

Understanding

WHITE COLLAR CRIME

THIRD EDITION



J. Kelly Strader

UNDERSTANDING WHITE COLLAR CRIME

Third Edition

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MATTHEW  BENDER

Preface

Overview of the Text

This book is primarily intended for students in White Collar Crime, Federal Criminal Law, and Corporate Crime classes. The text should also prove useful to practitioners, judges, law clerks, and scholars seeking an introduction to and an overview of the law in this area.

The bulk of this text provides a substantive overview of the principal federal white collar crimes. The book also covers the basic principles of criminal law and criminal procedure necessary to an understanding of white collar crime, and includes chapters on the process of white collar criminal investigations and prosecutions. Finally, the book covers remedies and penalties, including sentencing and forfeitures.

White collar crime is primarily based upon a complex set of statutes. This book provides the texts of the relevant statutes, along with analyses of the statutes' elements and requirements. Because many of these statutes are open to varying interpretations, the book also extensively discusses the main cases interpreting the statutes, including a large number of United States Supreme Court cases. Finally, the book discusses the significant policy issues that arise in white collar investigations and prosecutions, such as enforcement barriers and prosecutorial discretion.

Because of the complexity of the subject, a text such as this necessarily condenses a great deal of information. In addition, readers should note that this area of the law is changing rapidly. For a more extensive discussion of any particular subject, the reader may wish to refer to such sources as *White Collar Crime: Business and Regulatory Offenses* (Otto Obermaier & Robert Morvillo, eds.) (updated annually), and the *Annual Survey of White Collar Crime*, published by the American Criminal Law Review. These sources are also referred to throughout this text.

A Special Request

Any book of this length is bound to contain errors. Those errors are entirely my responsibility, and I would like to know about all of them. I welcome any comments you may have. Please do not hesitate to call ((213) 738-6753), e-mail (kstrader@swlaw.edu), or write (Southwestern Law School, 3050 Wilshire Boulevard, Los Angeles, CA 90010).

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On a personal note, I would like to thank my partner, Hal, our children, Eleanor and Sam, and their moms, Helen and Marian, for all their love and support.

TABLE OF CONTENTS

Chapter 1	INTRODUCTION TO WHITE COLLAR CRIME	1
§ 1.01	THE DEFINITION OF “WHITE COLLAR CRIME”	1
§ 1.02	RECURRING ISSUES IN WHITE COLLAR INVESTIGATIONS AND PROSECUTIONS	3
[A]	The Harm Caused by White Collar Crime	3
[B]	Difficulties in Enforcing White Collar Statutes	4
§ 1.03	ISSUES OF FEDERALISM IN WHITE COLLAR PROSECUTIONS	5
[A]	Federal and State Overlap	5
[B]	Federal Jurisdiction	6
[C]	The Debate Concerning the Federalization of Crimes	6
§ 1.04	PARALLEL CIVIL AND ADMINISTRATIVE PROCEEDINGS	7
§ 1.05	ISSUES OF PROSECUTORIAL DISCRETION IN WHITE COLLAR CRIME	8
§ 1.06	WHITE COLLAR CRIME AND THE GENERAL CRIMINAL LAW	9
[A]	Mens Rea	9
[1]	Purpose, Knowledge, and Willful Blindness	11
[2]	Willfulness	12
[3]	Recklessness and Negligence	12
[4]	Strict Liability	12
[B]	Vicarious Liability	13
[C]	Inchoate Crimes	13
§ 1.07	APPLICATION OF CRIMINAL PROCEDURE PRINCIPLES TO WHITE COLLAR CRIME	14
Chapter 2	CORPORATE AND INDIVIDUAL LIABILITY	15
§ 2.01	INTRODUCTION	15
§ 2.02	THE DEVELOPMENT OF CORPORATE CRIMINAL LIABILITY	15
§ 2.03	STANDARDS FOR IMPUTING LIABILITY TO CORPORATIONS	17
[A]	Respondeat Superior	17
[1]	Application in the Federal System	17
[2]	Elements of Respondeat Superior	17
[3]	Agents Whose Liability May Be Imputed to the Corporation	17
[4]	Liability of Successor and Non-Existent Corporations	18
[B]	Model Penal Code	18
[C]	Comparing Respondeat Superior and § 2.07	19
[D]	The Debate Over Corporate Criminal Liability	19
§ 2.04	ISSUES ARISING UNDER THE MODEL PENAL CODE	20
[A]	Legislative Intent to Impose Liability	20

TABLE OF CONTENTS

[B]	Approval by High Managerial Agent	20
§ 2.05	ACTING ON BEHALF OF THE CORPORATION	21
[A]	Model Penal Code vs. Respondeat Superior	22
[B]	Corporate Compliance Programs and Actions Contrary to Corporate Policy	22
[C]	Actions Not Taken “For the Benefit” of the Corporation	24
§ 2.06	CORPORATE MENS REA	25
[A]	Managerial Approval of Criminal Conduct	25
[B]	Collective Knowledge	25
§ 2.07	LIABILITY OF CORPORATE OFFICERS AND AGENTS	27
[A]	Scope of Individual Wrongdoers’ Liability	27
[B]	Strict Liability of Management for Subordinates’ Acts	28
Chapter 3	CONSPIRACY	33
§ 3.01	INTRODUCTION	33
[A]	Nature of Conspiracy Charges	33
[B]	Policy Bases	34
§ 3.02	THE FEDERAL CONSPIRACY STATUTES	34
[A]	Types of Federal Conspiracy Statutes	34
[B]	The Elements of the General Conspiracy Statute — § 371	35
[C]	The Overt Act	36
[D]	The Unlawful Object	37
§ 3.03	THE ADVANTAGE OF A CONSPIRACY CHARGE	38
[A]	Joinder	38
[B]	Venue	38
[C]	Evidence	38
[D]	Vicarious Liability — The <i>Pinkerton</i> Rule	39
[E]	Multiple Punishments	39
[F]	Statute of Limitations	39
§ 3.04	THE AGREEMENT	40
[A]	Government Agents as Co-Conspirators	41
[B]	Plurality in the Corporate Context	41
[C]	Wharton’s Rule	42
§ 3.05	THE “OFFENSE” CLAUSE AND THE “DEFRAUD” CLAUSE	42
[A]	The “Offense” Clause	43
[B]	The “Defraud” Clause	44
[1]	Breadth of the Defraud Clause	44
[2]	The Federal Government as Victim	44
[C]	Relationship Between the Offense Clause and the Defraud Clause	45
§ 3.06	REQUIRED MENTAL STATE	46
[A]	Specific Intent	47

TABLE OF CONTENTS

[B]	“Knowledge” vs. “Specific Intent”	48
[C]	Conscious Avoidance	49
[D]	Mens Rea and Federal Jurisdiction	50
§ 3.07	PROOF OF GUILT IN A CONSPIRACY CASE	50
[A]	Level of Required Proof	50
[B]	Co-Conspirators’ Exception to the Hearsay Rule	51
§ 3.08	THE BREADTH OF THE AGREEMENT	52
[A]	Overview	52
[B]	Advantages of a Single Trial	53
[C]	Single Conspiracy vs. Multiple Conspiracies	53
[1]	Joinder Issues	53
[2]	The Showing of Prejudice	56
[3]	Double Jeopardy Issues	57
§ 3.09	VICARIOUS LIABILITY — THE <i>PINKERTON</i> DOCTRINE	57
[A]	The <i>Pinkerton</i> Decision	57
[B]	The Policy Debate	58
[C]	Application to White Collar Crimes	59
§ 3.10	INCONSISTENT VERDICTS	59
§ 3.11	DURATION	60
§ 3.12	WITHDRAWAL	61

Chapter 4 MAIL FRAUD, WIRE FRAUD, AND RELATED OFFENSES

§ 4.01	BREADTH OF THE MAIL AND WIRE FRAUD STATUTES	63
[A]	The Statutes’ Appeal to Prosecutors	63
[B]	Courts’ Interpretations of the Statutes	64
§ 4.02	STATUTORY OVERVIEW	65
[A]	Sections 1341 and 1343	65
[B]	The Elements	66
[C]	The Inchoate Nature of Mail and Wire Fraud	66
[D]	Federal Jurisdiction	66
[1]	Jurisdictional Bases	66
[2]	Federalism Issues	68
§ 4.03	THE SCHEME TO DEFRAUD	68
[A]	Intent to Defraud	68
[1]	The <i>Durland</i> Decision	68
[2]	Deception Relating to the Economic Bargain	69
[3]	Literally True and Misleading Statements	69
[4]	Omissions and Concealment	70
[5]	Good Faith and Reliance on Counsel Defenses	71
[B]	Materiality	71

TABLE OF CONTENTS

[1]	The <i>Neder</i> Decision	71
[2]	The “Reasonable Reliance” Issue	72
§ 4.04	THE USE OF THE MAILS AND WIRES	73
[A]	The “In Furtherance” Requirement	73
[1]	The <i>Schmuck</i> Rule	73
[2]	The “Lulling” Rule	75
[B]	The “Causation” Requirement	77
§ 4.05	DEPRIVATION OF MONEY, PROPERTY, OR HONEST SERVICES . .	78
[A]	The “Money or Property” Requirement	78
[1]	The <i>McNally</i> Decision	78
[2]	Intangible Property Rights	79
[a]	Secret Business Information	79
[b]	Licenses and Permits	81
[c]	The Right to Control Property Interests	81
[3]	Property Interests of Foreign Governments	82
[4]	The “Convergence” Requirement	83
[B]	Section 1346 and the Deprivation of “Honest Services”	85
[1]	The Adoption and Interpretation of § 1346	85
[2]	The <i>Skilling</i> Decision	86
[3]	Questions Post- <i>Skilling</i>	87
§ 4.06	RELATED STATUTES AND CRIMES	89
[A]	Bank Fraud	89
[B]	Bankruptcy Fraud	90
[C]	Health Care Fraud	90
[D]	False Government Claims and Procurement Fraud	91
[1]	False Claims	91
[2]	Procurement Fraud	92
Chapter 5	SECURITIES FRAUD	95
§ 5.01	INTRODUCTION	95
§ 5.02	STATUTORY OVERVIEW AND DEFINITIONS	96
[A]	Introduction	96
[B]	The 1933 and 1934 Acts	97
[1]	The Statutory Scheme	97
[2]	The Definition of “Security”	97
[3]	Secondary Liability	97
§ 5.03	CIVIL ENFORCEMENT OF THE SECURITIES LAWS	98
[A]	The Statutory Provisions	98
[B]	The Elements	98
§ 5.04	CRIMINAL ENFORCEMENT OF THE SECURITIES LAWS	99
[A]	The Statutory Scheme	99

TABLE OF CONTENTS

[B]	The Elements	100
[C]	The “Willfulness” Requirement	100
[1]	Definition	100
[2]	The Level of Proof	101
[3]	The “Good Faith” Defense and Reliance on Counsel	104
[D]	The “No Knowledge” Proviso	104
§ 5.05	THE SARBANES-OXLEY ACT OF 2002	105
§ 5.06	THE CIVIL/CRIMINAL OVERLAP	106
§ 5.07	INSIDER TRADING	106
[A]	Introduction	106
[B]	Policy Bases	107
[C]	Insider Trading Defined	108
[1]	Insider Trading Theories	108
[2]	Elements of Insider Trading	109
[D]	The Evolution of the Misappropriation Theory	109
[1]	The Supreme Court Cases	110
[2]	The Boundaries of Fiduciary Duties	112
[a]	Pre- <i>O’Hagan</i> Case Law	112
[b]	The SEC’s Attempt to Extend the Boundaries of Fiduciary Duties — Rule 10b5-2	113
[3]	The “On the Basis of” Requirement	114
[a]	The Circuit Split	114
[b]	SEC Adoption of the “Knowing Possession” Standard — Rule 10b5-1	115
[E]	Tippee Liability	116
[1]	The <i>Dirks</i> Decision	116
[2]	The Elements of Tippee Liability	117
[a]	Proof of Willfulness	117
[b]	Eavesdropper Liability	118
[c]	Intent to Benefit — Misappropriation Theory	118
[F]	Trading in Connection with a Tender Offer	119
§ 5.08	THE “IN CONNECTION WITH” REQUIREMENT	121
§ 5.09	MATERIALITY	122
§ 5.10	OTHER OFFENSES	125
[A]	Stock Parking	125
[B]	Proxy Statements	126
§ 5.11	PROFESSIONALS’ LIABILITY	126

Chapter 6 COMPUTER CRIME 129

§ 6.01	INTRODUCTION	129
§ 6.02	CHALLENGES TO LAW ENFORCEMENT	129

TABLE OF CONTENTS

§ 6.03	THE COMPUTER FRAUD AND ABUSE ACT	130
[A]	The Statutory Provisions	130
[1]	Section (a)(1) — Knowing and Willful Theft Involving National Security	130
[2]	Section (a)(2) — Intentional Theft of Protected Information	131
[3]	Section (a)(3) — Intentional Gaining of Access to Government Information	131
[4]	Section (a)(4) — Fraud Through a Protected Computer	132
[5]	Section (a)(5)(A)(i) — Intentionally Causing Damage Through a Computer Transmission	132
[6]	Section (a)(5)(A)(ii) — Recklessly Causing Damage Through Unauthorized Access	133
[7]	Section (a)(5)(A)(iii) — Causing Damage Through Unauthorized Access	133
[8]	Subsection (a)(6) — Fraudulent Trafficking in Passwords	133
[9]	Subsection (a)(7) — Extortion	134
[B]	The Sentencing Scheme	134
§ 6.04	PROSECUTING COMPUTER CRIME	135
[A]	Issues in Cases Brought Under the CFAA	135
[1]	Determining the Required Mens Rea	135
[2]	Determining the “Thing of Value”	136
[3]	Determining Covered Losses	138
[B]	Issues in Wire Fraud Prosecutions of Computer Crime	138
[C]	Other Applicable Statutes	139
§ 6.05	INTERNATIONAL COMPUTER CRIME	140
§ 6.06	CONSTITUTIONAL AND STATUTORY CONSTRAINTS	140
[A]	Search and Seizure Issues	141
[B]	First Amendment Issues	142
§ 6.07	CIVIL ACTIONS	143
[A]	Suits by Internet Service Providers	143
[B]	Suits by Private Individuals	144
Chapter 7	ENVIRONMENTAL CRIMES	147
§ 7.01	INTRODUCTION	147
§ 7.02	COMMON ISSUES IN ENVIRONMENTAL PROSECUTIONS	149
[A]	Corporate Liability	149
[B]	Individual Liability and the Responsible Corporate Officer Doctrine ..	149
[C]	Mental State	150
[D]	Overlap of Civil and Criminal Liability	151
§ 7.03	HAZARDOUS WASTE — THE RESOURCE CONSERVATION AND RECOVERY ACT (RCRA) AND COMPREHENSIVE ENVIRONMENTAL	

TABLE OF CONTENTS

	RESPONSE, COMPENSATION, AND LIABILITY ACT (CERCLA) . . .	151
[A]	The Statutory Provisions	151
[B]	Knowing Violations	152
[1]	Applicability of the Responsible Corporate Officer Doctrine	152
[2]	Knowledge of Permit Status	153
[3]	Knowledge of the Nature of the Waste	154
[C]	Knowing Endangerment	155
[D]	Individual Liability	156
[E]	Corporate Parent Liability	157
§ 7.04	WATER POLLUTION — THE CLEAN WATER ACT (CWA) AND THE THE REFUSE ACT	157
[A]	Statutory Scheme	157
[B]	Discharge from a Point Source Under the CWA	158
[C]	Discharge Under the Refuse Act	159
[D]	Required Mental State Under the CWA and the Refuse Act	160
[1]	Negligent Acts Under the CWA	160
[2]	Mistake of Law Under the CWA	161
[3]	Mistake of Fact Under the CWA	162
[4]	Strict Liability Under the Refuse Act	162
[5]	Applicability of the Responsible Corporate Officer Doctrine	163
[E]	The CWA Permit Requirement	164
[F]	Knowing Endangerment	164
§ 7.05	AIR POLLUTION — THE CLEAN AIR ACT (CAA)	165
[A]	Overview of the CAA	165
[B]	Definition of “Knowledge”	165
[C]	Judicial Review	166
[D]	Double Jeopardy Issues	167
§ 7.06	ENFORCEMENT ISSUES	168
[A]	Enforcement Bodies	168
[B]	Parallel Proceedings	168
[C]	Fourth Amendment Issues	169
Chapter 8	BRIBERY AND GRATUITIES	171
§ 8.01	INTRODUCTION	171
§ 8.02	SECTION 201 — STATUTORY OVERVIEW	172
[A]	Bribery	172
[B]	Gratuity	173
[C]	Statutory Definitions	173
§ 8.03	ELEMENTS OF BRIBERY AND GRATUITY UNDER § 201	174
[A]	Bribery	174
[B]	Gratuity	174

TABLE OF CONTENTS

[C]	Sentencing	175
[D]	Comparison of Bribery and Gratuity	175
[1]	Intent and Quid Pro Quo	175
[2]	Intent and Timing	176
§ 8.04	DEFINITION OF “SOMETHING OF VALUE” UNDER § 201	177
§ 8.05	DEFINITION OF FEDERAL “PUBLIC OFFICIALS” UNDER § 201	177
[A]	Employees of Entities Other than the Federal Government	177
[B]	Participants in the Legislative Process	179
§ 8.06	DEFINITION OF “OFFICIAL ACT” UNDER § 201	179
[A]	The Parties’ Intent	180
[B]	The Scope of the Public Official’s Duties	180
§ 8.07	DEFINITION OF CRIMINAL INTENT UNDER § 201	182
[A]	Bribery	182
[B]	Gratuity	183
§ 8.08	FEDERAL PROGRAM BRIBERY	185
[A]	Statutory Overview	185
[B]	Elements of § 666	185
[C]	Scope of § 666	186
[1]	The Connection Between the Bribe and Federal Funds	186
[2]	Bribes and Gratuities	187
[3]	The Meaning of Federal “Benefits”	188
[4]	The Meaning of “Agent”	188
[5]	The Meaning of “Misapplies”	189
§ 8.09	THE FOREIGN CORRUPT PRACTICES ACT	189
Chapter 9	EXTORTION	191
§ 9.01	INTRODUCTION	191
§ 9.02	STATUTORY OVERVIEW	192
[A]	Statutory Background and Definitions	192
[B]	Elements of Extortion	192
[C]	Extortion as an Inchoate Crime	193
§ 9.03	EFFECT ON INTERSTATE COMMERCE	193
§ 9.04	OBTAINING PROPERTY FROM ANOTHER	194
§ 9.05	THE REQUIRED MENS REA	195
§ 9.06	EXTORTION BY THE USE OF FEAR	195
§ 9.07	EXTORTION UNDER COLOR OF OFFICIAL RIGHT	198
[A]	“Inducement” in Extortion Under Color of Official Right	198
[B]	The Distinction Between Bribery and Extortion Under Color of Official Right	199
[C]	Distinguishing “Extortion” from Legitimate Campaign Fundraising	200
[D]	The Quid Pro Quo Requirement	201

TABLE OF CONTENTS

[1]	Does the Quid Pro Quo Requirement Apply Outside the Campaign Contribution Context?	201
[2]	Is an Explicit Quid Pro Quo Required, or Is an Implicit Quid Pro Quo Sufficient?	202
§ 9.08	THE TRAVEL ACT	203
Chapter 10	FALSE STATEMENTS	205
§ 10.01	INTRODUCTION	205
§ 10.02	STATUTORY OVERVIEW	206
§ 10.03	THE MEANING OF “STATEMENT”	207
[A]	The Scope of § 1001	207
[1]	Silence	207
[2]	Implied Statements	208
[B]	The “Exculpatory ‘No’ ” Doctrine	208
[C]	The Judicial Proceeding Exception	209
§ 10.04	FALSITY AND CONCEALMENT	210
[A]	Implied Falsity and Concealment	210
[B]	Literally True or Ambiguous Statements	210
[C]	Statements Concerning Future Actions	211
[D]	Documents	211
§ 10.05	MATERIALITY	212
§ 10.06	THE REQUIRED MENS REA	213
[A]	Knowledge of Falsity	213
[B]	Knowledge of Facts Giving Rise to Federal Jurisdiction	213
[C]	Intent to Deceive	214
§ 10.07	JURISDICTION	214
[A]	Statements Made to the Federal Government	214
[B]	The Definition of “Jurisdiction”	215
[C]	Statements Made to State and Local Agencies and to Private Parties ..	216
§ 10.08	SECTION 1001 AND OTHER OFFENSES	218
Chapter 11	PERJURY AND FALSE DECLARATIONS	221
§ 11.01	INTRODUCTION	221
§ 11.02	THE STATUTORY PROVISIONS	222
[A]	Introduction	222
[B]	Elements of § 1621	222
[C]	Elements of § 1623	223
[D]	Key Differences Between § 1621 and § 1623	223
§ 11.03	THE ELEMENTS OF A PERJURY CASE	224
[A]	Oath	224
[B]	Tribunals and Proceedings	225

TABLE OF CONTENTS

[C]	Falsity	225
[1]	Literally True or Non-Responsive Answers	225
[2]	Ambiguous Questions and Answers	226
[3]	Inconsistent Statements	227
[D]	Mens Rea	228
[1]	Knowledge of Falsity	228
[2]	Willfulness	228
[E]	Materiality	228
[F]	The “Two-Witness” Rule	229
§ 11.04	THE RECANTATION DEFENSE	231
[A]	A Comparison of § 1623 and § 1621	231
[B]	Elements of the Recantation Defense	232
[C]	Must a Defendant Prove All the Elements to Prevail?	233
§ 11.05	IMMUNITY	234
§ 11.06	VICARIOUS LIABILITY	235
[A]	Aiding and Abetting	235
[B]	Subornation of Perjury	236
Chapter 12	OBSTRUCTION OF JUSTICE	237
§ 12.01	INTRODUCTION	237
§ 12.02	A COMPARISON OF §§ 1503, 1505, 1510, AND 1512	238
§ 12.03	THE ELEMENTS OF OBSTRUCTION OF JUSTICE — THE OMNIBUS CLAUSES	240
[A]	Actus Reus — The “Endeavor”	240
[1]	The Breadth of the “Endeavor” to Obstruct	241
[a]	Interfering with the Production of Documents	241
[b]	Giving or Encouraging False Testimony	242
[c]	Making False Statements to Government Agents	243
[d]	Encouraging a Witness to Assert the Fifth Amendment or Attorney-Client Privilege	243
[e]	Threatening Jurors or Court Officers	244
[2]	The “Nexus” Requirement	245
[3]	A Deceptive Promise to Commit an Endeavor	246
[B]	The Pending Proceeding	247
[1]	Court Proceedings	248
[2]	Grand Jury Proceedings	249
[3]	Agency and Legislative Proceedings	249
[C]	Mens Rea	250
[1]	The Knowledge Requirement	250
[2]	“Corrupt” Intent	250
§ 12.04	THE RELATIONSHIP BETWEEN OBSTRUCTION AND PERJURY .	253

TABLE OF CONTENTS

§ 12.05	THE SARBANES-OXLEY ACT — 18 U.S.C. §§ 1519–1520	254
[A]	Section 1519 — Destruction of Records in Federal Investigations and Bankruptcy	254
[B]	Section 1520 — Destruction of Audit Records	254
§ 12.06	SECTION 1512 — THE WITNESS TAMPERING STATUTE	255
[A]	The Statutory Provision and Elements	255
[B]	Corrupt Persuasion	257
[C]	The Misleading Conduct Provision	259
[D]	The Nexus Requirement	260
[E]	The Relationship Between the Obstruction Statutes and the Witness Tampering Statute	260
Chapter 13	TAX CRIMES	261
§ 13.01	INTRODUCTION	261
§ 13.02	TAX EVASION	262
[A]	Statutory Overview and Elements	262
[B]	Underpayment	262
[C]	Affirmative Act of Evasion	263
§ 13.03	FALSE RETURNS	264
[A]	Statutory Overview and Elements	264
[B]	Tax Filer and Preparer Liability	265
[C]	Falsity	266
[D]	Materiality	267
§ 13.04	FAILURE TO FILE A RETURN OR PAY TAXES — STATUTORY OVERVIEW AND ELEMENTS	268
§ 13.05	MENS REA — WILLFULNESS	269
[A]	Definition of Willfulness	269
[B]	Proof of Willfulness	270
[C]	Defenses	271
[1]	Good Faith	271
[2]	Legal Uncertainty	272
[3]	Reliance on Professional Advice	275
§ 13.06	METHODS OF PROOF	276
[A]	Direct or Specific Items Method	276
[B]	Indirect Methods	277
§ 13.07	THE PROCESS OF TAX INVESTIGATIONS AND PROSECUTIONS	279
§ 13.08	CHARGES BROUGHT IN CRIMINAL TAX CASES	279
Chapter 14	CURRENCY TRANSACTION REPORTING CRIMES	281
§ 14.01	INTRODUCTION	281
§ 14.02	STATUTORY OVERVIEW	281

TABLE OF CONTENTS

[A]	Introduction	281
[B]	Section 5313(a) — Filing of CTRs by Domestic Financial Institutions ..	282
[1]	The Statute	282
[2]	The Elements	283
[C]	Section 5324(a) — Structuring and Related Crimes in Connection with Financial Institution Transactions	283
[1]	The Statute	283
[2]	The Elements of § 5324(a)	284
[D]	Section 6050I — Cash Transactions Reporting by Businesses	285
[1]	The Statute	285
[2]	The Elements	286
[E]	Section 5316 — Transporting Monetary Instruments	287
[1]	The Statute	287
[2]	The Elements	287
§ 14.03	MENS REA ISSUES IN CURRENCY REPORTING CASES	288
[A]	Knowledge of and Intent to Violate the Law	288
[B]	Collective Knowledge	289
[C]	Proving Mens Rea	289
§ 14.04	ATTORNEY/CLIENT ISSUES	289
[A]	Introduction	289
[B]	Constitutional Challenges	290
[C]	Attorney-Client Privilege	290

Chapter 15 MONEY LAUNDERING 293

§ 15.01	INTRODUCTION	293
§ 15.02	STATUTORY OVERVIEW	294
[A]	Domestic Money Laundering — § 1956(a)(1) — Statutory Elements and Definitions	295
[B]	International Money Laundering — § 1956(a)(2)	297
[1]	Statutory Elements and Definitions	297
[2]	Comparison of § 1956(a)(1) and § 1956(a)(2)	298
[C]	Prohibited Monetary Transactions — § 1957	298
[D]	Comparison of § 1956(a)(1) and § 1957	300
§ 15.03	PROOF OF THE DEFENDANT'S MENTAL STATE	300
[A]	Section 1956	300
[1]	First Level of Mens Rea — Knowledge that the Transaction Represented Proceeds of Unlawful Activity	300
[2]	Second Level of Mens Rea — Four Possible Theories	302
[a]	Evidence of a Design to Conceal or Disguise Dirty Money Under § 1956(a)(1)(B)(i) and 1956(a)(2)(B)(i)	302
[b]	Evidence of Intent to Promote Unlawful Activity Under	