



Environmental Crimes Deskbook (Environmental Law Institute)

Judson Starr, Amy McMaster, John Cooney, Joseph Block

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The Environmental Crimes Deskbook 2nd Edition greatly expands upon the first edition, both in breadth of issues and depth of analysis, offering the insight and expertise of Judson W. Starr, Amy J. McMaster, John F. Cooney – attorneys in the Washington, D.C. firm of Venable LLP – and Joseph G. Block, who have nearly a century of combined experience representing corporations and individuals in criminal environmental cases.

In plain English, the authors lay out for you the basic concepts of criminal environmental law and how they fit into the larger context of environmental regulation. The authors specialize in criminal environmental law and are familiar with how these complex matters play out both from the viewpoint of private practitioners and as former enforcement officials. They illuminate complex matters by placing policy decisions in the context of the historical development of the field – developments that they helped shape.

The book is divided into three main subparts. The first discusses the history of the federal environmental crimes program, the various policies and factors considered by the DOJ, EPA and U.S. Attorney's Offices in deciding whether to bring a criminal environmental case, and the primary means by which a case is initiated including voluntary disclosure, routine compliance information, audits, inspections, information requests, anonymous tips, whistleblowers, and administrative and criminal warrants. The second is devoted to legal theory and strategy, including a detailed discussion of the knowledge element as it is particularly applied in environmental criminal law, a detailed "how-to" guide for responding to an environmental criminal investigation, and suggestions and issue-spotting in the pre-trial, trial and sentencing stages of the case. The third subpart provides a detailed analysis of the primary environmental statutes, identifying key issues and considerations for each, as well as a brief discussion of landmark cases.

In addition to the analysis, the Environmental Crimes Deskbook includes agency guidance on such issues as general enforcement policy, specific EPA and DOJ investigative and prosecutorial procedures, parallel proceedings, and environmental self-audits. It also includes sample forms and pleadings, such as search warrants, indictments, deferred prosecution agreements, plea agreements, and jury instructions.

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Bobbie Burke:

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