

Unit 15 – Homework Problem Set

1. Criminal forfeiture is allowed if the property in question has been used in the commission of a crime. If the property was used to violate a civil law, then civil forfeiture would be the applicable remedy.

- A. True
- B. False

2. In order for property to be considered “to facilitate” a violation, it has to:

- A. Contribute to the concealment of illegal activity
- B. Contribute to the possession of illegal goods
- C. Contribute to the receipt of illegal goods
- D. Any of the above

3. Under what doctrine does the government have the right to seize the proceeds of an illegal activity even though it interferes with the owner’s constitutional right of ownership?

- A. English law
- B. Relation back
- C. Common law
- D. Both B. & C.

4. Title 18, U.S. code §982 renders property forfeitable if it is involved in which of the following crimes:

- A. Money laundering
- B. Wire fraud
- C. Computer fraud
- D. Major fraud against the United States
- E. All of the above

5. The government may NOT seize property before judgment in a civil forfeiture case.

- A. True
- B. False

6. The government can seize property under the following methods EXCEPT?
- A. Initiating a forfeiture procedure under the Federal Rules of Criminal Procedure
 - B. Beginning a summary or administrative procedure under federal customs laws
 - C. Seizing the property if it is in the possession of a known felon
 - D. None of the above
7. Which law passed in 2001 expands the government's ability to seize assets related to money laundering crimes?
- A. Gramm-Leach-Bliley Act
 - B. Bank Secrecy act
 - C. USA PATRIOT Act
 - D. None of the above
8. Which of the following questions is the fraud examiner LEAST likely to be asked regarding a forfeiture case he or she wants prosecuted?
- A. What evidence makes this property forfeitable?
 - B. How should the property be seized?
 - C. How much of the property would you like from the settlement?
 - D. What is the value of the property, and where is it now?
9. Generally, property that is subject to forfeiture falls into one of three general categories. Which of the following is NOT one of those categories?
- A. It is contraband
 - B. It is derived from the proceeds of certain illegal activity
 - C. It is owned by the convicted defendant
- 10 Which of the following is NOT a method that may be used to prevent the disposal of property prior to judgment?
- A. Insurance
 - B. Pre-judgment Attachment
 - C. Sequestration
 - D. Notice of Lis Pendens