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## The Federal Rules of Criminal Procedure: One of the Most Evil Books in Print

January 4th, 2011

See: [Three Felonies a Day: How the Feds Target the Innocent by Harvey A. Silverglate](#):

*The average professional in this country wakes up in the morning, goes to work, comes home, eats dinner, and then goes to sleep, unaware that he or she has likely committed several federal crimes that day. Why? The answer lies in the very nature of modern federal criminal laws, which have exploded in number but also become impossibly broad and vague. In *Three Felonies a Day*, Harvey A. Silverglate reveals how federal criminal laws have become dangerously disconnected from the English common law tradition and how prosecutors can pin arguable federal crimes on any one of us, for even the most seemingly innocuous behavior. The volume of federal crimes in recent decades has increased well beyond the statute books and into the morass of the Code of Federal Regulations, handing federal prosecutors an additional trove of vague and exceedingly complex and technical prohibitions to stick on their hapless targets. The dangers spelled out in *Three Felonies a Day* do not apply solely to “white collar criminals,” state and local politicians, and professionals. No social class or profession is safe from this troubling form of social control by the executive branch, and nothing less than the integrity of our constitutional democracy hangs in the balance.*

Via: [Lew Rockwell](#):

*I recently obtained the latest edition of West’s Criminal Code and Rules, the book containing the rules you need to know if you are ever accused of a federal criminal offense. The book is updated every year, and each new edition supersedes the prior edition. It gets worse every year.*

*The West’s edition now runs to more than 1600 pages, with abridgments and supplements. In addition to the Rules of Criminal Procedure, the book contains selected federal criminal statutes, the Federal Rules of Evidence, the Federal Rules of Appellate Procedure, and the Rules of the Supreme Court of*

*the United States. On virtually every page are mechanisms to hurt, humiliate, control and enslave people to the government's will – all presented within a framework of procedural rules.*

*In theory, these rules provide an accused with avenues to defend himself. But one can judge a scheme of procedural rules by its fruits, and the codification, growth and expansion of the Federal Rules of Procedure (of which most state procedural codes are virtual copies), have produced the world's highest incarceration rate – and probably the highest incarceration rate ever registered in any society in human history. Even more significantly, the Federal Criminal Code and its procedural rules and guidelines have almost eliminated criminal trials in many jurisdictions, because most defendants are unable to defend themselves effectively under the rules and simply plead guilty. Such is the lopsided nature of the Federal Rules that they produce untold mountains of printed accusations and claims against individual Americans, while facilitating no more than a few sentences (generally at sentencing hearings) in rebuttal in most cases.*

*Footnotes are found on virtually every page of the Federal Rules, tracing dates of amendments and the steady progression of punishments over time. In general, Congress has ratcheted up sentences, expanded the limitation periods in statutes of limitations, expanded rewards for those who cooperate with the government, and limited or eliminated avenues for people to challenge government accusations and court judgments. One is hard pressed to find crimes described in the book as misdemeanors, even if they were misdemeanors long ago. Today, most federal crimes are felonies, and conviction brings more or less automatic prison time.*

### **Research Credit: Itcolonelnemo**

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## **One Response to “The Federal Rules of Criminal Procedure: One of the Most Evil Books in Print”**

1. *Itcolonelnemo* Says:

[January 4th, 2011 at 8:35 pm](#)

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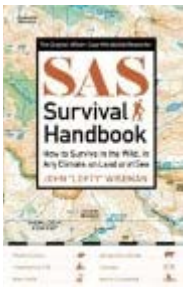
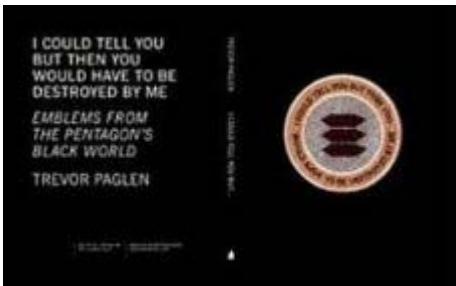
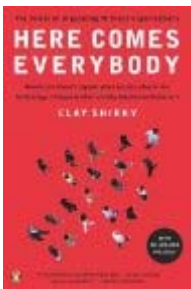
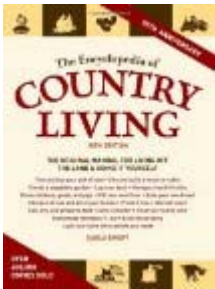
This article talks about how lawyers are fleeing the criminal defense field, or I should say more neutrally, the “accused of crimes defense field,” because the rules are so stacked in favor of the prosecution, especially at the federal level. The prosecution wins over 95% of the time at the federal level.

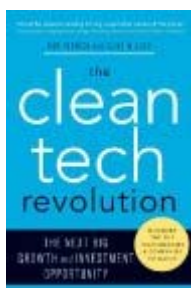
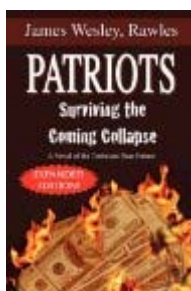
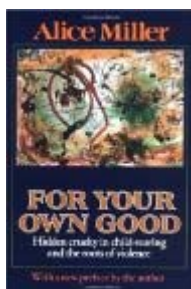
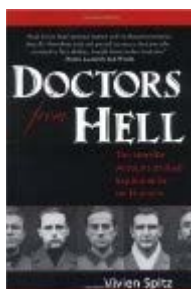
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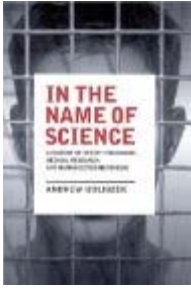
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