Willfully/Knowingly

♦ **International Minerals**
  - knowingly violate a regulation of the ICC regarding the transportation of corrosive liquids
  - sufficient to show the actions it knowingly committed violated the regulations.
  - As in Balint and Freed, dangerous or deleterious devices or products or obnoxious waste materials are involved, the probability of regulation is so great that anyone who is aware that he is in possession of them or dealing with them must be presumed to be aware of the regulation.
Willfully/Knowingly

♦ Liparato
  – whoever knowingly uses, transfers, acquires, alters, or possesses coupons, authorization cards, in any manner not authorized by [the statute] or the regulations [of the Department of Agriculture]
  – Rule of lenity, i.e., that ambiguity concerning ambit of criminal statutes should be resolved in favor of lenity,
  – Concern that “to interpret the statute otherwise would be to criminalize a broad range of apparently innocent conduct.
Willfully/Knowingly

- **Ratzlaf**
  - willfully violating statute prohibiting structuring of currency transactions with financial institutions, i.e., breaking up single transaction involving cash in excess of $10,000 into two or more separate transactions to evade requirement that financial institution report transactions exceeding $10,000
  - **Rule of lenity:** prosecution has to prove not only knowledge of bank’s reporting requirement, but also knowledge that structuring he undertook to evade it constituted criminal offense.
  - Court offered examples of innocent structuring.
Willfully/Knowingly

♦ Bryan:

-willfully deal in firearms without a federal license.

-A conviction for “willfully” violating statute prohibiting dealing in firearms without acquiring a federal license requires a showing that the defendant knew his conduct was unlawful, not that he was aware of the particular licensing requirement.
MPC §2.04(3)

(3) A belief that conduct does not legally constitute an offense is a defense to a prosecution for that offense based upon such conduct when:

   (b) he acts in *reasonable reliance* upon an official statement of the law, afterward determined to be invalid or erroneous, contained in (I) a statute or other enactment; (ii) a judicial decision, opinion or judgment; (iii) an administrative order or grant of permission; (iv) an official interpretation of the public officer or body charged by law with responsibility for the interpretation, administration or enforcement of the law defining the offense.
Mistake of Law

♦ Look at statute, is the mistake relevant to MR of crime, i.e. does the mistake negative required MR of crime?

♦ Official Reliance: Is the mistake of law a defense under a statutory provision of the criminal code, e.g. MPC §2.04(3)?