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Trial Begins for Man Indicted for Taking His Laptop to China

Posted by Clif Burns at 3:55 pm on September 13, 2012

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Back in September 2011 this blog [reported](#) on charges brought against Sixing "Steve" Liu, a U.S. citizen working as an engineer on naval defense systems, arising from his traveling to China with a laptop on which he had allegedly saved work material that was export controlled. Opening statements were [heard](#) yesterday in Liu's trial.

No allegations were made in Liu's indictment that this material was actually disclosed to anyone in China because simply taking the data to China is considered an export, whether disclosed or not. Of course, even if taking the laptop to China constituted an export of the data on the laptop, Mr. Liu would not have committed a criminal offense unless he had the requisite criminal intent, that is, unless he knew that taking his laptop to China with that data on it, even if the data was never disclosed to anyone in China, was a violation of law.

Not surprisingly, the opening statement by Liu's attorney focused on the absence of criminal intent by Liu and argued that Liu was unaware that taking his laptop to China with export-controlled data was illegal:

Liu's training in the laws governing the export of defense materials consisted of 15 minutes on his first day of work, between sessions on employee benefits and sexual harassment guidelines, [Liu's lawyer] said.

If true, I think I would agree that this was probably not enough time for export training and that the company involved might find itself in hot water for its own export violations if this were known by the export agencies.

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