

The police had been tracking a businessman who used his fast-food chain as a front for selling cocaine. The cocaine was produced by a chemist in a lab hidden inside the factory where the fast food was made. The cocaine was then shipped along with the food to a fast-food restaurant, where the manager of the restaurant would divide the cocaine up into smaller quantities for sale to individual customers. Due to the large-scale operations, the businessman, the chemist, and the manager did not know one another. One day, an undercover police officer came to the restaurant and purchased cocaine from the manager. Upon completion of the transaction, the manager was arrested for conspiracy to sell cocaine.

Is the manager likely guilty of conspiracy to sell cocaine?

- A. No, because the manager, the businessman, and the chemist did not know one another.
- B. No, because there was no agreement between the manager, the businessman, and the chemist to sell cocaine.
- C. Yes, because the manager, the businessman, and the chemist had the general intent to sell cocaine.
- D. Yes, because there was a community of interest between the manager, the businessman, and the chemist to sell cocaine.

Explanation:

Conspiracy, at its core, is an **agreement** between two or more persons to commit a crime. A **conspiracy** can exist among **individuals who do not know each other** if there is a **community of interest** in achieving the objective of the conspiracy. A community of interest is usually established through a **chain relationship** where each alleged conspirator played a role or served as a link in the chain in reaching the conspiracy's objective.

Here, the businessman, the chemist, and the manager did not know each other. However, they each played a role in reaching the objective of the conspiracy—selling cocaine. The businessman owned the fast-food chain used as a front for selling cocaine, the chemist produced the cocaine, and the manager divided it for individual sale. Due to this community of interest, the manager is likely guilty of conspiracy **(Choice A)**.

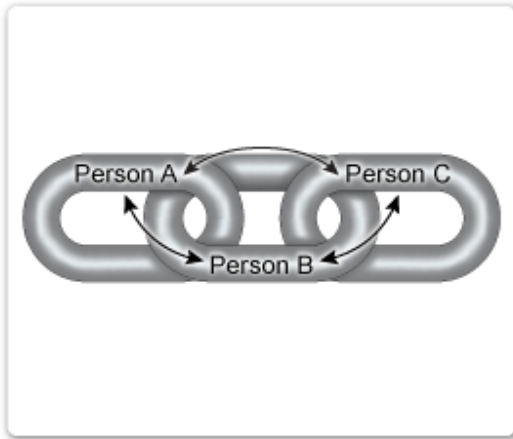
(Choice B) For a conspiracy, an agreement need not be specifically articulated (eg, verbally or in writing). It can be inferred from the concerted actions of the alleged conspirators (as seen here).

(Choice C) Conspiracy requires the **specific intent** (not general intent) to agree to and to achieve the criminal objective.

Educational objective:

A conspiracy can exist among individuals who do not know each other when there is a community of interest in the achievement of the objective of the conspiracy. A community of interest typically exists when each alleged conspirator plays a role in reaching that objective.

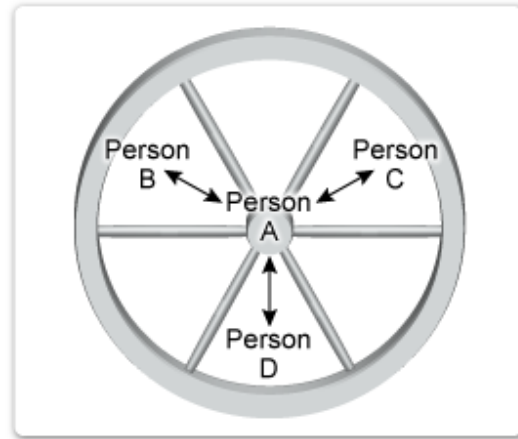
Chain conspiracy



Conspirators liable for actions of coconspirators

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Hub & spoke conspiracy



Spoke conspirators *not* liable for actions of other spoke conspirators

v.