I. Introduction

Welcome to “White Collar Crime.” This course will explore the law and practice of federal white collar investigation, prosecution, and defense. It will do so through a combination of lecture, class discussion, and -- most importantly -- simulation. You will assume the role of new federal prosecutors and defense lawyers. The objective of the course will be to provide (in concededly condensed form) the sort of training you would receive in a U.S. Attorney’s Office, Federal Public Defender’s Office, or white collar defense firm. Such training consists of a mix of education about substantive and procedural law and the application of substantive and procedural knowledge to “real” cases. Accordingly, you will be asked to perform, individually or in teams of two, a variety of the tasks real federal prosecutors and defenders would perform in a white collar case – drafting search warrants, grand jury subpoenas, criminal complaints, and indictments; negotiating plea and immunity agreements; presenting evidence to a grand jury; drafting and arguing pre-trial motions; negotiating plea agreements, etc.

The course will revolve around an investigation that begins with the goings-on at the fictional Jefferson Funeral Home in Ashland, MO.

II. Required Books and Materials

A. The required materials for this course are:

1. JULIE R. O’SULLIVAN, FEDERAL WHITE COLLAR CRIME: CASES & MATERIALS (6TH ED)
2. J. KELLY STRADER & SANDRA D. JORDAN, WHITE COLLAR CRIME: CASES MATERIALS AND PROBLEMS 2D ED., DOCUMENT SUPPLEMENT (note that you are NOT to buy the casebook of this name – only the document supplement to the casebook)
3. Much of the course material, particularly the material relating to the simulation, will be available only from Blackboard. See below for details.

ALSO, some supplemental materials that you might find useful throughout the course will be available on reserve in the Law Library. These include:
   a. JAMES C. CISSELL, FEDERAL CRIMINAL TRIALS (4TH ED) [SEVENTH EDITION also available online through Merlin or LexisNexis]
   b. DAVID M. NISSMAN, PROVING FEDERAL CRIMES (2005)

B. LexisNexis Blackboard

I will use the Blackboard system on LexisNexis to provide you with announcements, weekly reading assignments, supplemental materials, and so forth. **You will not be able to function in this class without being enrolled on Blackboard.** If you are not familiar with Blackboard, please follow the following instructions to get yourself enrolled:
You will need your LexisNexis password to enroll in the course, and to access materials in the course.

**Enrollment Instructions for LexisNexis Webcourses**

2. Sign On using your Custom ID and Password.
3. You will arrive at a page with FAQs and manuals to help you use webcourses. Click on the Launch Web Courses button .
4. You will arrive at your personalized Web Courses Home Page. Click on the red Courses tab at the top of the page.
5. Click on the text link **Browse Course Catalog**
6. Click on **Missouri, University of - Columbia**
7. Locate the course you want to enroll in, and click on the enroll button out to the right-hand side of the course name

**Note About Printing**

Any printing that is done from the Webcourse site will be sent to the laser printer in the lab, and your printing quota will be debited. If you are printing from home, your print job will be sent to your attached printer. Webcourse documents do not print to the stand-alone LexisNexis printer. If you have moved into the research system (for example, your professor has linked to a journal article, case, or statute), you will be able to print that document for free on the standalone printer in the lab.

**Technical Questions or Problems?**

Please contact the UMC Law Help Desk at umclawhelpdesk@missouri.edu, or at 573-884-7800.

**III. Grading & Attendance**

Roughly 70% of your grade in this class will be based on your participation in the simulation exercises during the semester. The remaining 30% of the grade will be based on a final project, which will take the form of an extended drafting assignment.

Because this is a simulation course, class attendance is crucial. Your presence is essential to learn the law and procedure necessary to perform the roles of federal prosecutors and defense lawyers in the simulation, to learn facts about the case and receive directions about how the investigation will proceed, to participate in classroom exercises, and to consult with your classmates. Therefore, attendance is required. I understand that an occasional absence may be necessary, but I will expect to be informed of an impending absence in advance. That way, I can make any necessary arrangements to prevent other students from being disadvantaged by your absence.
IV. Reading (Jan 12-19, 2017)

Thurs., Jan. 12, 2017  NO CLASS – Professor Bowman out of country


Required reading:
1. O’Sullivan, Federal White Collar Crime, pp. 4-6, 25-36
2. Roberta Flowers article on investigative role of federal prosecutors, pp. 1-10 (posted on Blackboard under “Course Documents /Course Readings & Power Points”)
4. Jenkins complaint letter (Blackboard – under “Course Documents / Jefferson Funeral Home Case”)

Also available:
- Photo of Ethel Jenkins (Blackboard)
- Photo of Joe Jenkins gravesite after re-interment (Blackboard)

NOTE: Much of the work on the simulation component of the class will be performed in teams of two students. Between today and Thursday, Jan. 19, try to form two-person work teams. Email me as soon as you’ve selected a partner. On Thursday, I’ll match any students who remain unmatched.

Thurs., Jan 19, 2017  1st HOUR - Introduction to Wire & Mail Fraud: Scheme to defraud; Taking Money or Property

Required reading:
1. O’SULLIVAN, FEDERAL WHITE COLLAR CRIME, pp. 391-393, 402-423 (but not Section C)
3. Wire fraud jury instructions (Blackboard – “Course Documents / Practice Resources / Jury Instructions”)

Discussion Questions: Does Ethel Jenkins' letter present a viable case of mail or wire fraud? If you are not sure, what other information would you want?

2nd HOUR - Wire & Mail Fraud: Use of mails & wires

Required reading:
1. O’SULLIVAN, FEDERAL WHITE COLLAR CRIME, pp. 393-402
3. Boone County Journal article re: Rigby gravesite
4. Missouri Statutes re: Unlawful Disposition of Corpses

[Items 2-4 are posted on Blackboard under “Course Documents/Jefferson Funeral Home Case/Eleanor and Edward Rigby Materials”]

Also available on Blackboard:

a. Photo of Eleanor Rigby

**Discussion Questions**: Does the additional material Rigby material, together with the Jenkins letter, now present a viable case of mail or wire fraud? If you are not sure, what other information would you want?

**V. Academic Honesty**

Academic integrity is fundamental to the activities and principles of a university. All members of the academic community must be confident that each person’s work has been responsibly and honorably acquired, developed, and presented. Any effort to gain an advantage not given to all students is dishonest whether or not the effort is successful. The academic community regards breaches of the academic integrity rules as extremely serious matters. Sanctions for such a breach may include academic sanctions from the instructor, including failing the course for any violation, to disciplinary sanctions ranging from probation to expulsion. When in doubt about plagiarism, paraphrasing, quoting, collaboration, or any other form of cheating, consult the course instructor.

**VI. Medical Information & Americans With Disabilities Act**

If you have emergency medical information to share with me, or if you need special arrangements in case the building must be evacuated, please inform me immediately. Please see me privately after class, or at my office in 310 Hulston Hall.

If you need academic accommodations because of a disability, please contact Associate Dean David Mitchell or Registrar Denise Boessen who will work with you to determine an appropriate response to your needs.

To request academic accommodations (for example, a notetaker), students must also register with the Office of Disability Services, (http://disabilityservices.missouri.edu), S5 Memorial Union, 882-4696. It is the campus office responsible for reviewing documentation provided by students requesting academic accommodations, and for accommodations planning in cooperation with students and instructors, as needed and consistent with course requirements. For other MU resources for students with disabilities, click on "Disability Resources" on the MU homepage.