

Federal Crimes Course

Fall Term, 2008

Professor Kiely

Syllabus, Course Description and Evaluation

Required Text:

- Strader: Understanding White Collar Crime (LexisNexis 2d edition 2006)
- **BLACKBOARD** Articles, Statutes and Cases

Course Description:

This course will analyze selected areas of federal criminal law. The course will begin with a brief discussion of the Patriot Act, FISA courts, Guantanamo internees and other very recent anti-terrorism miscellaneous provisions. The Patriot Act provisions addressing money laundering and other financial reporting provisions will receive extended attention in classes on Money Laundering. The bulk of those discussions will work off of the materials on the Federal Crimes Blackboard Pages.

Those introductory discussions will be followed by close analyses of omnibus statutory bases for federal criminal jurisdiction for typical state offenses such as homicide and property crimes, pursuant to the provisions of the Assimilative Crimes Act and the Major Indian Crimes Act. We will then proceed to a very focused analysis of specific federal crimes, doctrinally based on interstate commerce, including mail fraud, wire fraud, the Hobbs Act, drug conspiracy, civil and criminal RICO prosecutions, and obstruction of justice and perjury.. The course will conclude with analysis of the Federal Sentencing Guidelines.

Many additional topics involving the specific aspects of a wide variety of federal crimes will be had through the informal presentation of course papers in class.

Course Evaluation: The grade in this course will be based on a research paper to be submitted at the end of the course. The final grade may be reduced by absences without advance notice and/or lack of class preparation. Attendance will be taken for each class.

Class participation and attendance are both very important.

CLASS ASSIGNMENTS

Assignment 1: **[Introduction to Federal Crimes] [Terrorism]**

- Strader: Understanding White Collar Crime, Chapter 1, Introduction to White Collar Crime, pages 1-14

- The Commonwealth v. Schaffer, 4 Dall. Append. XXVI, 1797 WL 1 (Pa. Mayor), 1 L.Ed 926 (1797) (Blackboard Course Materials)

- Blackboard Reading Assignments: Terrorism

1. Boumediene v. Bush, 128 S. Ct. 2229 (June 12, 2008)

- [Covers habeas corpus issue, Military Commissions Act and other terrorist related issues)

2. Patriot Act Highlights

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Assignment 2: **[Federal Role and Targets for Law Enforcement]**

- Assimilative Crimes Act Material [Blackboard Materials]

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- Indian Nations Jurisdiction Issues [Blackboard Materials]

Assignment 3: **[Mail & Wire Fraud]**

- Strader: Understanding White Collar Crime, Chapter 4, Mail Fraud, Wire Fraud, and Related Offenses, pages 61-95

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- Blackboard Materials

Assignment 4: **[The Hobbs Act]**

- Strader: Understanding White Collar Crime, Chapter 9, Extortion, pages 187-199

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- Blackboard Materials

Assignment 5: **[Official Bribery and Gratuities]**

- Strader: Understanding White Collar Crime, Chapter 8, Bribery and Gratuities, pages 169-186

- Blackboard Materials

Assignment 6: **[False Statements and Perjury]**

- Strader: : Understanding White Collar Crime, Chapter 10 False Statements, pages 201-214; Chapter 11, Perjury and False Declarations, pages 215-229
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- Blackboard Materials

Assignment 7: [**Money Laundering and Currency Offenses**]

- Strader: Understanding White Collar Crime, Chapter 14, Currency Transaction Reporting Crimes, pages 275-284; Chapter 15, Money Laundering, pages 285-303
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- Blackboard Materials

Assignment 8: [**Drug Offenses and Enforcement**]

- CCE Statute
- Crack House Statute [Handout]
- Selected CCE Cases: Building the case [Handouts]
- Blackboard Materials

Assignment 9: [**RICO**]

- Strader, Understanding White Collar Crime, Chapter 16, Rico, pages 305-342
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- Blackboard Materials

Assignment 10: [**Forfeiture**]

- Strader: Understanding White Collar Crime, Chapter 22, pages 399-421
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- Blackboard Materials

Assignment 11: [**Obstruction of Justice**]

- Strader: Understanding White Collar Crime, Chapter 12, pages 231-253
- Blackboard Materials

Assignment 12: [**The Federal Sentencing Guidelines**]

- Strader: Understanding White Collar Crime, Chapter 21, Sentencing, pages 377-398
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- Blackboard Materials