

# Week 5 qanda

Law



**ASSIGN  
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Law Number: Question Conspiracy Laws are important in prosecuting drug traffickers and terrorists because drug trafficking and terrorism readily demand conspiracy, and conspiracy in itself is an inchoate and preparatory crime. Secondly, conspiracy is akin to (criminal) attempt, with the only difference being that the latter can be committed by a single person.

#### Question 2

Conducting interviews of suspects need not be the first step to investigating an organized criminal group. On the contrary, it is important that other alternatives such as covert investigations and solicitation of incriminating information are considered first. Not adhering to this procedure leaves the police subject to the whims of the suspect being interviewed. The police will lack mechanisms to detect lies and misinformation in the absence of shreds of evidence to fall back on. Even circumstantial evidence may help the police in this case.

#### Question 3

According to Orthmann and Hess (2012), Enterprise theory of investigation is applicable to investigations on white collar cases since it treats spates of crimes committed by an individual as not being a solitary random crime, but rather, as being related to other crimes, to further other criminal organizations. Because of this, enterprise theory helps take down other players in crime at once, as opposed to apprehending smalltime members who are serving powerful players and organizations in crime.

#### Question 4

As it relates to law, by the term, fruit of the poisonous tree, it is meant, evidence obtained illegally and such, is inadmissible in the court of law, as was seen in the case, *Nardone v. United States*.

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### Question 5

The difference between probable cause and reasonable suspicion is that the former refers to there being enough circumstantial evidence or evidence to warrant a search. In turn, reasonable suspicion is the notion that there is enough evidence or circumstantial evidence where reasonable assumptions or logical conclusions are made, to the effect that a crime has been committed (Orthmann and Hess, 2012).

### Question 6

The potential pitfalls that can occur if the investigator does not adequately coordinate with the prosecutor before testifying are variable. Some of these pitfalls include: the misunderstanding of the implication of the evidence that has been adduced in the court of law; and the consideration of some (not all) (incriminating and exculpatory) evidence. All these may lead to a travesty of justice.

### References

Orthmann, C. H. & Hess, M. K. (2012). *Criminal Investigation*. New York: Cengage Learning.