

## State vs Federal Crime

States have their own constitutions and laws which are often similar to Federal violations. This means that many people have to defend themselves against criminal charges from both state and federal prosecutions. State laws differ from state to state, but federal laws remain the same.

When you are being investigated for a crime, how do you know whether it is a state or federal crime?

There are a few different ways in which you can identify whether you are suspected of a state or federal crime before you have been formally charged:

### Investigation Agency

The type of agency that is investigating your crime can usually tell you what type of crime it is. If the investigation is done by the local police, then it is most likely going to be a State crime. However, if the investigation is being done by a federal agency, then it would probably be a federal crime. These agencies include:

1. Federal Bureau of Investigation
2. Criminal Division of the IRS
3. United States Secret Service
4. Drug Enforcement Administration
5. United States Marshal Service
6. Department of Homeland Security
7. United States Postal Service

Sometimes charges start with local law enforcement and then are handed over to a federal agency. When you are charged with a serious felony get a criminal defense lawyer that can defend against both State and Federal crimes to maximize your chance of staying out of prison.

### Type of Crime

Certain types of crime are commonly charged under either State or Federal crimes. Crimes that are at the federal level usually involve large amounts of stolen money or drugs crossing over state lines. The most common crimes under federal prosecution include:

1. Mail Fraud
2. Bank Fraud
3. Wire Fraud
4. Securities Fraud
5. Public Corruption
6. Child pornography
7. Drug Trafficking
8. Export Crimes
9. Money Laundering
10. Crimes involving taxes
11. Conspiracy for any of the above

Many federal crimes are charged as conspiracy crimes. This means that if you are working with someone who is involved in a criminal federal act then you will end up charged yourself. If you are

charged with any type of federal crime or fall under investigation, immediately contact your criminal defense attorney and arrange a consultation for your case.

State courts often prosecute violent crimes or crimes which involve theft or drugs which do not pass through state lines. The most common types of state prosecutions include:

1. Murder
2. Embezzlement
3. Driving under the influence
4. Child Molestation/Abuse
5. Domestic Abuse
6. Fraud
7. Rape
8. Sex Crimes
9. Drug Transportation
10. Drug Sales/Trafficking
11. Possession of Controlled Substances
12. Robbery/Theft

State felonies have severe punishments and require an excellent criminal defense. If you have been charged with a state crime or are under suspicion contact a criminal defense attorney as quickly as possible.

#### Type of Court

Crimes under federal or state jurisdiction are prosecuted in their respective courts. It is necessary that your criminal defense knows state or federal procedures when they are representing you in state or federal court. Sometimes state courts have a more easy-going atmosphere, but chances are that if you are in a federal court it will be very formal. There are different procedures in each court right down to the way the punishments are decided. Federal courts are often unforgiving and the punishments handed out for federal crimes are severe. This makes it imperative that you have a great criminal defense lawyer to represent you in a federal court.