

PRESENTED AT
26th Annual Land Use Conference
April 20-22, 2002
Austin, TX

“When the FBI Comes Knocking – or No Knocking”
Ethical and Practical Considerations
(Slide Presentation)



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WHEN THE FBI COMES KNOCKING

Introduction - what we'll cover

- My oral presentation will focus on:
 - Ethics rules in context of representing clients involved with other federal law enforcement investigation
 - Ethical problems in advising clients' communications security in context of possible federal wiretaps or other electronic monitoring (e.g., keyboard tracking, non-disclosure subpoenas to texting email hosts), or of federal informants: possible loss of privilege, criminal exposure for attorneys
 - Privilege issues
- Time permitting: some additional issues addressed in

Federal Law Enforcement Agencies' identities help identify nature of investigation

Vital to Identify agency, unit & location (plus AUSA & senior agents)

- Different agencies have different investigative jurisdictions
- [FBI probably has broadest jurisdiction of federal agencies](#)
- Joint Task Forces with DPS, local law enforcement, multiple agencies (e.g., narcotics, organized crime, terrorism)
- Federal agents have arrest, search & seizure powers (but not duties) of Texas peace officers:
 - [Tex. Code of Crim. P. Art. 2.122](#) (“powers of arrest and search and seizure as to”) most agents have powers for felonies only, some have them for misdemeanors or Texas offense

WHEN THE FBI COMES KNOCKING

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Title search: When the FBI Comes Knocking (or No-knocking): Ethical and Practical Considerations

Also available as part of the eCourse

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First appeared as part of the conference materials for the
26th Annual Land Use Conference session
"When the FBI Comes Knocking (or No-knocking)"