

## Is Your Wireless Network Putting Your Business At Risk?

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Going wireless can be a great advantage to your business and provide your employees with the convenience of instant access to the Internet. Beyond the benefits of having a wireless network, some thought should be given to the possible legal risks involved. It is important to understand both your organization's rights and responsibilities associated with having a wireless network.

Michigan criminal law prohibits anyone from accessing or using your wireless network without your permission. This is sometimes referred to as "piggybacking". Recently, a man who habitually sat in the parking lot outside of a Sparta, Michigan cafe to use the cafe's wireless network was arrested and charged with violating the Michigan law. Had he simply entered the cafe to use the wireless network, no crime would have been committed. As a first time offender, he agreed to pay a \$400 fine and perform 40 hours of community service. Most intruders into wireless networks undoubtedly possess more malicious intent than the Sparta man and are extremely difficult to catch.

Failing to properly secure your wireless network not only leaves your business exposed to piggybacking but may also lead to liability for resulting data breaches. Earlier this year, TJX, the parent company of retailer T.J. Maxx, announced that it had suffered a security breach of data on more than 45 million credit and debit card users through an intruder to its wireless network. In addition to a pending class action lawsuit brought on behalf of the cardholders, TJX is also being sued by over 300 banks seeking reimbursement of the substantial expense of having to notify their respective cardholders and issue replacement cards.

Taking reasonable precautions to properly secure your wireless network will undoubtedly save your organization both time and money in the long run. Such precautions should also include monitoring your network in order to detect unauthorized access. To review Michigan's criminal statute prohibiting unauthorized access to a wireless network.