

San José State University
Department of Justice Studies
JS145-01, White Collar Crime, Summer 2022

Course and Contact Information

Instructor:	Greg Woods, J.D.
Office Location:	MacQuarrie Hall 508
Telephone:	(408) 924-1840
Email:	greg.woods@sjsu.edu
Office Hours:	Mondays & Wednesdays, 12:00 PM - 1:00 PM, and by email appointment; Invitations/Zoom links through Canvas under Announcements.
Class Days/Time:	Mondays & Wednesdays, 8:00 AM - 11:45 AM live streamed Zoom lectures; Recordings of all class sessions are on Canvas under Modules.
Classroom:	On Line; Invitations/Zoom links to live lectures through Canvas under Announcements.

Course Description

Growth and development of white collar crime in the United States: crimes at the workplace, computer fraud, swindles, embezzlement, bribery and graft at the corporate and governmental levels. Prerequisite: Upper division standing. Students must achieve a grade of “C” or better (not C-) to fulfill Justice Studies major requirements. 3 Units.

Course Format

Our class is offered completely online with no designated day/time meeting pattern. However, students are provided the opportunity to be virtually present and interact during regularly scheduled live streamed Zoom lectures and review questions and subject matter during regularly scheduled Office Hours on Zoom and via email.

Justice Studies Department Reading and Writing Philosophy

The Department of Justice Studies is committed to scholarly excellence. Therefore, the Department promotes academic, critical, and creative engagement with language (i.e., reading and writing) throughout its curriculum. A sustained and intensive exploration of language prepares students to think critically and to act meaningfully in interrelated areas of their lives—personal, professional, economic, social, political, ethical, and cultural. Graduates of the Department of Justice Studies leave San José State University prepared to enter a range of careers and for advanced study in a variety of fields; they are prepared to more effectively identify and ameliorate injustice in their personal, professional and civic lives. Indeed, the impact of literacy is evident not only within the span of a specific course, semester, or academic program but also over the span of a lifetime.

Course Learning Outcomes (CLO)

Upon successful completion of this course, students will be able to:

1. *Demonstrate substantive knowledge of the development of white collar crime in the United States: crimes at the workplace, computer fraud, embezzlement, bribery, graft, etc., at the corporate and governmental levels.*
2. *Define white collar crime and distinguish it from other species of criminal behavior.*
3. *Demonstrate a thorough understanding of the factors that make this form of criminal behavior unique: the persons who commit it, the means by which they do so, and their prosecution and legal defense in court.*
4. *Demonstrate substantive knowledge specific to the extent and severity of formal and informal responses to various types of white collar criminal behavior.*
5. *Develop familiarity with federal statutes intended to control various forms of fraudulent conduct and interpret and apply statutory code provisions, judicial opinions, and apply portions of the United States Sentencing Guidelines.*

Required Textbook

Hansen, Laura L. (2021). *White Collar and Corporate Crime: A Case Study Approach*. Wolters Kluwer, ISBN 978-1-5438-1721-8

Students may purchase texts in the bookstore and online.

Other Readings

Additional course materials will be found on Canvas under Files and Modules.

Other technology requirements / equipment / material

Internet, computer, microphone & camera.

Library Liaison

Nyle Monday, Nyle.Monday@sjsu.edu, (408) 808-2041

<http://libguides.sjsu.edu/justicestudies>

Course Requirements and Assignments

Our Summer Session class is offered completely online with no designated day/time meeting pattern. However, students are provided the opportunity to be virtually present and interact during regularly scheduled live streamed Zoom lectures and review questions and subject matter during regularly scheduled Office Hours on Zoom and/or via email. Success in this course is based on the expectation that students will spend, for each unit of credit, a minimum of 45 hours over the length of the course (normally three hours per unit per week) for instruction, preparation/studying, or course related activities, including but not limited to internships, labs, and clinical practica. Other course structures will have equivalent workload expectations as described in the syllabus.

Weekly Assignments

Students will be assigned three reading, writing and research assignments during class and as reflected below. **Weekly Assignments are due upon the second (6/8), third (6/15) and fourth Wednesday (6/22) class session**, or as instructed, and will consist of a minimum of a three-to-four paged double spaced typed analysis in 12-point font. (CLO 1, 2, 3, 4 & 5)

Quizzes

Students will prepare a total of three quizzes, available on Canvas under Files, **due the second (6/8), third (6/15) and fourth Wednesday (6/22) class session** in response to subject matter from readings and class lecture. (CLO 1, 2, 3, 4 & 5)

Final Paper

The Final Paper will require students to conduct independent research to craft a thesis paper specific to white collar crime in the United States supported by reliable data to compare and contrast specific criminal offenses, factors contributing to causation, and a proposal for methods of prevention and deterrence, to be assigned and explained extensively in class, in the form of a ten-to-fifteen-page written analysis, **due during the last scheduled day of instruction (6/29)** as reflected below. Reliable sources for all assertions should be cited in the American Psychological Association (APA) format. (CLO 1, 2, 3, 4 & 5)

Final Examination

Students will complete a cumulative final examination using key terms and concepts from readings and class discussion consisting of short and essay based questions, **due during the last scheduled day of instruction (6/29)**. (CLO 1, 2, 3, 4 & 5)

Participation

Students are invited to participate on Zoom during live lectures in an informed, professional and respectful manner, check in during virtual office hours at least once during our Summer Session, and consistently submit quality work in a timely manner. Participation credit will also be rewarded in response to student preparedness and politeness during online class sessions and contribution to the virtual class experience. (CLO 2, 3, 4 & 5)

Grading Policy

Final grades will be evaluated as follows:

Weekly Assignments (3)	20%
Quizzes (3)	20%
Final Paper	25%
Final Examination	25%
Participation	10%

Grading Scale

<i>Grade</i>	<i>Points</i>	<i>Percentage</i>
<i>A plus</i>	<i>960 to 1000</i>	<i>96 to 100%</i>
<i>A</i>	<i>930 to 959</i>	<i>93 to 95%</i>
<i>A minus</i>	<i>900 to 929</i>	<i>90 to 92%</i>
<i>B plus</i>	<i>860 to 899</i>	<i>86 to 89 %</i>
<i>B</i>	<i>830 to 859</i>	<i>83 to 85%</i>
<i>B minus</i>	<i>800 to 829</i>	<i>80 to 82%</i>
<i>C plus</i>	<i>760 to 799</i>	<i>76 to 79%</i>
<i>C</i>	<i>730 to 759</i>	<i>73 to 75%</i>
<i>C minus</i>	<i>700 to 729</i>	<i>70 to 72%</i>
<i>D plus</i>	<i>660 to 699</i>	<i>66 to 69%</i>
<i>D</i>	<i>630 to 659</i>	<i>63 to 65%</i>
<i>D minus</i>	<i>600 to 629</i>	<i>60 to 62%</i>

Please Note: Extra credit will not be awarded, late assignments and quizzes will not be accepted for credit without prior agreement.

Students have the right, within a reasonable time, to know their academic scores, to review their grade-dependent work, and to be provided with explanations for the determination of their course grades. **Students are encouraged to review their progress during Office Hours or by appointment no later than Week Four (Wednesday, June 22nd)** and periodically throughout the Summer Session during office hours and/or by email appointment.

Passage of the Writing Skills Test (WST) or ENGL/LLD 100A with a C or better (C- not accepted), and completion of Core General Education are prerequisite to all SJSU Studies courses. Completion of, or co-registration in, 100W is strongly recommended. A minimum aggregate GPA of 2.0 in GE Areas R, S, & V shall be required of all students.

Classroom Protocol

Attendance/Punctuality

Our Summer Session class is offered completely online with no designated day/time meeting pattern. However, students are provided the opportunity to be virtually present and interact during regularly scheduled live streamed Zoom lectures, Mondays and Wednesdays from 8:00 - 11:45 AM, and review questions and subject matter during regularly scheduled Office Hours on Zoom and via email. Regular attendance and punctuality are encouraged not required.

Late Assignments/Missed Quizzes

Late assignments and missed quizzes will not be accepted for credit without prior agreement.

University Policies

Per University Policy S16-9 (<http://www.sjsu.edu/senate/docs/S16-9.pdf>), relevant university policy concerning all courses, such as student responsibilities, academic integrity, accommodations, dropping and adding, consent for recording of class, etc. and available student services (e.g. learning assistance, counseling, and other resources) are listed on Syllabus Information web page (<https://www.sjsu.edu/curriculum/courses/syllabus-info.php>). Make sure to visit this page to review and be aware of these university policies and resources.

Additional Information

All sources of information to support written assertions must be cited in the American Psychological Association (APA) Format. PLEASE NOTE: Detection of plagiarism will result with NO CREDIT.

JS145-01 / White Collar Crime, Summer 2022

Course Schedule

Week 1	June 1	<p>Introductions/Course overview; Our Virtual Classroom (Zoom!), Syllabus, Textbook, Assignment, Final Paper & Final Examination formats; <i>The term “White-Collar Crime” was first used in 1939 by Edwin Sutherland, an American sociologist and criminologist, to describe professionals’ illegal fraudulent money-related criminal behavior; “Any violations of criminal, civil, or regulatory law, or deviant, harmful, or unethical actions committed during the course of employment in various occupational systems;” The Federal Bureau of Investigation (FBI) reports this species of crime is “characterized by deceit, concealment, or violation of trust and not dependent on the application or threat of physical force or violence. The motivation behind these crimes is financial, to obtain or avoid losing money, property, or services or to secure a personal or business advantage.” Greed, Ponzi Schemes & Business Crimes in general; Embezzlement & Fraud; Paying attention to White-Collar Criminals in the Age of COVID-19; Confidence men & Wolves of Wall Street; Read Chapters 1, 2, 3 & 4: The “Ideal” Organization, How Organizations Really Run, What You Know vs. Who You Know & Financial Crime (pgs 1-114); Review Key Terms (pgs 1, 25, 59 & 91); Review Weekly Assignment #1 (DUE 6/8); Assign Quiz #1 (DUE 6/8)</i></p> <p>Discussion: A) <i>What is White-Collar Crime?</i> B) <i>Is this behavior worse than violent crime?</i> C) <i>Is the threat of punishment enough to deter this type of criminal behavior?</i> D) <i>How is white-collar crime different from other criminal behavior?</i> E) <i>Why is it important to understand this species of crime?</i></p>
--------	--------	--

<p>Week 2</p>	<p>June 6 & 8</p>	<p>Assign Final Paper (DUE NO LATER THAN 6/29); Caveat Venditor: Material Misrepresentations & the Duty to know what you are selling; Nefarious Deals, Disparagement & Trade Libel; Medical Malpractice & the Hippocratic Oath; Unnecessary Surgeries & the King of Pop (RIP); Pharmacist Fraud; Drug & Elder Abuse; Durable Medical Equipment; Criminal Justice Injustice: Police Corruption & Judicial Misconduct; Overzealous Prosecutors & Plea Agreements; Jailers taking bribes; Campaign Finance Violations & Voter Disenfranchisement; Read Chapters 5, 6, 7 & 8: Corporate Crimes and Scandals, Cyber White Collar Crime, Fraud Against Consumers & Health Care Fraud and Crimes (pgs 123-238) & Glossary (pgs 469-488); Review Key Terms (pgs 123, 153, 181 & 207); Prepare, Submit and be ready to discuss Quiz #1 (DUE 6/8) & Weekly Assignment #1 (DUE 6/8): (<i>Choose one question to answer per page!</i>) Responses to Discussion Questions (pgs 7, 9, 15, 18, 33, 39, 43, 47, 51, 64, 72, 79, 97, 100, 107, 110, 113, 129, 131, 135, 137, 139, 141, 145, 156, 163, 187, 191, 194, 198, 213, 216, 221, 224 & 227); Review Weekly Assignment #2 (DUE 6/15); Assign Quiz #2 (DUE 6/15)</p> <p>Discussion: A) <i>Who can be a typical white-collar criminal? What is their occupation or primary responsibility? What specific characteristics might you attribute to this individual?</i> B) <i>Why are people overcharged for automobile repairs?</i> C) <i>Have you ever discovered you had received too much change for a bill you paid? What did you do? How come?</i> D) <i>How is drug and elder abuse a white-collar crime?</i> E) <i>Is retail theft worse than health care fraud?</i> F) <i>How will education reduce corruption in the criminal justice system?</i> G) <i>How might judges or police officers be white-collar criminals?</i></p>
---------------	---------------------------	--

<p>Week 3</p>	<p>June 13 & 15</p>	<p>Review Quiz #1, Weekly Assignment #1 & Final Paper Assignment (DUE 6/29); High-Cost of Education & Student Loan Forgiveness; Plagiarism, Ghostwriting & Profiting from student research; Disciplining Professors & Administrators; Broker Fraud & Embezzlement Revisited; The Securities and Exchange Commission (SEC), Insider Trading & Fraud on the market schemes; Enron, The Sarbanes-Oxley Act of 2002 & Too Big to Fail; Carlo Ponzi Revisited & <u>United States of America v. Bernard L. Madoff</u>, 626 F.Supp.2d 420 (2009); Hackers & Identity Theft; Cyberterrorism, Anonymous & Online Banking; Bitcoin, the Silk Road & <u>United States of America v. Ross William Ulbricht</u>, 79 F.Supp.3d 466 (2015); White-Collar Crime in Popular Culture; Deterrence, Rational Choice, Strain & Conflict Theory; Expectations of Self-Policing; Predatory Lending, Mortgage Fraud & The Big Short; Housing Bubbles & the Foreclosure Crisis of 2008; Slumlords, Renters Insurance & Public Housing; National Homeowners Bill of Rights Act of 2014; Read Chapters 9, 10, 11 & 12: Religion, Crime, and Misconduct, Environmental Crime, Political White Collar Crime, Environmental Crime, Political White Collar Crime & White Collar Crime and Terrorism (pgs 241-370); Review Key Terms (pgs 241, 275, 305 & 343); Prepare, Submit and be ready to discuss Quiz #2 (DUE 6/15) & Weekly Assignment #2 (DUE 6/15): (Choose one question to answer per page!) Responses to Discussion Questions (pgs 246, 251, 253, 256, 259, 261, 285, 289, 291, 293, 313, 319, 322, 327, 328, 332, 350, 358 & 361); Review Weekly Assignment #3 (DUE 6/22); Assign Quiz #3 (DUE 6/22)</p> <p>Discussion: A) <i>What is the appropriate penalty for a professor guilty of plagiarism? B)</i> <i>How can academic dishonesty be a white-collar crime? C)</i> <i>What are the primary duties of the SEC? D)</i> <i>How does student debt impact your life after school? E)</i> <i>Why are some corporations too big to fail? F)</i> <i>How will computer crimes change in the next ten years? Are computer hackers white-collar criminals? Should the FBI do more to police the Internet? G)</i> <i>What theory best explains white-collar criminal behavior? H)</i> <i>Does corporate culture cause white-collar crime? I)</i> <i>Is there a relationship between mortgage fraud and street crime? J)</i> <i>What is the appropriate punishment for predatory lending?</i></p>
---------------	-----------------------------	---

Week 4	June 20 & 22	<p>Review Quiz #2, Weekly Assignment #2 & Final Paper Assignment (DUE 6/29); Criminal, Civil, Administrative, Professional & Workplace-Disciplinary Proceedings; Prosecution, Punishment & At-Risk Professional Reputations; Corporate Wrongdoing & Limited Liability; Products Liability, An exploding 1972 Ford Pinto & <u>Richard Grimshaw v. Ford Motor Company</u>, 119 Cal.App.3d 757 (1981); Price Gouging & Unfair Labor Practices; Respondeat Superior; Piercing the Corporate Veil; Law Enforcement Strategies & Stages of White-Collar Crime Investigation; Occupational Safety and Health Administration (OSHA) & the Whistleblower Protection Program; Meth Labs, Illegal grow operations, & the cost of Hazardous Waste Removal; British Petroleum & the Deepwater Horizon oil spill of 2010 & the Environmental Protection Agency (EPA);</p> <p>Read Chapters 13, 14 & 15: The Media and White Collar Crime, Investigating and Prosecuting White Collar Crime & Diagnosis and Treatment of White Collar and Corporate Crime (pgs 373-465); Review Key Terms (pgs 373, 401 & 437); Prepare, Submit and be ready to discuss Quiz #3 (DUE 6/22) & Weekly Assignment #3 (DUE 6/22): (Choose one question to answer per page!) Responses to Discussion Questions (pgs 379, 388, 391, 407, 412, 415 & 421); Assign Final Examination (DUE 6/29)</p> <p>Discussion: A) Should corporate decision makers be able to shield themselves from criminal liability for actions performed on behalf of their employers? B) Are allergic reactions from food poisoning evidence of a crime? C) Why does white-collar crime occur? D) Does the criminal justice system in the United States adequately address and respond to white-collar crime? E) Should big game hunting be illegal? Is environmental crime more or less serious than violent criminal behavior? F) Should the EPA be able to control private property? G) How might responses to the COVID-19 pandemic impact white-collar crime in the United States?</p>
Week 5	June 27 & 29	<p>Review Quizzes & Weekly Assignments; Review for Final Examination (6/27); Final Thoughts; Submit Final Paper (6/29) & Final Examination (6/29)</p>