



What Happens in Vegas Stays in Vegas?

Federal Constitutional Limits on State Criminal Extraterritoriality

Prosecutions across
state lines

Abortion

Marijuana

Election cases



Current literature

Dormant Commerce Clause
Privileges and Immunities Clause
Due process right to travel



History

England: county venue

Law of nations:
punishment at home

Early federal law:
sovereigntist vs. nationalist

Early state law: territoriality





Three nuances

1. Continuing & distinct crimes
2. Crimes against state interests
3. Crimes committed abroad

Broader points

History can provide clear legal answers

Constitutional structure has implications

Federalism lets moral diversity persist