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Criminal Provisions of the U.S. Criminal Code (Title 18) and Other Statutes

On this page are general descriptions of the criminal provisions under the U.S. Criminal Code (Title 18) and Other Statutes.



U.S. Criminal Code (Title 18)

Conspiracy

False Statements

Mail/Wire Fraud

Endangered Species Act of 1972

Migratory Bird Treaty Act of 1918 (MBTA)

National Forests & National Park Service Lands

U.S. Criminal Code (Title 18)

Conspiracy

Elements:

- Two or more persons
 - Entered an unlawful agreement;
 - Defendant knowingly and willfully became a member of the conspiracy;
 - One of the co-conspirators knowingly committed at least one overt act;
 - Overt act was committed to further some objective of the conspiracy



Penalty:

- 5 years and/or fine under 18 U.S.C. 3571
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False Statements

Elements:

- A person
 - Knowingly or willfully
 - Made a written or oral statement
 - Statement was false, fictitious, or fraudulent
 - Statement was made within the jurisdiction of federal agency
 - Statement was material

Statute: 18 U.S.C. 1001

Penalty:

- 5 years and/or fine under 18 U.S.C. 3571
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Mail/Wire Fraud

Elements:

- A person
 - Knowingly or willfully
 - Devising or attempting to devise a scheme or artifice to defraud
 - Participate in the scheme with the specific intent to defraud
 - Use of the mails or interstate wire communications in furtherance of the scheme

Statute: 18 U.S.C. 1341 (mail) and 18 U.S.C. 1343 (interstate wire)

Penalty:

- 5 years and/or fine under 18 U.S.C. 3571
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THE ENDANGERED SPECIES ACT OF 1973

Elements:

- Any person
 - Knowingly
 - Imports, exports, takes, transports, sells, purchases, or receives in interstate or foreign commerce any species listed as endangered or threatened

Statute: 16 U.S.C. 1540(b)

Penalty:

- Criminal misdemeanor penalties of up to 1 year imprisonment and fines pursuant to a maximum of \$50,000

Migratory Bird Treaty Act of 1918 (MBTA)

Elements:

- **Statute: 16 U.S.C. 707(a) Misdemeanor Offense**
 - Any person, association, partnership, or corporation who
 - Violates or fails to comply with any provisions or regulations of the MBTA
 - Shall be deemed guilty of a misdemeanor
- **Statute: 16 U.S.C. 707(b) Felony Offense**
 - Any person who
 - Knowingly
 - Takes any migratory bird
 - With intent to sell, offer to sell, barter, or offer to barter
 - Any migratory bird
 - Shall be guilty of a felony

Penalty:

- **Misdemeanor offenses** shall be fined a maximum of \$5000 and or imprisoned for not more than six months for individuals, or \$10,000 fine for an organization.

