRS 392.915
Extortion	Felony, Category B	A person is guilty of extortion if they use information of any kind (including photos or video) to force another person to either (a) pay money or (b) perform some task they don't want to take part in.	NRS 205.320
Hate Crimes	Sentencing Enhancement	Any crime that is committed where the identity-quality of a victim plays a role in their being made a victim, the punishment for each crime can be increased up to double the standard penalty for that same crime.	NRS 193.1675
No Electronic Theft Act	Federal Law	If someone is suspected of violating a copyright, he or she and the owners of the computer can be prosecuted.	18 U.S.C. 2319 17 U.S.C. 506

KEYWORD	CLASSIFICATION	SUMMARY + DETAILS	CODIFICATION
Phishing	Misdemeanor- Felony	Falsely claiming online to be a legitimate organization and asking for a person's password, social security number, bank account numbers, and or credit card accounts is considered a form of identity theft.	NRS 205.463 NRS 205.465
Pictures Without Permission	Gross Misdemeanor- Category E Felony	It is a violation of federal law to attempt to capture an image of another person's private area without their consent and knowingly doing so under circumstances in which the individual has a reasonable expectation of privacy is a misdemeanor.	NRS 200.604
Software Piracy	Federal Crime	The unauthorized duplication of computer software is an act of copyright infringement and is subject to civil and criminal penalties, including damages up to \$150,000 per title, or up to \$250,000 and five years in jail.	17 U.S.C. 506 18 U.S.C. 2319
Swatting	Gross Misdemeanor – Category A Felony	Swatting consists of various crimes, the least of which would be making a false report, and the greatest of which can be murder. The general criminal event consists of people making false phone calls to emergency services in order to create an armed response as a prank.	Various



REAL Helpful: Reporting Your Participation

Project REAL's pre-tests & post-tests are a vital element of our ongoing service in Nevada!

Project REAL relies on generous supporters who like to see how many students their contributions have reached, and the impact those gifts have had with the students we serve. The pre-tests and post-tests students take part in help us to show those supporters all of the amazing work their generosity has produced. This encourages them to continue supporting our work, allowing us to continue providing our law-related education experiences for free to all of the families, students, schools, and community partners we serve throughout Nevada. We also use the information collected from pre-tests and post-tests to continually increase the value of our materials with updates and expansions based on student feedback.

If you appreciate *this* Project REAL experience, please be sure to take part in the post-test for it (even if you didn't take the pre-test first).

Project REAL Pre-Tests

<http://projectrealnv.org/pretest>

Project REAL Post-Tests

<http://projectrealnv.org/posttest>

REAL Continued Learning

Our law blogs are loaded with interesting stories about the law!

Whether you're a teacher looking to expand the experience beyond this publication, or a student who just really enjoyed the learning experience we provided in this guide, we have more material for you. On our Project REAL law blogs, we collect weird, fun, and interesting news stories involving courts, laws, and other civics-related topics. Each of our stories summarizes an interesting law-related news story, and then gets capped off with a series of questions that can be used as prompts for classroom discussions or writing exercises.

Project REAL Law Blogs

<https://projectrealnv.org/connect/blog/>

REAL Opportunity: Contact Us For More Free Resources

We offer many other free resources & experiences to Nevada's schools & community partners!

Trunks filled with costumes and giant set-pieces for our mock trials! Field trips to the courts! Lawyers, judges, and law enforcement specialists as guest speakers! Project REAL offers all of these things and more – all at no cost to the families, schools, and community partners we serve: You just need to contact us to request them!

Having served Nevada since 2004, there are a number of Project REAL books 'out in the wild'. Perhaps you're a teacher who found 15 copies of this guide shoved into a drawer of a classroom you've inherited. Maybe someone emailed you a pdf file and you'd like physical copies of this publication. You might be a teacher who's working with mock trial scripts that were printed at the school and assembled with staples, wishing you had a teacher's guide for the material you're working with.

Whatever circumstance led you to this page, know that there are many other free resources waiting for you – you just need to get in touch with us to request them. We hope to hear from you soon.

Requests & More

<https://projectrealnv.org/project/requests/>

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