



White Collar Crime -- JS 135

Spring 2007 -- Syllabus

Instructor	Dan Peak	E-mail	Daniel.Peak@sjsu.edu
Phone	(408) 398-2070	Office Hours	Tuesday 10:30 a.m. - 12:00 p.m. & Thursdays 4:00 p.m. - 5:30 p.m.
Room	MH 520	Web	www.sjsu.edu/faculty/peak

Course Description:

Names in today's news: Mayor Gonzales (bribery?), Congressman Ney (more bribery?), lobbyist Jack Abramoff (fraud, bribery, tax evasion & conspiracy), Google (click fraud?), Ken Lay (fraud/looting/insider trading?), Msystems (stock-option backdating), and of course, Microsoft (violations of the Sherman Act). These are examples of high profile white collar crime (WCC). The Enron scandal prompted the passing of the Sarbanes-Oxley Act, some of the most comprehensive WCC legislation ever promulgated. Most justice students will never be involved with one of these high profile cases, but there are many more examples of WCC, with which students are more likely to be directly involved, including most instances of embezzlement. During this semester, the class will learn the meaning and importance of white collar crime and consider who are the victims of WCC, what kind of behavior, both individual and corporate, is included as WCC and how does WCC compare to conventional crimes. As described in the catalog, this course will cover the growth and development of white collar crime in the United States: crimes at the workplace, computer fraud, swindles, embezzlement, bribery and graft at the individual, corporate and governmental levels. Prerequisites: Upper division standing.

Course Learning Objectives:

By the end of the semester students should be familiar with the various definitions of WCC, and be able to distinguish White Collar Crime from other forms of crime. Students will gain familiarity with who commits these crimes, and how white-collar crimes are committed, prosecuted and defended. Students will learn the "essential elements" of many of these crimes and understand the evidence necessary to prove them. Students will develop an informed opinion on whether the prosecution of WCC is meeting the traditional goals of the criminal law including protection of the public, and whether criminalization is the appropriate response to social problems like smoking, gun control and pollution.

Text:

Trusted Criminals, David O. Friedrichs, Thomson/Wadsworth, 2nd Edition, 2004

There will be additional readings, which will be announced at least one class period before the assignment is due. The readings will be available on line at www.sjsu.edu/faculty/peak or as



instructed. Students missing classes are responsible to obtain notes and assignments from the class missed.

Grading or Evaluation:

Grades will be based upon a midterm examination worth 30%, a final exam worth 40%, a term paper worth 30%. Class participation (5%) will be evaluated by the student's ability to discuss the reading assignments when called upon in class as well as several short, pop quizzes. The term paper will be detailed in an attachment hereto.

It goes without saying that cheating and plagiarism are forms of white collar crime. The objective study of white collar crime should be done without personal involvement, so academic dishonesty will be treated severely. Academic integrity is essential to the mission of San José State University. As such, students are expected to perform their own work (except when collaboration is expressly permitted by the course instructor) without the use of any outside resources. Students are not permitted to use old tests, quizzes when preparing for exams, nor may they consult with students who have already taken the exam. When practiced, academic integrity ensures that all students are fairly graded. Violations to the Academic Integrity Policy undermine the educational process and will not be tolerated. It also demonstrates a lack of respect for oneself, fellow students and the course instructor and can ruin the university's reputation and the value of the degrees it offers. We all share the obligation to maintain an environment which practices academic integrity. Violators of the Academic Integrity Policy will be subject to failing this course and being reported to the Office of Student Conduct & Ethical Development for disciplinary action which could result in suspension or expulsion from San José State University. The policy on academic integrity can be found at: http://sa.sjsu.edu/student_conduct

To better understand plagiarism and to aid you in making sure that you are not plagiarizing, please see me and/or visit:

<http://tutorials.sjlibrary.org/plagiarism/index.htm>

Course Add/Drop Statement

Instructors are permitted to drop students who fail to attend the first scheduled class meeting and who fail to inform the instructor prior to the second class meeting of the reason for any absence and their intention to continue in the class. Some instructors will drop students who do not meet the stated course prerequisites. However, instructors are not required to drop a student from their course. It is the student's responsibility to make sure classes are dropped.

You, the student, are responsible for understanding the policies and procedures about add/drops, academic renewal, withdrawal, etc. found at: http://sa.sjsu.edu/student_conduct

"If you need course adaptations or accommodations because of a disability, or if you need special arrangements in case the building must be evacuated, please make an appointment with me as soon as possible, or see me during office hours. Presidential Directive 97-03 requires that students with disabilities register with DRC to establish a record of their disability."




JS 135 White Collar Crime

Course Schedule*

Week	Topic	Required Reading
One 1/30	Introduction to WCC Review of Syllabus	Greensheet and handouts Friedrichs, Chapter 1
Two 2/6	What is WCC? The extent of and harm done by WCC	Friedrichs, Chapter 1 & 2
Three, Four & Five 2/13 2/20 2/27	What is a corporation? Can a corporation commit crime? Corporate Governance in a nutshell. Shareholder, Director and officer liability.	Friedrichs, Chapter 3
Six 3/6	Crimes in course of employment. Agency & individual crimes.	Friedrichs, Chapter 4
Seven 3/13	Crimes committed in the name of the government and Political WCC	Midterm Exam Friedrichs, Chapter 5
Eight, Nine & Ten 3/20 3/27 (Spring Break) 4/3	Crimes committed in the name of the government and Political WCC, continued. Hybrid White Collar Crimes	Friedrichs, Chapter 5 Friedrichs, Chapter 6
Eleven 4/10	Organized Crime and Confidence Games	Friedrichs, Chapter 7
Twelve 4/17	Application of crime theory to WCC	Friedrichs, Chapter 8 Papers Due
Thirteen 4/24	Control of WCC. Criminalization vs. Civil and Administrative control. Courts and Agencies responsible for regulation	Friedrichs, Chapter 9 & 10 Group presentations Two per day beginning with groups one & two



Fourteen 5/1	Control of WCC. Criminalization vs. Civil and Administrative control. Courts and Agencies responsible for regulation continued.	Friedrichs, Chapter 9 & 10
Fifteen 5/8	Prosecuting and Defending White Collar Criminals	Friedrichs, Chapter 11. Groups three and four
Sixteen 5/15	Ethical Considerations Review	Friedrichs, Chapter 12 Groups five and six
Tuesday, May 22 12:15 p.m. to 2:30 p.m.	Final	

*Subject to change with fair notice



San José State
UNIVERSITY

JS 135 White Collar Crime
Spring 2007

GROUP RESEARCH PROJECT

There will be a group research and presentation project. Each of you will be required to participate in the preparation of a research project on a WCC topic and submit a five to eight page paper on your part of the research. The papers should be in APA format. There will be a short primer on APA for those who have not yet had 100W. The grade will be based upon the attached rubric, which includes content and syntax.

This paper may be somewhat different than you are used to. The class will be divided into six groups of ten students each. The groups will choose a topic upon which to write. Some suggestions are given below. One group per topic, first come first served. So, for example, if group five is first to request the Myanmar slave worker suit, then no other group can have that specific topic. If a group chooses to split up further and choose more than one topic that is acceptable, too.

There will be fifteen minutes scheduled toward the end of the semester for presentations. Oral presentations are extra credit and not required. Presentations should be coordinated within groups. For example, if a group chooses to cover the recent Abramoff fiasco, the subtopics for the presentation would probably begin with one or two students giving an overview of the scandal, followed by students giving an accounting of the various players in the scandal, perhaps followed by students covering the investigation or discovery, then the government's response and a concluding statement giving the current status.

Needless to say, although this is a group task, the papers are to be an individual's work product. The group can and should share information and research, but not paragraphs.

Each paper must have a reference page with a minimum of five sources. The five sources do not have to be scholarly articles. There should be news sources, commentary, opinion, and web sites. Do not use text books as a resource. It is a matter of researching the event and the people involved. Wikipedia is an excellent resource, but encyclopedic citations, like Wikipedia, will not count toward the minimum references. Encyclopedias are starting points for research. Generally, sources for information are cited. That is where the student should go for a reference. Do not quote Wikipedia. Everything in there is second hand.

This paper should give the background of the crime, scandal or administrative wrong doing, an analysis which should include justification for characterizing the act or acts of the wrongdoer(s) as white collar crime and a discussion of the motive(s), opportunity and rationalization for the crime(s).

The papers must be at least 5 pages in length, double spaced with 1.5 inch margins.



San José State
UNIVERSITY

JS 135 White Collar Crime
Spring 2007

Possible topics:

- A) Corporate Crime e.g.: Enron, World Com
- B) Environmental Crime e.g.: Exxon Valdez, Clean Air and Clean Water Acts
- C) Political Corruption e.g.: Watergate, Abramoff/Delay/Ney conspiracy, or Mayor Gonzales
- D) War Profiteering, e.g.: Iraq contracts with Halliburton
- D) Cyber crime, e.g.: African princess scam.
- E) General discussion of criminalization of corporate acts, such as selling cigarettes or guns.

RUBRIC

Scale 1: Knowledge

Demonstrates a though, accurate and coherent explanation of the topic.
Clearly identifies theme for the project.
Appropriate and relevant facts are gathered and well organized.
Presentation is unbiased and comes to an objective conclusion.

Scale II: Quality of Analysis

Clearly tells a story of change over time.
Effectively deals with the issues, including Motive, Opportunity and Rationalizations,
and proceeds to suggests preventative or remedial measures.
Formulates a well supported conclusion.
Strong supportive arguments are used.
Resolutions are persuasive and based on research.

Scale III: Quality of Sources (Measured by quality and quantity.)

Resources include exceptional sources.
Sources consulted are balanced and the presentation is fair-minded.
Bibliography includes a wide variety of primary and secondary sources.