

## RICO ACT TEMPLATE

**RICO (Racketeer Influenced and Corrupt Organizations Act)** is a powerful tool used to combat organized crime and perhaps a circumstance where money changing hands is the cause for influencing the non-enforcement of normative safety measures and regulation allowing Promotion of Education in a free society.

It can apply to both criminal and civil cases. Here are some points to consider:

### 1. Elements of RICO Violation:

- To establish a RICO violation, certain elements must be met:
  - **Pattern of Racketeering Activity:** This involves at least two acts of racketeering within ten years.
  - **Enterprise:** The existence of an enterprise (which can be a legal entity or an association-in-fact).
  - **Injury:** The plaintiff must show injury to business or property due to the racketeering activity.
- The alleged acts of intimidation, coercion, threats of violence, and selective enforcement could potentially constitute a pattern of racketeering activity.
- This circumstance requires little application of imagination to develop what the violations are and how individuals are harmed by the harmful activities.

### 2. Antisemitism and Terrorism:

- If the actions of intimidation, coercion, threats of violence, and selective enforcement are motivated by antisemitism and are financially supported by identified terrorist organizations, it could be relevant.
- Perhaps a focus and examination of the FDD list of intersections and entanglements between terrorist organizations and universities is the link that needs to be established.
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### 3. Civil vs. Criminal RICO:

- Civil RICO allows private parties to sue for damages.

### 4. Parties Involved:

- Only **“persons”** can sue or be sued under RICO. This includes individuals, organizations, corporations, or other legal entities.
- The plaintiff (the party bringing the case) must demonstrate that the defendant (the alleged wrongdoer) participated in a **“pattern of racketeering activity.”**

### 5. Pattern of Racketeering Activity:

- The “pattern” must consist of at least **two acts of racketeering** committed within **10 years** of each other.
- At least one of these acts must occur after the effective date of the RICO statute.

Under RICO, “**racketeering activity**” encompasses a wide range of criminal acts. These include:

6. **Murder, kidnapping, gambling, arson, robbery, bribery, extortion:** These individually form a basis and “launch pad” for required allegations.
7. **Dealing in obscene matter :** Such activities are chargeable under state law and punishable by imprisonment for more than one year. Perhaps “hate speech” or a call to genocide fits into this category.
8. **Indictable Offenses Under Title 18, United States Code:** This includes various federal crimes such as bribery, counterfeiting, theft, embezzlement, fraud, obstruction of justice, and more.
9. **Other Offenses:** These involve financial gain, such as money laundering, trafficking, and engaging in illegal gambling businesses.
10. **Enterprise Requirement:**
  - The existence of an “**enterprise**” is necessary. This enterprise can be either the instrument or the target of racketeering activity.
  - The enterprise must engage in or affect **interstate commerce**.
11. **Injury and Damages:**
  - The plaintiff must **allege and prove injury** to their business or property.
  - The injuries must result from the **pattern of racketeering activity** established earlier.
12. **Equitable Relief:**
  - Civil RICO allows for a wide range of **equitable relief**, including:
    - **Injunctions:** Court orders to prevent future violations.
    - **Divestiture, Dissolution, and Reorganization:** Structural changes in the wrongdoer’s entities and practices.
    - **Disgorgement:** Recovery of ill-gotten gains.
    - **Limitations on Future Activities:** Restricting the defendant’s actions.
    - **Appointment of Court Officers:** To oversee compliance.
13. **Congressional Intent:**
  - Congress designed 18 U.S.C. § 1964(a) (Civil RICO) to authorize district courts to impose the full panoply of equitable relief. RICO applies both
    - at the federal level (18 U.S.C. Chapter 96) and in various states.
    - The definition of racketeering activity remains consistent across these jurisdictions.

With this basic outline of the elements of a Civil Rico Action, we can take the opportunity to formulate a connection to the SPECIFIC ACTIVITIES that have been taking place and that reveal a basis for a Civil RICO lawsuit and relief from the courts.