

San José State University
Department of Justice Studies
JS145-01, White Collar Crime, Spring 2023

Course and Contact Information

Instructor: Greg Woods, J.D.
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Office Hours: Wednesdays, 12:00 PM - 1:30 PM, via Zoom and Thursdays, 9:00 AM - 10:30 AM, in person on campus by email appointment; Zoom links available by email request.
Class Days/Time: Tuesdays & Thursdays, 1:30 PM - 2:45 PM
Classroom: MacQuarrie Hall 523

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 on campus and in person. Students are encouraged to review questions and subject matter during class, regularly scheduled Office Hours on Zoom and in person, and/or via email. Supplemental video materials are available through Canvas Modules. Other than our textbook, all other course materials available through Canvas Files.

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 textbooks in the Spartan Bookstore and online.

Other Readings

Additional course materials will be found through Canvas Files.

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 class is offered on campus and in person. Students are encouraged to review questions and subject matter in class, during regularly scheduled Office Hours in person or 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 **eight (8)** weekly reading and writing assignments in class and as reflected below. Weekly Assignments are due during every other **Thursday** class session, or as instructed, and will consist of a **three-to-five** paged double spaced typed analysis in 12-point font. (CLO 1, 2, 3, 4 & 5)

Quizzes

Students will complete a total of **eight (8)** quizzes throughout the semester to be administered at the conclusion of every other **Thursday** class session, or as instructed, in response to subject matter from class lecture. (CLO 1, 2, 3, 4 & 5)

Final Paper

The Final Paper will require students to conduct independent research and craft a thesis paper specific to significant contemporary problems impacting the system of justice in the United States, in the form of a **ten-to-fifteen-page written analysis**, due during the last scheduled day of instruction (**5/11**) 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 (**5/17**) using key terms and concepts from readings and class discussion consisting of short answer and essay based questions. (CLO 1, 2, 3, 4 & 5)

Participation

Students are invited to participate during class in an informed, professional and respectful manner, check in during Office Hours at least once throughout the semester, and consistently submit quality work in a timely manner. Participation credit will be rewarded in response to student presence, preparedness and politeness during class sessions. (CLO 2, 3, 4 & 5)

Grading Information

Final grades will be evaluated as follows:

Weekly Assignments (8)	20%
Quizzes (8)	20%
Final Paper	25%
Final Examination	25%
Participation	10%

Determination of Grades:

<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>Grade</i>	<i>Points</i>	<i>Percentage</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 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 Eight (Thursday, March 16th)** and periodically throughout the semester during office hours and/or by email appointment.

Classroom Protocol

Attendance/Punctuality

Regular attendance and punctuality are encouraged. Students who are routinely inattentive, discourteous or who choose not to contribute to classroom discussion and activities, will be noted and may result with up to 10% (one letter grade) deducted from the final grade.

Late Assignments

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

University Policies

Per [University Policy S16-9](#), 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, Spring 2023

Students are assigned reading, writing and research assignments during class and as reflected below.

Course Schedule

Week	Date	Topics, Readings, Assignments, Deadlines
1	January 26	<p>Introductions/Course overview; Syllabus, Class, Final Paper, Assignment & 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.”</i></p> <p>Review Assignment #1/Quiz #1 (DUE 2/2); Discussion: <i>What is white-collar crime? How is white-collar crime different from other criminal behavior? What is fraud? What is embezzlement? Why is it important to understand crimes of dishonesty?</i></p>
2	January 31 & February 2	<p>Assignment #1 & Quiz #1 (DUE 2/2); Paying attention to White-Collar Criminals; Greed, Ponzi Schemes & Business Crimes in general; Embezzlement & Fraud; <i>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.”</i> Prosecutions of white-collar crime are currently at a twenty-year low in the United States. “6,000 in 2016; nearly 11,000 in 1995 (Transactional Records Access Clearinghouse at Syracuse University); Careers responding to White-Collar Crime; Confidence men & Wolves of Wall Street; Read Chapters 1 & 2: The Ideal Organization & How Organizations Really Run (pgs 1-57); Review Key Terms (pgs 1 & 25); Prepare, Submit and be ready to discuss Assignment #1: (Choose one question to answer per page!) Responses to Discussion Questions (pgs 7, 9, 15, 18, 33, 39, 43 & 47) and Quiz #1</p>
3	February 7 & 9	<p>Review Assignment #1/Quiz #1; Caveat Emptor: An evolving concept; Edwin Sutherland & Identifying White-Collar Criminality; Ethics of Natural & Juristic Persons; Review Weekly Assignment #2 (DUE 2/16); Assign Quiz #2 (DUE 2/16); Read Chapter 3: What You Know vs. Who You Know (pgs 59-86); Review Key Terms (pg 59); Discussion: <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? Is this behavior worse than violent crime? Is the threat of punishment enough to deter this type of criminal behavior?</i></p>

Week	Date	Topics, Readings, Assignments, Deadlines
4	February 14 & 16	<p>Assignment #2 & Quiz #2 (DUE 2/16); Caveat Venditor: Material Misrepresentations & the Duty to know what you are selling; Nefarious Deals, Disparagement & Trade Libel; Read Chapter 4: Financial Crime (pgs 91-118); Review Key Terms (pg 116); Prepare, Submit and be ready to discuss Assignment #2: (Choose one question to answer per page!) Responses to Discussion Questions (pgs 64, 72, 79, 97, 100, 107, 110 & 113) and Quiz #2</p>
5	February 21 & 23	<p>Assign Final Paper (DUE NO LATER THAN 5/11); Review Assignment #2/Quiz #2; Bribery; Medical Malpractice & the Hippocratic Oath; Unnecessary Surgeries & the King of Pop (RIP); Pharmacist Fraud; Drug & Elder Abuse; Durable Medical Equipment; Review Weekly Assignment #3 (DUE 3/2); Assign Quiz #3 (DUE 3/2); Read Chapter 5: Corporate Crimes and Scandals (pgs 123-151); Review Key Terms (pg 123); Discussion: What is bribery? How is drug and elder abuse a white-collar crime? Is retail theft worse than health care fraud? Why are people overcharged for automobile repairs? Have you ever discovered you had received too much change for a bill you paid? What did you do? How come?</p>
6	February 28 & March 2	<p>Assignment #3 & Quiz #3 (DUE 3/2); Graft; Criminal Justice Injustice: Police Corruption & Judicial Misconduct; Overzealous Prosecutors & Plea Agreements; Jailers taking bribes; Campaign Finance Violations & Voter Disenfranchisement; Read Chapter 6: Cyber White Collar Crime (pgs 153-178); Review Key Terms (pg 153); Prepare, Submit and be ready to discuss Weekly Assignment #3: (Choose one question to answer per page!) Responses to Discussion Questions (pgs 129, 131, 135, 137, 139, 141, 145, 156, 163 & 166); and Quiz #3</p>
7	March 7 & 9	<p>Review Assignment #3/Quiz #3; High-Cost of Education & Student Loan Forgiveness; Plagiarism, Ghostwriting & Profiting from student research; Disciplining Professors & Administrators; Review Weekly Assignment #4 (DUE 3/16); Assign Quiz #4 (DUE 3/16); Read Chapter 7: Fraud Against Consumers (pgs 181-203); Review Key Terms (pg 181); Exercise: What is the appropriate penalty for a professor guilty of plagiarism? How can academic dishonesty be a white-collar crime? What is graft? How will education reduce corruption in the criminal justice system? How might judges or police officers be white-collar criminals?</p>

Week	Date	Topics, Readings, Assignments, Deadlines
8	March 14 & 16	<p>Assignment #4 & Quiz #4 (DUE 3/16); 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); Read Chapter 8: Health Care Fraud and Crimes (pgs 207-238) & Glossary (pgs 469-488); Review Key Terms (pg 207); Prepare, Submit and be ready to discuss Assignment #4: (Choose one question to answer per page!) Responses to Discussion Questions (pgs 187, 191, 194, 198, 213, 216, 221, 224 & 227) and Quiz #4</p>
9	March 21 & 23	<p>Review Assignment #4/Quiz #4; 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); Review Weekly Assignment #5 (DUE 4/6); Assign Quiz #5 (DUE 4/6); Read Chapter 9: Religion, Crime, and Misconduct (pgs 241-269); Review Key Terms (pg 241); Discussion: How will computer crimes change in the next ten years? Are computer hackers white-collar criminals? What is the FBI? Should the FBI do more to police the Internet? What is the SEC? What are the primary duties of the SEC? How does student debt impact your life after school? Why are some corporations too big to fail?</p>
10	March 28 & 30	<p>SPRING RECESS.</p> <p>NO CLASSES IN SESSION!</p>
11	April 4 & 6	<p>Assignment #5 & Quiz #5 (DUE 4/6); White-Collar Crime in Popular Culture; 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 Chapter 10: Environmental Crime (pgs 275-300); Review Key Terms (pg 275); Prepare, Submit and be ready to discuss Assignment #5: (Choose one question to answer per page!) Responses to Discussion Questions (pgs 246, 251, 253, 256, 259, 261, 285, 289, 291 & 293) and Quiz #5</p>

Week	Date	Topics, Readings, Assignments, Deadlines
12	April 11 & 13	Review Assignment #5/Quiz #5; 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; Review Weekly Assignment #6 (DUE 4/20); Assign Quiz #6 (DUE 4/20); Read Chapter 11: Political White Collar Crime (pgs 305-338); Review Key Terms (pg 305); Discussion: Should corporate decision makers be able to shield themselves from criminal liability for actions performed on behalf of their employers? Is there a relationship between mortgage fraud and street crime? What is the appropriate punishment for predatory lending?
13	April 18 & 20	Assignment #6 & Quiz #6 (DUE 4/20); British Petroleum & the Deepwater Horizon oil spill of 2010; Environmental Protection Agency (EPA); Read Chapter 12: White Collar Crime and Terrorism (pgs 343-368); Review Key Terms (pg 343); Prepare, Submit and be ready to discuss Assignment #6: (Choose one question to answer per page!) Responses to Discussion Questions (pgs 313, 319, 322, 327, 328, 332, 350, 358 & 361) and Quiz #6
14	April 25 & 27	Review Assignment #6/Quiz #6; 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; Review Weekly Assignment #7 (DUE 5/4); Assign Quiz #7 (DUE 5/4); Read Chapter 13: The Media and White Collar Crime (pgs 373-398); Review Key Terms (pg 373); Discussion: Why does white-collar crime occur? What theory best explains white-collar criminal behavior? Does corporate culture cause white-collar crime?
15	May 2 & 4	Assignment #7 & Quiz #7 (DUE 5/4); Criminal, Civil, Administrative, Professional & Workplace-Disciplinary Proceedings; Review Weekly Assignment #8 (DUE 5/11); Assign Quiz #8 (DUE 5/11); Read Chapters 14 & 15: Investigating and Prosecuting White Collar Crime & Diagnosis and Treatment of White Collar and Corporate Crime (pgs 401-465); Review Key Terms (pgs 401 & 437); Prepare, Submit and be ready to discuss Assignment #7: (Choose one question to answer per page!) Responses to Discussion Questions (pgs 379, 388, 391, 407, 412, 415, 421, 447, 448 & 451) and Quiz #7
16 Final Paper Due (5/11)	May 9 & 11	Prepare and Submit Assignment #8, Quiz #8 & Final Paper (DUE 5/11); Prepare questions for Final Review (5/9); Discussion: Does the criminal justice system in the United States adequately address and respond to white-collar crime? Should PG&E be punished? Review for Final Examination; Final Thoughts.

Week	Date	Topics, Readings, Assignments, Deadlines
Final Examination	Wednesday, May 17	MacQuarrie Hall 523 12:00 PM - 2:30 PM