

San José State University
Fall 2015: Justice Studies 145-3
White Collar Crime

Dr. Hebert

Thursday and Thursday 12:00 – 1:15 in 523 MAQ

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Hubris

Oh I can't help myself. You know what the difference between the state of California and Titanic? And this is being webcast, and I know I'm going to regret this - at least when the Titanic went down, the lights were on.

(Jeffrey Skilling, COO Enron, scheduled to be released from a 14-year prison term in 2019.)

History

I take full responsibility for what happened at Enron. But saying that, I know in my mind that I did nothing criminal.

(Ken Lay, CEO Enron, died of a heart attack in 2006 between his criminal convictions and sentencing.)

"Illegal? Yes, but not criminal."

((Former) vice-president convicted of price-fixing, cited in Gilbert Geis's *"The Heavy Electrical Equipment Antitrust Cases of 1961."*)

and Humor

The subculture of felons is in great vogue among adolescents. Enron, WorldCom, Tyco, and so forth allow us Republicans to say to America's young people, 'We be thugs.' The GOP may capture the youth vote at last.

(P. J. O'Rourke, the only humorous Republican humorist that I know of.)

Prerequisite: Upper division standing.

Catalog 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.

Section Specific Description and Student Learning Objectives: Students will learn, through both individually directed and collaborative learning endeavors, to recognize, describe, and lucidly illustrate historical, contemporary and emergent types financial and economic misdeeds undertaken either for the benefit of a corporate entity or for individuals taking advantage of their position in an organization.

Note: To be accepted for credit towards a degree in Justice Studies, a grade of "C" or better in this course is required.

Office Hours

General Statement on Office Hours: My practice of meeting with students is best described as an “open door or knock or spotted walking around” policy. Outside of office hours, I’m happy to talk with you 19 out of 20 times. All I ask is that if I tell you that I can’t talk right then, please respect my wishes. Ending times for afternoon hours are “soft,” and I if necessary I can usually stay later.

Mondays 9:30 — 3:00 (except lunch)
 Tuesdays 9:30 — 10:00
 1:15 — 1:30 (JS 145)
 2:30 — 3:45 (except ... 9/15; 10/13; 11/17)
 Wednesday 9:30 — 1:30 (except lunch) on the following days.
 8/26; 9/9; 9/30;
 Thursdays 9:30 — 10:00
 1:15 — 1:30 (JS 145)
 2:30 — 3:45

If the question is class related (but not personally related as in missing a scheduled quiz or assignment) please bring it up class. If you don’t understand something, chances are other students, students shy than you, don’t understand it either and they will (quietly, as they are shy) appreciate your asking what they could not vocalize.

Chat: I will be offering optional “Chat” sessions through Canvas. I want to check with the class to get an idea of when would be the most convenient time for most students, and of course, for me as well. The Chat session time may well change during the semester and if it seems unproductive, unceremoniously dropped.

Required Readings:

- 1) *White Collar Crime* 2012 Brian K. Payne SAGE Publications, Thousand Oaks, California.
- 2) Other readings distributed to class. “Other” readings will be distributed at no charge.

Distribution of Course Material:

Most, possibly all, course material except quizzes, exams, and video clips will be posted to Canvas. At present I have not made study *****s for *White Collar Crime*. Why not? Because this is the first semester that I have assigned this text and if it turns out that I don’t like it, it would have been a huge waste of time for me to make study *****s. If you are interested in writing study *****s, talk to me. I would be willing to entertain the possibility of substituting high-quality study *****s for some of the course requirements.

Course material will be found in Modules. I label module with the date posted and a brief description of the contents. Do not pay any attention to grades nor depend on its announcement section for notifications. The course schedule is found in the greensheet located under syllabus in Canvas and any changes, other than a one day change in a quiz date, will be announced and an updated greensheet distributed.

Course Requirements: Course grades are based on quizzes, exams, Chapter Questions and Answers (CQA), and class participation. All assessment materials are graded on a percentage basis.

Quizzes and Exams: The “chapters” in reference to quizzes and exams are the textbook chapters and any material presented in class or assigned during the class period to which the textbook chapter was assigned. Quizzes and exams are largely multiple-choice with a couple of short-answer questions. Bring a Scantron 882, one or two sharp #2 pencils and a blue or black pen to quizzes and exams. A Scantron is not complete unless it has your name, course name or number and section number (or meeting time), exam title and date. I follow a “three strike” rule for rumpled, curved, dirty, or otherwise abused Scantrons. If after three attempts the machine won’t read the Scantron, I put it aside and record the grade as a zero. I will not notify you of a Scantron failure, but you may copy your answers onto a new Scantron for regrading. You do not need a bluebook as space is provided on the exam for the short question answers. Any unauthorized use of an electronic device is prohibited. Unless prior arrangements are made with the instructor, all devices shall be powered down and stored out of sight for the duration of the exam. Violations of this rule are presumptively regarded as evidence of academic dishonesty.

Chapter Questions and Answers (CQAs): Based on the last name, as determined by the university, students have been assigned to one of four groups. The last column of the course schedule lists the due dates by group and student to group assignments are found after the course schedule. For each of the “Readings” in the section, students must develop three questions and answer those questions. I prefer short answer questions, but will accept no more than one multiple-choice per reading. I caution against multiple-choice questions because good ones are one hell of a lot more difficult to write than you imagine. CQAs are to be typed, headed by student/course identifiers and each reading must include the full title and names of the authors. Some questions may be asked to the class and used as participation points.

Participation: Participation is just that, useful participation in the classroom. At various points in the semester, students will be randomly, truly randomly, chosen and asked a question about the reading. Students are, of course, free to contribute at any time.

Course Weighting of Material:

- 1) Quizzes (12 X 3% = 36%): There are fourteen quizzes, each covering 1 section. I may throw in a short answer or a multiple-choice question or two based on a previous material. Twelve of these quizzes will be used to calculate the course grade and are chosen as follows: The lowest score of the first seven and the lowest score of the last seven quizzes will be excluded from the course grade calculation. A quiz not taken is assigned a score of zero and thus becomes the low score for the purpose of exclusion. Between 15 and 30 minutes will be allocated for quizzes.
- 2) Mid-Term Exams (2 X 15% = 30%): All material assigned or presented in class prior to the Mid-Term exam.
- 3) Final Exam (20%): Predominately material covered since the mid-term, though course material from any part of the course will be included.
- 4) Chapter Questions and Answers (3 X 3% = 9%): See above for instructions
- 5) Participation (5%): You are expected too, indeed, are required to demonstrate that you have done the readings on time by asking questions, answering questions, sharing crime articles, and participating in discussions. $\frac{1}{4}$ of the class will be assigned to create a question and answer from the assigned section. See course schedule for assigned sections. Any student may be called upon to answer a question. In addition to general class participation, participation in a weekly “chat” session, if offered, may count towards participation.

Grading Policy and Correspondence:

I usually apply a curve to exams and the posted scores reflect any curving that I have done (I only curve up, never down). If a curve is applied, approximately 20 to 25 percent of the class will receive an A- or better on that exam. All assessment materials are graded on a percentage basis, and correspond to the following letter grades.

Percent to Letter Grade Correspondence

Percent to Letter Grade Correspondence											
A+	96%	A	93%	A-	90%	B+	86%	B	83%	B-	80%
C+	76%	C	73%	C-	70%	D+	66%	D	63%	D-	60%
F	Less Than 60%										

Quiz and Exam Grade Postings: Quiz and Exam scores are posted outside my office in MQH. Grades will be posted using a synthetic number called a "Posting ID." To create your posting ID number, multiply the first five digits of your SJSU student ID number by the last four digits of your SJSU student ID number. The last four digits of the product is the posting ID number.

EXAMPLE: SJSU ID number is 000825197

First five digits are: 00082

Last four digits are: 5197

Multiply = 426154

The last four digits, 6154, is the Posting ID number.

Late Test and Assignment Policy:

No to full credit depending on circumstance. The possible combinations of circumstance are damn near infinite and thus an attempt to assign specific penalty weights a truly Herculean task. Instead, the following are the factors I consider, along with examples of good, OK, and bad excuses.

Dimension	Good	OK	Bad
Notification:	Notification delivered in class at least one class meeting prior to absence	Note in mailbox / e-mail day of exam.	Five weeks after assignment due date.
Reason:	Work-related travel. Getting married, personal illness, serious illness of a close relative, death of a close relative.	Too much coursework/job stress. Relationship troubles, ceremonial participation.	Hung over, forgot, getting married more than once, weekly participation in ceremonies of death or other.
What Missed:		Quizzes and Mid-Term Exam.	Assignment, Crime Portfolio, Final Exam.
Documentation:	Newspaper, Dr./Clinic appointment, receipt for automotive repair, court summons	Note from Mom.	Insultingly bad forgery.
Made up by:	Next Class Meeting or Prior to Due Date.	Two Class Meetings	Final Exam Week.
Attendance:	I can match name to face.	Pretty sure that you are, or were, in one of my classes.	Couldn't pick you out of a lineup for \$100,000.

It is your responsibility to notify me of your need to take a make-up exam or quiz and to arrange a time that accommodates my schedule. Except under extraordinary circumstances, if an exam has not been taken within two weeks or a quiz within one week, of its administration to the class, you will forfeit that quiz/exam and receive a zero.

Communication / Interaction:

I'm usually available outside of my office hours. If you need to talk and see me in the hallway or outside the buildings, or in my office, just walk up and say hi. If my office door is closed, go ahead and knock. 95%+ of the time I'll be more than happy to talk to you about just about anything. Once in a great while, I'll be too tired, cranky, distracted, or busy to chat, and I'll just tell you that straight-out.

If the conversation is institution-related (course advising, graduation requirements, etc.) I'll be able to help you much more efficiently if you take the time to do a little prep work. If you need course advising, I need to know what courses you have taken, where taken, if you are a transfer student, and the grades you received. If you get an incomprehensible bureaucratese letter, bring it and any documents that relate to the letter.

My general rule on servicing students is first-come, first-served. Having notified me of intent to stop by and being a current rather than a former student are used as tie breakers. That said, I will sometimes engage in a form of triage, serving students who arrive later before others who have been waiting in line. A common example is a student coming by to pick up a paper who arrived after a student seeking an academic advising session.

e-mail: If you have a course-procedural or course-content question, it should be brought up in the class as it's a good bet that other students have the same or similar questions. If further clarification is needed, then see me outside of class. Matters that are to remain confidential should be communicated in-person.¹ As students are expected to, though are not required to, attend scheduled class meetings (University Policy F69-24: <http://www.sjsu.edu/senate/f69-24.htm>) I will not, except in the most unusual of circumstances accept e-mailed assignments for grading. An e-mailed assignment, in conjunction with appropriate documentation / explanation, will be used as proof of timely completion of the material, but only printed material will be accepted for grading.

Now, if you find something that you think I'd find interesting or amusing, by all means, send me an-email. Or if you would like my judgment on whether a particular website has solid information or not, feel free to e-mail me.

Phone: Good for contacting me on Tuesday or Thursday. I'm much more likely to answer if I'm not teaching a class at the time. If you leave a message, it's best to follow it with an e-mail.

Recording and Distribution of Course Material: The following is reproduced from SJSU Policy S12-7.

Common courtesy and professional behavior dictate that you notify someone when you are recording him/her. You must obtain the instructor's permission to make audio or video recordings in this class. Such permission allows the recordings to be used for your private, study purposes only. The recordings are the intellectual property of the instructor; you have not been given any rights to reproduce or distribute the material.

¹ In case you are wondering, the recent revelations about the NSA and the general unprivacy of private electronic communications had nothing to do with this statement. In fact, it predates Scott McNeal's infamous 1999 declaration of "You have zero privacy anyway. Get over it."

- It is suggested that the greensheet include the instructor's process for granting permission, whether in writing or orally and whether for the whole semester or on a class by class basis.
- In classes where active participation of students or guests may be on the recording, permission of those students or guests should be obtained as well.

Course material developed by the instructor is the intellectual property of the instructor and cannot be shared publicly without his/her approval. You may not publicly share or upload instructor generated material for this course such as exam questions, lecture notes, or homework solutions without instructor consent.

So, talk to me if you need to make a recording in class. Just as a reminder "Audio recording without consent in private settings is prohibited by California Penal code 630-635 (SJSU Policy S12-7).

Mandatory Statements

Academic Integrity: In the long run academic dishonesty hurts only you. Academic dishonesty can also cause pain in the short run, see Academic Senate Policy S07-2: <http://www.sjsu.edu/senate/S07-2.htm>. Other publications concerning student rights and responsibilities can be found at: http://sa.sjsu.edu/judicial_affairs/index.html.

Accessibility: "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 the Accessible Education Center (AEC) to establish a record of their disability (from Academic Senate Policy F06-2)."

Federally Coerced Mandatory Statement on Study Expectations: "Success in this course is based on the expectation that students will spend, for each unit of credit, a minimum of forty-five hours over the length of the course (normally 3 hours per unit per week with 1 of the hours used for lecture) for instruction or preparation/studying or course related activities including but not limited to internships, labs, clinical practica. Other course structures will have equivalent workload expectations as described in the syllabus."

Religious Accommodation: [Included under protest as appears to be a violation of the 14th (Equal Protection) Clause.] "San José State University shall provide accommodation on any graded class work or activities for students wishing to observe religious holidays when such observances require students to be absent from class. It is the responsibility of the student to inform the instructor, in writing, about such holidays before the add deadline at the start of each semester. If such holidays occur before the add deadline, the student must notify the instructor, in writing, at least three days before the date that he/she will be absent. It is the responsibility of the instructor to make every reasonable effort to honor the student request without penalty, and of the student to make up the work missed."

Note: I will continue to use my long-standing and far more liberal notification requirement specified above.

Miscellaneous Items and Some Repeating:

Material will usually be distributed via Canvas. Be sure that MySJSU has your current e-mail address.

In brief, you are responsible for yourself. If you miss an exam or quiz, you must contact me in order to arrange a time to make it up. If you are absent or arrive late on a day when I am returning assignments, you will have to come by my office to pick it up. If you didn't receive an assignment that means you were either absent or late when I distributed the assignment. Check with your classmates or ask me at the beginning of class if an assignment had been distributed the previous class meeting.

For multiple-choice exams, bring a Scantron 882-E form and a #2 pencil. For written exams, I will notify the class if a blue, er, greenbook is required.

Attendance is strongly encouraged, as some of the material on the exams will be presented only in class. Turn off your cellphones, smartphones, dumbphones, PDAs, PMDs, beepers, and heart monitors. Just kidding about the last one.

As a courtesy to your classmates, do not munch during class. Liquids are OK, as long as you dispose of the container properly. In fact, treat the classroom as if it were a wilderness area: Pack in, pack out.

Assignments are returned in class when I have finished grading and recording them. I only bring each set of papers to class once, so if you are late or miss the day that I hand them back, its your responsibility to come to my office and pick them up. Quizzes and exams are not returned, though you are welcome to review yours in my office.

If a substantial change in due dates or assignments is required, I will distribute an updated greensheet via Canvas or e-mail and announce the new version number in the following class. A quiz may be postponed for one meeting without creating a new schedule.

To get started on the semester: It's in the greensheet.

This greensheet, like all greensheets is subject to revision.

**Justice Studies 145
White Collar Crime
Fall 2015 Schedule**

Date	Readings, Notices	Quiz, Exams, Assignments	CQA
August 20	1 st Day		
August 25	Section I: Introduction and Overview of White-Collar Crime: A Systems Perspective		
August 27		Quiz 1	
September 1	Section II: Understanding White-Collar Crime: Definitions, Extent, and Consequences <i>Last day to drop classes.</i>		1
September 3		Quiz 2	
September 8	Section III: crimes in Sales-Related Occupations: a Systems Perspective <i>Last day to add classes (9/09)</i>		2
September 10		Quiz 3	
September 13	Section IV: Crimes in the Health Care System		3
September 15		Quiz 4	
September 17	Section V: Crime in Systems of Social Control: White-Collar Crime in criminal Justice, Political, and Religious Systems		4
September 22		Quiz 5	
September 24	Section VI: Crimes in the Educational System		1
September 29		Quiz 6	
October 1	Section VII: Crime in the Economic and Technological Systems		2
October 6		Quiz 7	
October 8	Section VIII: Crimes in the Housing System		3
October 13		Quiz 8	
October 15	Review Day		
October 20		Mid-Term #1!	

Date	Readings, Notices	Quiz, Exams, Assignments	CQA
October 22	Section IX: Crimes by the Corporate System		4
October 27		Quiz 9	
October 29	Section X: Environmental Crime		1
November 3		Quiz 10	
November 5	Section XI: Explaining White-Collar Crime		2
November 10		Quiz 11	
November 12	Section XII: Policing White-Collar Crime		3
November 17		Quiz 12	
November 19	Section XIII: Judicial Proceedings and White-Collar Crime		4
November 24		Quiz 13	
December 1	Section XIV: The Corrections Subsystem and White-Collar Crime		EX*
December 3		Quiz 14	
December 8		<i>Mid-Term #2!</i>	
December 11 (Friday)	<i>Final Exam 9:45 – 12:00 (Friday)</i>	<i>Final Exam 9:45 – 12:00</i>	
December 17	Final Exam Conflict Day**		

** Extra-credit opportunity.

* Students having more than two final exams scheduled during a 24-hour period may request that a final be rescheduled. Requests must be made at least three weeks prior to the final exam date. (Academic Senate Policy S06-4).

Textbook Question Groups

Last Name	Group #
Aaa - Dzz	1
Eaa - Lzz	2
Maa - Pzz	3
Qzz - Zzz	4