
Harborign a felon

Posted by clan_law - 2008/02/28 17:01

It would harboring a criminal.

Probably, you would be charge as an accessory for the crime that the alleged felon had committed.

You may also be charged - Obstruction of justice

;)

Re:Harborign a felon

Posted by great1 - 2008/02/28 17:12

So if your client is wanted and you go visit him to discuss his case, you have to notify the authorities of his whereabouts????? is that right?

Re:Harboring a felon

Posted by Jackie - 2008/02/28 18:31

That is patently inaccurate. Harboring a fugitive is defined in federal statute, 18 U.S.C. § 1071, and requires proof of four elements: (1) proof that a federal warrant had been issued for the fugitive' s arrest, (2) that the accused had knowledge that a warrant had been issued, (3) that the accused actually harbored or concealed the fugitive, and (4) that the accused intended to prevent the fugitive' s discovery or arrest. What about an attorney visiting his client, who happens to be a fugitive, constitutes "harboring" that client/fugitive.

Further, attorneys have an ethical obligation to their clients. The Rules of Professional conduct dictate that an attorney may not reveal the whereabouts of a fugitive client, even a former client for that matter, if that information was obtained in the course of their attorney-client relationship. The client's whereabouts comes under the umbrella of attorney-client privilege. The only time an attorney would be able to divulge that information is with the consent of the client or if the client came to the attorney seeking advice on how to remain a fugitive.

Post edited by: Jackie, at: 2008/02/28 21:44

Re:Harboring a felon

Posted by Tim46 - 2008/02/29 16:38

The last post makes a good point. I would think that if you met your client that is a fugitive some place other than where he is living, and did not know where he went after the meeting it would be enough to keep you from getting into trouble. I think.
