
A Quarter Century of Reading the Words: Supreme Court RICO Jurisprudence From <i>Sedima</i> To <i>Boyle</i>

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Next July will mark the twenty-fifth anniversary of the Supreme Court's first major civil RICO case, *Sedima, S.P.R.L. v. Imrex Co.* Picking up on his decision for the Court in *United States v. Turkette*, a criminal case decided four years previously, Justice White in *Sedima* looked to the words of the statute, rather than to notions of policy or Congressional intent, to determine the scope of the private treble damages action authorized by 18 U.S.C. § 1964(c). The Court was closely divided in *Sedima*, but the result and, more importantly, the juridical approach have stood the test of time. Just last Term, in *Boyle v. United States*, a criminal case that addressed an issue that had repeatedly come up in civil RICO litigation, the Court rejected an attempt to graft requirements onto the RICO "enterprise" element that had found favor in numerous lower courts, saying "[w]e see no basis in the language of RICO for the structural requirements that petitioner asks us to recognize" and noting that "[i]n prior cases, we have rejected similar arguments in favor of the clear but expansive text of the statute."