

CRIMES THAT MUST BE AVOIDED IN IMPLEMENTING A GLOBAL WEALTH PROTECTION STRATEGY

<u>LAW</u>	<u>SEC #</u>	<u>TYPICAL ACTIVITY</u>	<u>PENALTIES</u>		
			<u>PRISON</u>	<u>FINE</u>	<u>PUNATIVES</u>
Bankruptcy	18 USC 152	Transfer of assets to an offshore structure and then files or has bankruptcy filed against him. Is considered concealing assets and making a false oath. Anyone who helps is also guilty.	5 years	5K	Maybe
Bankruptcy	18 USC 157	Devises a scheme to hide assets offshore, then has bankruptcy filed against him. Helpers also guilty.	5 years	5K	Maybe
Crime Control Act of 1990	Title 27 2701	Concealment of assets from FDIC in an offshore structure, or impedes or tries to impede an FDIC investigation or places or tries to place an asset beyond reach of the FDIC.	5 years	1 mil	Maybe
IRC 1986	7206(4)	Removal, deposit or concealment of assets or anyone "concerned in" doing so with intent to defraud the U.S. Government (including the IRS).	3 years	100K	No
IRC 1986	7212(a)	Corrupt or forceful or threatened forceful intimidation or impediment of a tax officer or corrupt obstruction of administration of the tax laws. Disguising the source of undeclared funds and/or help in sending them offshore or bringing them back. Any lawful activity that is intended to secure an unlawful benefit.	3 years	5K	No
Money Laundering Control Act of 1986	1956(a)(1) 1957	Tax avoidance, asset concealment from a creditor (including the U.S. Government) or transport of money in or out of the country if the proceeds being dealt with are proceeds of certain unlawful activities, which include (among others) concealment of assets, mail fraud, RICO, The accused need not know that the activities are unlawful and Government need not trace proceeds--circumstantial evidence is enough. Civil liability is imposed for "willful blindness" and preponderance of the evidence is the evidentiary standard.	10 years	250K	No
Aiding and Abetting	18 USC 2	Aiding and abetting any violation of law is punishable at the same rate as is the principal. Encouragement may be enough.			
Conspiracy	18 USC 371	Any discussion regarding the commission of an offense against the U.S. or any agency followed by ANY act by any ONE party subjects all people in the discussion to criminal liability. Does NOT require commission of the underlying, planned offense.	5 years	10K	No

Misprision of a Felony	18 USC 4	Anyone with knowledge of the actual commission of a U.S. felony by another person (like conspiracy) who does not report it immediately is guilty. This is an exception to the attorney/client privilege. An attorney with such knowledge must report it.	3 years	\$500	Yes
Mail Fraud	18 USC 1341	Anyone who uses the mail to defraud another person is guilty. This includes using the mail in violation of a duty of loyalty, where the violation gains the violator any advantage.	1+ years	Whatever the judge decides	No
RICO	18 USC 1962(a)	It is unlawful to associate to commit a crime or invest the proceeds of unlawful conduct. Concealment of assets from a creditor is a crime in California. Requires a pattern of misconduct that is defined as 2 acts within 10 years of each other. Includes mail fraud.	20 Years	Calculated	No
		Civil RICO: can be invoked by anyone, not just the government.	None	Everything You made	Yes
USA Patriot Act of 2001	PL 107-56 USC 1956 & 1957	Makes assisting money laundering a crime	Varies	Starts @ \$10K	No
Sentencing Guidelines		Since all current sentencing guidelines result in Prison incarceration, even on a first conviction, the ONLY way to mitigate the sentence is by full cooperation in the prosecution of associates. It is only prudent to be careful who you discuss things with, lest they believe your scheme is a crime, tell a law enforcement authority and cause you much money, embarrassment and time.			
California Penal Code	154	It is a felony to fraudulently remove property or effects from the state OR to sell, convey, consign or conceal assets with intent to defraud a creditor. This statute can be used to trigger or augment Federal statutes.	1 year	1K	Yes