

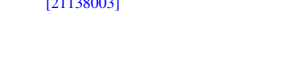
Document 1138

[21138001]



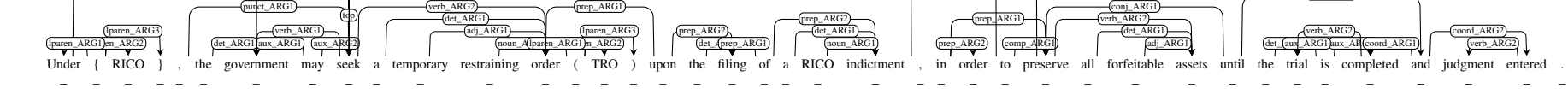
The Justice Department has distributed these new guidelines for U.S. Attorneys prosecuting RICO cases .

[21138002]



A related editorial appears today .

[21138003]



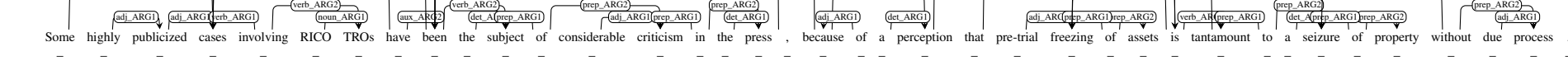
Under [RICO] , the government may seek a temporary restraining order (TRO) upon the filing of a RICO indictment , in order to preserve all forfeitable assets until the trial is completed and judgment entered .

[21138004]



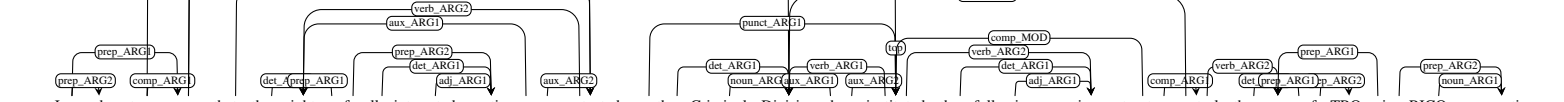
Such orders can have a wide-ranging impact on third parties who do business with the defendants , including clients , vendors , banks , investors , creditors , dependents , and others .

[21138005]



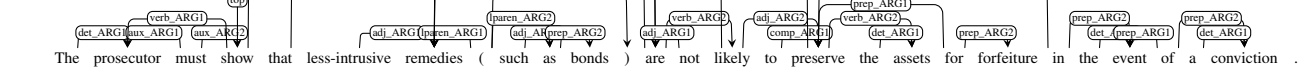
Some highly publicized cases involving RICO TROs have been the subject of considerable criticism in the press , because of a perception that pre-trial freezing of assets is tantamount to a seizure of property without due process .

[21138006]



In order to ensure that the rights of all interested parties are protected , the Criminal Division has instituted the following requirements to control the use of TROs in RICO prosecutions .

[21138009]



The prosecutor must show that less-intrusive remedies (such as bonds) are not likely to preserve the assets for forfeiture in the event of a conviction .