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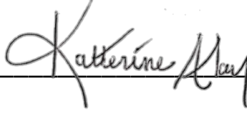
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White-Collar Crimes

White-Collar Crimes from a Therapeutic Jurisprudence Perspective

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A typical organization loses its annual revenue to fraud, which contributes to an estimated total fraud loss of more than \$3.5 trillion worldwide (Padgett, 2015). Fraud, along with identity theft, forgery, larceny, embezzlement, cybercrimes, money laundering, insider trading, identity theft, Ponzi schemes, and other manipulated financial schemas are some of the typical examples of crimes committed by most white-collar crime criminals (Steffensmeier, Harris, & Painter-Davis, 2015). The term “white-collar crime” is rather new (Geis, 2016). These types of crimes began after the Great Depression in 1939, when the United States was suffering a tremendous economic depression where people lost homes, businesses plummeted, and there was a large percentage of unemployment. *Id.* This term, however, can be interpreted in many ways depending on who is addressing it or how it is being identified. According to Gottschalk (2010), the most common definition of white-collar crime is using deception for an illegal gain; normally against property belonging to someone else and usually committed by wealthy businesses and government professionals (by one individual or a group). Because government professionals have a great deal of influence in the lawmaking process and into what is considered a crime, white-collar crimes are difficult to identify and less likely to be punished harshly by the criminal justice system. Accordingly, the purpose of this paper is to encourage the implementation of Therapeutic Jurisprudence (“TJ”) during the sentencing process of white-collar criminals.

This is where courts become involved, to make sure that government officials are adhering to the laws of the United States. Geis (2016) argues that the Supreme Court implies that white-collar crimes are considered violent crimes when the offender was careless or negligent even if it did not create a direct injury to a person or property as a

result of violence. This entails that a white-collar crime does not necessarily have to be a violent crime to be considered a harmful act against society. Nonetheless, the Federal Bureau of Investigations (“FBI”) defines white-collar crimes as non-violent (*What Is White-Collar Crime, and How Is the FBI Combating It*, 2016). Considering that there are different interpretations of this definition and the severity of the consequences a white-collar crime may cause, the principle of proportionality should be implemented to appropriately sentence a white-collar criminal. Hence, a more therapeutic approach such as TJ is more suitable, as “[i]t focuses on the law’s impact on emotional life and on psychological well-being” (Wexler, 2001). Furthermore, in (Wexler & Winick, 2008), the authors describe TJ as:

An interdisciplinary approach to legal scholarship that has a law reform agenda, therapeutic jurisprudence seeks to assess the therapeutic and counter-therapeutic consequences of the law and how it is applied, as well as to increase the former and diminish the latter. It is an approach to the law that uses the tools of the behavioral sciences to assess the law's therapeutic effects and, when consistent with other important legal values, to reshape law and legal processes in ways that can improve the psychological functioning and emotional wellbeing of the individuals affected. (p. 1)

Because the U.S. has a dual court system which separates a state’s system from the national system; each system may create their own courts and different interpretations of crimes and different laws (Cole, Smith, & DeJong, 2014). This system has led to an increase in disparities and punishments for different types of crimes even if the act against society was similar. These disparities occur when there is a difference in treatment between groups which may result from legitimate factors or discrimination (Scheuerman, 2018). One example of a crime that is both intentional and planned to harm society is a visible crime or a street crime, the most visible and upsetting to the

public. This crime ranges from shoplifting to homicide and further breaks down to a crime committed against persons or property primarily by members of a lower socioeconomic class (Cole et al., 2014). When compared to white-collar crimes, street crimes had a lower economic and moral impact, but were still punished harsher and received longer sentences (Cullen, Mathers, Clark, & Cullen, 1983). Even though sentencing for street crimes seems to be unproportionate, perhaps this is because white-collar crimes tend to be non-violent and not visible to the public. On the contrary, in a study conducted in South Africa, where the proportionality principle was investigated, “[a]most all of the offenders did not believe that courts are generally lenient towards white-collar offenders” (Magobotiti, 2017).

Findings suggest that the public believes that white-collar crimes and street crimes should be treated similarly in the criminal justice system because both crimes are harmful to society. However, street crimes tend to get caught more often and are punished harsher than white-collar crimes even though, both may be non-violent acts against society or property (Schoepfer, Carmichael, & Piquero). Evidence also suggest that white-collar crimes are responsible for ten times more money loss compared to street crimes and yet, the criminal justice system focuses most its attention to street crimes (Holtfreter, Slyke, Bratton, & Gertz, 2008). These differences in the way that these crimes are punished has led to an increase in research and public awareness to determine the reasons as to why white-collar crime offenders receive less harsher punishments/sentences and are less detected compared to street crime offenders by the criminal justice system.

Reiman and Leighton (2010) introduced the concept of the “carnival mirror” which is the idea that the criminal justice system creates a distorted image of crimes and their criminals. Meaning that the criminal justice system only reflects crimes of the powerless with a disproportionate idea of who the “typical” dangerous criminal should be; a young, black male of an urban area, and a low socioeconomic status. When in fact, those who are in power and are committing crimes are: older, white, well educated, males with a stable and high salaried job (Padgett, 2015). Reiman and Leighton (2010) further explain that the criminal justice system fails to report that many criminals are white, not African American. Thus, creating a disproportionate representation of the offenders and the crime itself. However, even if this is true, race should not matter.

When issuing a sentence against a person, the judge should focus on the facts of the case and no other factors such as race. When race is brought up or even considered tacitly, the judge is therefore using implicit bias. According to the American Psychological Association, “[i]mplicit bias, also known as implicit prejudice or implicit attitude, is a negative attitude, of which one is not consciously aware, against a specific social group” (*Implicit bias*, n.d.). Hence, if implicit bias creates unfairness, why use race, age, gender, or other biographic factors into consideration and against a person during their sentencing? Instead, the focus should be in using “underappreciated aspect[s], humanizing the law and concerning itself with human, emotional, and [the] psychological side of law, legal process, and legal practice[,]” as suggested by the TJ approach (Wexler, 2010).

Unfortunately, regardless the race of the criminal, African Americans are more likely to be treated differently and punished with a harsher sentence than a white

offender. African American males tend to get longer sentences compared to white males who committed the same crime (Scheuerman, 2018). However, the most influential extralegal factor of punishment and determining sentencing length by courts is the class status of the offender. As defined by Geis (2016), white-collar crimes are committed by wealthy business owners and government professionals of the upper class. Where class in this case, is defined as an extralegal factor determined by “one’s occupation, income level and the amount of connections and relationships” with other members in the society (Anyon, 1980, pg. 68). The relative dimension of defining crime explains the significance between class status and inequalities in courts relating to sentencing. Perhaps, much has to do with who is sentencing and whose reputation or image is trying to be upheld.

Indeed, class status should also not be a factor that should determine one’s punishment. Instead, the focus should be on larger issues in society such as mass incarceration. The United States has the highest rate of incarceration in the world because courts typically rely on imprisonment as a form of punishment (Incarceration Rate by Country 2023, n.d.). Thus, instead of punishing criminals with incarceration, especially those who commit non-violent crimes such as white-collar criminals, the courts should consider using different sentencing reforms that are more therapeutic such as rehabilitation programs. These programs could be considered in different ways either as the punishment, to be completed during the punishment or after the punishment, all depending on the severity of the crime, the criminal’s prior criminal history, and other relevant factors. Of course, for this to even be considered as an option, the offenders must be willing and able to participate in the process.

While rehabilitation programs are an option, typical sentences for white collar-crimes include probation, restitution, fines, community confinement, forfeitures, supervised released, home detention, imprisonment, etc. (Barnes, 2020). Experts in the field also state:

The extent of white-collar crime penalties varies significantly on the actual crime committed. For example, if convicted of insider trading, a type of securities fraud, you could be facing a minimum of 15 years behind bars and a fine of up to \$5 million. A federal embezzlement charge could earn you up to a ten-year prison sentence, a \$250,000 fine or both. Tax evasion carries a sentence of imprisonment for up to five years, a fine of up to \$250,000 for individuals, or both. A reduction of your sentence is possible if you take responsibility for the crime and assist the authorities in their investigation. A conviction can have a severe impact on your freedom, your reputation, your job, your family, and your future. *Id.*

Despite this, the rate of white-collar prosecution has been decreasing throughout the years and only makes 3% of federal prosecutions (Flynn, 2023). Even though there is ample evidence suggesting that there is a decrease in these types of crimes, there is virtually no information as what has led to the decrease. Assuming a positive stance that the decrease in this type of crime is because they are less common, let's go back to the focus on how courts should sentence those criminals that are prosecuted—through a therapeutic approach, which varies from rehabilitation programs, diversion programs, community reparative boards to victim-offender mediation. Lastly, two other therapeutic aspects to consider is finding ways to reintegrate the offenders back into the community and creating reforms that will prevent and avoid recidivism.

Recently, there was a study conducted on white-collar criminals who were undergoing rehabilitation programs in prisons in three Northern States of Malaysia

(Siew, et al., 2020). In their study, (Siew, et al., 2020) focused on the Malaysia Prison Department, which implemented a holistic program (as it covered “behavioral correction, psychological and emotional development to religious teaching besides vocational training”) to correct the wrong doings of the inmates and help them find employment after their release. After their study (Siew, et al., 2020), the researchers concluded the following:

The interview results reveal that there are only two inmates who feel that the rehabilitation programs are not appropriate for them while all the other inmates are satisfied with the program. After going through the rehabilitation programs, they are aware of their wrong doings and they have given positive advice to [the] public not to follow their past deeds. The rehabilitation programs have provided them with skills, religious lessons and counselling to prepare them to lead a normal and useful life after their release from prison. All the inmates wish that they can continue to work or start a new small business in their villages or towns and start a new life. Overall, the rehabilitation programs have been successful to educate the inmates on ideas of crime and to distance themselves from crimes. (p. 107).

Based on these results, it appears that rehabilitation programs are effective and produce positive outcomes. Accordingly, other therapeutic approaches have also been implemented to “punished” white-collar criminals.

“The concept of restorative justice . . . [is a model] of conflict resolution that place[s] an emphasis on offender/victim communication and forgiveness” (Luedtke, 2014). Restorative justice also aims to repair the harm that was done by using justice as a form of healing. *Id.* Moreover, this approach seeks to infuse “empathy in the offenders and turning them into productive members of society” by serving as a form of intervention where offenders are thrusts of the “victims’ pain in order to instill feelings of compassion and remorse.” *Id.* However, for this approach to work, “the offender must

be willing to accept responsibility for the offense as a condition for participating in the process. The main reason for this is to reduce the risk of revictimization that can be caused by offenders telling their victims they did nothing wrong” (Gabbay, 2008). In addition, there are several factors of why restorative justice should be applied to white-collar crimes. First, advocates of this approach suggest that increasing regulatory and sentencing guidelines may have a long-lasting effect on the white-collar criminal landscape as there are studies that determined that the threat of prison time fails to deter potential white-collar offenders from committing crimes. *Id.* Second, the same studies concluded that prison sentences increase recidivism rate in white-collar offenders. *Id.* Lastly, because white-collar criminals are deeply entwined in a community of family, colleagues, and peers, all of whom rely on his/her reputation, the disgrace of being exposed deters the potential of committing crimes, which ultimately is one of the objectives of the restorative justice’s approach. *Id.*

In his article, (Gerson, n.d.) argues for an abolitionist approach, which also seems to implement a rather restorative approach:

In instances where wrongdoing and responsibility is clear, one could imagine creating a forum, akin to a community circle or a truth-commission depending on the scale of the crime, where white-collar offenders would admit the harm they caused, hear from people who suffered as a result of their actions, and establish ways to remediate the harm. This last part can be crucial. First, by working directly with, not against, offenders, many of the collection issues addressed earlier could be sidestepped, thus ensuring reparations. Furthermore, in so far as guaranteeing the non-repetition of the harm is crucial to a process of accountability, white-collar offenders are in very good positions to work with other actors to design systems that prevent the very harm they caused. (p. 183).

Despite this restorative like-approach, there are obstacles with this approach.

Oftentimes, the number of victims is too numerous and can be across multiple

jurisdictions, while at the same time, victims may also be non-human animals and living organisms. *Id.* However, even with these obstacles, the point is not to simply avoid this approach because it may have issues, but rather, to implement it as another therapeutic form of punishment and not just relying on incarceration. Accordingly, (Gerson, n.d.) concludes that advocates seeking to expand criminal liability on white-collar offenders thus need to justify their policy proposals not only in terms of redressing or preventing [future] harms, but also considering the effects on mass incarceration and the real harms caused by imprisonment.

Another point to consider are the relative dimensions of power and that criminal acts are determined by who is defining them (Scheuerman, 2018). This dimension is composed into two major points. The first point is a conflict that allows for those in power to reflect their own capitalistic, political, and socio-economic interest. The second point is the interactionist view that those in power have social power (Reiman & Leighton, 2010). The authors' connections between power and class are identified as a problem in the criminal justice system because those in power tend to be wealthy, of the upper class, and they are the ones defining laws and what should be considered a crime. *Id.* Which is a direct contrast to poor individuals (indigents), who tend to get convicted for not being able to hire an attorney or get a proper advice or a fair trial by an assigned state defense attorney, who most of the time is not seeking his client's best interest (Scheuerman, 2018). Consequently, those in power will serve to protect their interests and those of whom are in the same level in society. For this reason, white collar crimes are seen as less harmful and interpreted by courts as less serious crimes and allows for less harsher punishments and shorter sentences.

Even though findings suggest that lighter punishments and shorter sentences for serious crimes like the ones committed by white-collar crime offenders are correlated to recidivism, courts continue to ignore this and apply punishments instead of finding the reasons as to why they commit these crimes (Weisburg, Chayet, & Waring, 1990). The same study also found that white-collar crime criminals are not seem as re-offenders, but rather as one-time offenders. Typically, white-collar criminals, “know that they may be forced back into their community to suffer the shame and disapproval of their family and colleagues, [so] they may rather choose to preserve their reputation than to commit a crime” (Luedtke, 2014). Despite this, another study found that “those who are convicted of white-collar crimes rarely reacquire the power and influence necessary to commit the same or similar crime,” which is why “[r]estorative justice also has a greater potential to rehabilitate white-collar offenders” *Id.*

In addition to power and class, the micro-level general strain theory, helps to identify who the typical white-collar crime offenders are and their likelihood of recidivism. According to Scheuerman (2018), the general strain theory applies to anyone in the society regardless of class or socioeconomic status. This theory focuses on those who failed to achieve positively valued goals, when there is a loss of positively valued stimuli and when there is a presentation of negative valued stimuli. When one or more of those strains occurs, it leads to negative emotions like anger, resentment, and frustration and pushes a person to commit a crime. It is in fact, a clear explanation as to why white-collar crime offenders take advantage of resources for their own sake. Geis (2016) analyzed the relationship between the general strain theory and white-collar crime criminals and concluded that these criminals have no self-control and when

combined with the opportunity at the right place and at the right time, they will tend to seek immediate gratification with minimum effort. His finds notably incorporate similarities to street crime criminals who also tend to engage in risky behaviors and not account for the negative effects to others involved or future consequences.

However, other studies suggest that negative emotions that lead to crime are distinct in white-collar crime offenders than street crime offenders. It was found that white-collar crime criminals have an association with feelings of financial concern. While street-crime criminals, tend to have resentment for not fulfilling valued goals which creates pressure on them and increases negative emotions such as anger and depression which may lead them to crime or delinquency (Langston & Piquero, 2006). In relation to white-collar crimes, the U.S. has a high expectation for members in the society to becoming successful, but it is almost impossible for members in the society to succeed and thus increasing levels of negative emotions that lead individuals to break rules and violate laws (Cole et al., 2014). Despite these differences, both types of offenders are still responsible for harm against society even though street crimes are more direct to the victim(s) than white-collar crimes.

Other aspects to consider are the personal situations of white- criminal offenders. Based on my research, one aspect to consider is the criminal's mental health and his/her background with substance abuse, which could be the cause to their mental health issues. Another aspect to consider when punishing a white-collar criminal is to evaluate how their conviction/sentence will affect others, such as their family members. Of course, families, particularly children (when a parent is incarcerated) are also disrupted and must rely on support groups to cope with the stigma that comes with the

sentencing (Silver, 2018). In many cases, the spouse is left to pick up the pieces of what is left behind, loses their partner, their financial stability, and expected future after the crime. *Id.* On the other hand, an offender who has “accrue[d] multiple arrest[s] . . . or [has been] incarcerated before the age of 24, white-collar offenders face the same obstacles to employment stability as their street-level counterparts” (Kerley & Copes, 2004). Recently, (Shepherd et al., 2020) conducted a study to determine how digital media negatively impacts a while-collar offender’s reintegration into the community. The following was concluded.

'[L]abels can lead to economic strains and social fractures that hinder productive reintegration into society. It had been thought that those convicted of white-collar crimes, such as fraud and bribery were less likely to experience long lasting negativity after finishing their sentence. However, researchers discovered media coverage published online was having a much larger detrimental effect than had been previously assumed.

The archive, search and sharing features of digital media ensures that the online identity of offenders is dominated by their crime long after a sentence is completed. The study shows this ultimately ends up with individuals having a "personal digital criminal legacy" (PDCL). This sticks with them, disrupting their lives and the lives of their families, long after the reported crimes . . . The resulting widespread and enduring stigmatization impacts for offenders, as well as for families and those wrongly accused, have significant implications for productive reintegration, criminal and social justice. *Id.*

Evidently, white-collar offenders also suffer long-lasting consequences post-conviction, which is why, a therapeutic approach would help to mitigate these issues.

In order to decrease inequalities in respect to punishment between white collar-crimes and street crimes, the government must regulate the guidelines of state courts and require each state to adhere to similar punishments and sentencing guidelines. However, these two types of crimes, in particular white-collar crimes, must be deal with directly. The government must create clear policies and procedures for cross-company

communication to create a counterbalance between those in power to ensure that rules are adequately being followed. In addition, there should be a policy of performance-based salaries rather than by position or title, because it would reduce employee incentives to commit some type of white-collar crime within the company (Gottschalk, 2010). For instance, by regulating businesses and government professionals, there is an increase opportunity to learn more about the characteristics and of white-collar crimes. This way, patterns can be created to formulate ways to prevent and detect this type of crime (Padgett, 2015). This will also help to get more accurate data as to who, where, when, and why this type of crime happens in our society.

Considering the multiple methods used by white-collar crime criminals, there needs to be a more concise way of being able to identify these crimes and be able to properly adjust policies. Padgett (2015) suggests that most criminals show distinct behavioral traits that may serve as warning signs for their actions. He points out that some signs may be excessive territorial issues, no self-control, and an extreme interest in success for themselves rather than for the company. Accordingly, the personality traits of the criminal also play a role in the crime committed. For example, (Luedtke, 2014) states that white-collar criminals tend to be characterized as narcissistic by a need for admiration. Likewise, (Feeley, 2006) describes white-collar criminals as follows:

“[I]nterpersonal competitiveness” stands as a distinct personality link to white-collar criminals. Beyond an average corporate competitor, these individuals cannot bear any form of loss and thrive on defeating their rivals and ascending to the top echelons of the corporate world. Positive extroverts so engross themselves in corporate competition that their drive to win, at all costs, overcomes any ethical principles. An ultra-competitive personality, placed in a competitive corporate setting, transforms into a reckless, ambitious, and egocentric achiever who holds no regard for anything except victory.

Sociologist David Simon linked American society's value and pursuit of money to tempting overly competitive, deviant-prone personalities to enter corporate life and seek success. Once in a white-collar environment, these individuals display a lack of respect for their colleagues and for their work and look to money, power, and other symbols of status for gratification. Competitive, ego-driven personalities exhibit cunning and deception and mask their criminal compulsions behind a façade of hard work and dedication. Finally, the fact that male white-collar offenders report a higher rate of aggressiveness and competitiveness than women, results less from biology and more from traditional societal norms and sexual stereotypes. While academics and criminologists seem to accept these various studies, the research concerning why competitive personalities lead to economic corruption remains largely underdeveloped. (pgs. 202-203).

Based on these findings, it is why it is important to make sure that both employers and employees are well educated on the concept of white-collar crimes. Not only should employers and employees be educated, but the average citizen and particularly members of the court, should be aware of these crimes and be knowledgeable on what to do when coming across a white-collar criminal with the previously mentioned personality traits. "Although there exists a . . . research surrounding personality traits, arguments persist linking both personality and the environment, to the causes of corporate malfeasance." *Id.* Other experts in the field also believe that psychiatry can play an important role in understanding the role of psychopathology and mental health of a criminal offender, not only before/while committing the crimes (in jurisdictions where personality disorder is accepted a mitigating factor), but also affects post-release (Clarkson & Darjee, 2022). Lastly, because white-collar criminals do not tend to see themselves as criminals, using a TJ approach will encourage them to see that they are, and it is why they need to rehabilitate.

Another way to combat white collar crimes and assure that policies are working is by using campaigns, training programs and other group organizations which would be

helpful at decreasing these types of crimes (Cullen et al., 1983). The more people are informed, the more likely a criminal will get detected and punished. Another major point that needs to be addressed to lessen inequalities, is the equal treatment of individuals regardless of any extralegal factors (race, class, and gender). The treatment, punishment, and sentencing for all these criminals should be the same no matter the profile or personal background of each individual offender. (Padgett, 2015). It is important to expose the criminal record of an offender so that other employers know who they truly are. Thus, creating an honest and intentions free environment. Once these actions begin to take place, then we will see a change in inequalities that will hopefully create equal punishments and sentences to all individuals by the U.S. courts. This will help to close disparity gaps between different groups in the society and create a uniformed treatment among all citizens.

The idea of crime is not only physically hurting someone in a violent way, but it also includes anything that may be harmful to society or property in any kind of way. White-collar crimes are a clear example of non-violent crimes that have a tremendous effect in society (Gottschalk 2010). Most of these crimes are not necessarily seen by society because those in power in the criminal justice system, tend to change the image of crimes. Usually, by hiding the true reality of serious crimes by perpetuating different ideas of what a crime is and who the typical offender is (Reiman & Leighton, 2010). The major problem is that those in power are defining laws and evaluating these crimes when in fact some of them are white-collar crime criminals. Those who are wealthy, and part of upper class tend to protect their own interests and create false accusations of who the “typical” criminal is. Even though African Americans are arrested at higher rates

than any other races, most criminals are white (Scheuerman, 2018). These racial perceptions lead to an increase in the gap of sentencing disparities that cause extralegal factor inequalities in courts when dealing with white-collar crimes and street crimes. Another reason as to why these inequalities happen, is because different states have different court systems and interpret and punish crimes differently.

However, all these negative and false ideas against the criminal justice system can be changed. By implementing policies where the government is constantly checking business and government professionals, white-collar crimes can decrease. One major policy that would help to maintain limited and control power is cross-company communication; where those in power are supervising and are being supervised to make sure that they are adhering to the laws and guidelines of their company and the criminal justice system. Another policy that would help to combat white-collar crimes and decrease the likelihood of people committing these crimes is by creating salaries based on performance of an individual rather than by the position they uphold. It is hoped that by implementing these policies our society will become more aware of less visible crimes that are harmful to society and need more attention and punishments by the criminal justice system. But first, people need to be aware of these types of crimes and become educated on signs of the typical offender and what to do when confronted with a situation dealing with a white-collar crime.

Research demonstrates that the current prosecution of white-collar crimes is not serving the goals of the criminal justice system. Because of this, some suggest that white-collar criminals should receive harsher penalties. I disagree. Instead, judges should look to issue therapeutic sentences that will help to prevent future harm, to heal

the relationship between the victim/offender, and to avoid additional penalties to offenders post-conviction. Studies show that white-collar criminals can rehabilitate and learn from their mistakes. An exemplary example is Jeff Grant, a former attorney who was previously convicted of a white-collar crime (Osnos, 2021). Fearing of being imprisoned, he attempted to commit suicide. *Id.* Thankfully, he survived and entered a drug and alcohol rehabilitation program. *Id.* Because of his conviction, he lost his marriage. *Id.* However, instead of focusing on the negative impacts of his conviction, he began volunteering in a board focused on helping formerly imprisoned people and their families. *Id.* Furthermore, he improved his life by obtaining another degree to become the minister of a ministry (Co-founded Progressive Prison Ministries, Inc.) focused on white-collar and other non-violent offenders, where “he helps them navigate their journey through the criminal justice system to new, ethical, productive, joyful lives.” *Id.* Grant is an example that using a therapeutic approach on white-collar offenders can result in a positive outcome.

References

- American Psychological Association. (n.d.). *Implicit bias*. American Psychological Association. <https://www.apa.org/topics/implicit-bias>
- Anyon, J. (1980). Social Class and the Hidden Curriculum of Work. *The Journal of Education*, 162, 67-92.
- Barnes, J. (2020, March 11). *Difference between street crime & white collar crime*. Barnes and Fersten. <https://www.johnbarneslaw.com/2020/03/11/difference-between-street-crime-white-collar-crime/>
- Clarkson, R., & Darjee, R. (2022). White-collar crime: a neglected area in forensic psychiatry?. *Psychiatry, psychology, and law : an interdisciplinary journal of the Australian and New Zealand Association of Psychiatry, Psychology and Law*, 29(6), 926–952. <https://doi.org/10.1080/13218719.2021.1995522>
- Cole, G. F., Smith, C. E., & DeJong, C. (2014). *Criminal justice in America* (7th ed.). Belmont, CA: Wadsworth.
- Cullen, F. T., Mathers, R. A., Clark, G. A., & Cullen, J. B. (1983). Public Support for Punishing White-Collar Crime: Blaming the Victim Revisited?. *Journal of Criminal Justice*, 11, 481-493.
- Daniel Luedtke, Progression in the Age of Recession: Restorative Justice and White-Collar Crime in Post-Recession America, 9 Brook. J. Corp. Fin. & Com. L. (2014). Available at: <https://brooklynworks.brooklaw.edu/bjcfcl/vol9/iss1/14>

“FBI. (2016, June 13). *What is white-collar crime, and how is the FBI combating it?*. FBI.

<https://www.fbi.gov/about/faqs/what-is-white-collar-crime-and-how-is-the-fbi-combating-it>

Feeley, D. (2006). PERSONALITY, ENVIRONMENT, AND THE CAUSES OF WHITE-COLLAR CRIME. *Law & Psychology Review*, 30, 201-213.

<https://www.proquest.com/scholarly-journals/personality-environment-causes-white-collar-crime/docview/229385578/se-2>

Flynn, J. (2023, June 15). *20 shocking white-collar crime statistics [2023]: The state of White Collar Crime in the U.S.* Zippia. <https://www.zippia.com/advice/white-collar-crime->

[statistics/#:~:text=White%2Dcollar%20crime%20research%20summary.&text=According%20to%20our%20extensive%20research,%24426%20billion%20to%20%241.7%20trillion.](https://www.zippia.com/advice/white-collar-crime-statistics/#:~:text=White%2Dcollar%20crime%20research%20summary.&text=According%20to%20our%20extensive%20research,%24426%20billion%20to%20%241.7%20trillion.)

Gabbay, Z.D. (2008). Exploring the Limits of The Restorative Justice Paradigm : Restorative Justice and White-Collar Crime.

Geis, G. (2016). *White-Collar Crime and Corporate Crime: Keynotes in Criminology and Criminal Justice Series*. New York, N.Y: Oxford University Press.

Gerson, P. (n.d.). *Less is more?: Accountability for white-collar Offenses through an Abolitionist Framework*. Stetson University. <https://www.stetson.edu/law/business-law-review/media/Gerson%20-%20Final.pdf>

Gottschalk, P. (2010). *White-Collar Criminals: Theoretical and Managerial Perspectives of Financial Crime*. New York, N.Y: Nova Science Publishers, Inc.

Holtfreter, K. (2005). Is Occupation Crime “Typical” White-Collar Crime? A Comparison of Individual and Organizational Characteristics. *Journal of Criminal Justice*, 33, 353-365.

Holtfreter, K., Slyke, S. V., Bratton, J., & Gertz, M. (2008). Public Perceptions of White-Collar Crime and Punishment. *Journal of Criminal Justice*, 36, 50-60.

Kerley, K. R., & Copes, H. (2004). The Effects of Criminal Justice Contact on Employment Stability for White-Collar and Street-Level Offenders. *International Journal of Offender Therapy and Comparative Criminology*, 48(1), 65-84.
<https://doi.org/10.1177/0306624X03256660>

Langton, L., & Piquero, N.P. (2007) Can General Strain Theory Explain White-Collar Crime? A Preliminary Investigation of the Relationship Between Strain and Select White-Collar Offenses. *Journal of Criminal Justice*, 35, 1-15.

Leighton, P., & Reiman, J. (2010). *The Rich Get Richer and the Poor Get Prison: Ideology, Class, and Criminal Justice*. (9th ed.). Boston, MA: Pearson, Allyn and Bacon.

Magobotiti, C. (2017). An assessment of life sentence without parole for people convicted of killing police officers on duty in South Africa. *Journal for Juridical Science*, 42(1). <https://doi.org/10.18820/24150517/jjs42.v1.4>

Osnos, E. (2021, August 23). *Life after white-collar crime*. The New Yorker.
<https://www.newyorker.com/magazine/2021/08/30/life-after-white-collar-crime>

Padgett, S. (2015). *Profiling the Fraudster: Removing the Mask to Prevent and Detect Fraud*. Hoboken, NJ: John Wiley & Sons, Inc.

Scheuerman, H. L. (2018). CRJU 215: Introduction to criminal justice– class notes.

Schoepfer, A., Carmichael, S., & Piquero, N.P. (2007) Do Perceptions of Punishment Vary Between White-Collar and Street Crimes?. *Journal of Criminal Justice*, 35, 151-163.

Shepherd, D., Beatty, E., Button, M. and Blackbourn, D. (2020), "The media, personal digital criminal legacies and the experience of offenders convicted of occupational fraud and corruption," *Journal of Criminological Research, Policy and Practice*, Vol. 6 No. 1, pp. 3-16. <https://doi.org/10.1108/JCRPP-05-2019-0033>

Siew, G., Ngah, K., Mustapha, J., & Ab. Hamid, K. (2020). Assessing the Efficacy of Rehabilitation Programs for White-Collar Criminals: A Case Study of the Northern States of Malaysia. *International Journal Of Social Science Research*, 2(1), 107-120.

Silver, K. (2018, December 1). *The wives of white-collar crime: Support Group aims to help families and end stigma*. ABA Journal.
https://www.abajournal.com/magazine/article/wives_white_collar_crime_support

Steffensmeier, D., Harris, C. T., & Davis-Painter, N. (2015). Gender and Arrests for Larceny, Fraud, Forgery, and Embezzlement: Conventional or Occupational Property Crime Offenders? *Journal of Criminal Justice*, 43, 205-217.

Weisburg, D., Chayet, E.F., & Waring, E.J. (1990). White-Collar Crime and Criminal Careers: Some Preliminary Findings. *Crime and Delinquency*, 36, 342-355.

Wexler, David B., Therapeutic Jurisprudence: An Overview. Thomas M. Cooley Law Review, Vol. 17, pp. 125-134, 2000, Available at
SSRN: <https://ssrn.com/abstract=256658>

Wexler, David B., Therapeutic Jurisprudence and its Application to Criminal Justice Research and Development (November 10, 2010). Irish Probation Journal, Vol. 7, p. 94, 2010, Arizona Legal Studies Discussion Paper No. 10-20, Available at
SSRN: <https://ssrn.com/abstract=1628804>

World Population Review. (n.d.). *Incarceration Rates by Country 2023*. World Population Review. <https://worldpopulationreview.com/country-rankings/incarceration-rates-by-country>