Course Description:

White collar crimes are often defined as nonviolent offenses involving lying, cheating, and stealing. This course will cover selected substantive and procedural topics in federal white collar criminal law. These topics will include: entity liability, perjury and false statements, obstruction of justice, mail fraud, public corruption, securities fraud, conspiracy, RICO, money laundering, grand jury practice, discovery, the Fifth Amendment, and the attorney-client privilege.

Class Schedule:

Class meets Monday and Wednesday at 10:30 to 11:45 a.m.

Office hours:

My office is Room 433H. I can also be reached at (703) 993-8080 or clerner@gmu.edu. Office hours are Wednesdays after class from 11:45 to 12:45. In other words, I will stay after class on Wednesdays and answer all questions in a public forum. If you prefer to meet in a private setting, please contact me and I will be happy to arrange a time.

Required course material:


Classroom participation:

Classroom participation will be based on a “present and prepared” sign-in system. I will distribute a sign-in sheet at the beginning of each class. If you’ve done the reading and are prepared to
discuss it, you should initial your name. If you are absent, or are unprepared for, 4 or fewer classes, your grade will be increased one step (e.g., from a B+ to an A-). If you are absent, or are unprepared for, 10 or more classes, your grade will be decreased one step (e.g., from a B+ to a B).

**Internet policy:**

Use of the internet in any form is prohibited during class.

**Recording policy:**

Recording of the class in any way is prohibited.

**Final exam:**

The exam will given on December 13 at noon.

**First Three Assignments:**

Aug 22. Introduction: Pages 1-43, and page 55

Aug 24. Mens Rea: 57-79

Aug 29. Mens Rea: 79-107

**Tentative Reading Assignments:**

The following are tentative assignments. Expect that we will fall behind. That is factored in at the end of the semester. Every Wednesday I will email the class with precise instructions for the following week. I do not recommend reading more than a week ahead. If you have extra time and energy, you are better advised to review material we have already covered than charging two weeks ahead.

Class 1/Aug 22. Introduction: Pages 1-43, and page 55

Class 2/Aug 24. Mens Rea: 57-79

Class 3/Aug 29. Mens Rea: 79-107


Class 12/Oct 3. Mail Fraud: 417-442

Class 13/Oct 5. Mail Fraud and Public Corruption: 443-482


Class 16/Oct 17. Securities Fraud: 549-580

Class 17/Oct 19. Conspiracy: 609-643

Class 18/Oct 24. RICO: 645-666

Class 19/Oct 26. RICO: 666-686

Class 20/Oct 31. Money Laundering: 687-714

Class 21/Nov 2. Grand Jury: 723-763

Class 22/Nov 7. Brady, 765-787
Class 23/Nov 9.  *Brady* and Discovery, 787-804

Class 24/Nov 14.  Fifth Amendment: Testimony and Immunity, 805-840

Class 25/Nov 16.  Fifth Amendment: Documents and Tangible Objects, 841-872


Class 27/Nov 28.  Extraterritorial Issues, 1067-1093

Class 28/Nov 30.  Catch-up