Beyond General Deterrence in White Collar Crime:
Empirical Evidence and Theoretical Perspectives*

David Weisburd
Ellen Chayet
Elin J. Waring

School of Criminal Justice
Rutgers University

Not for citation without permission

*Research for this article was supported by the National Institute of Justice (grant number 88-IJ-CX-0046, entitled "White Collar Criminal Careers: A Study of Sanctioning Effects"). The opinions expressed here are those of the authors and are not necessarily the official policies or positions of the National Institute of Justice or the Department of Justice. We wish to express special appreciation to Robyn Lincoln for her able assistance in this work.
Abstract

Interest in how sanctions influence the criminality of those who are punished has become a central concern in criminal justice policy and research. Yet deterrence in white collar crime has typically been understood in general terms, and when the effects of punishment upon the sanctioned offender have been examined, it has been in reference to corporate rather than individual violators. In this paper we examine the reasons for this emphasis upon general deterrence in the study of white collar crime punishment, and challenge commonly-held beliefs that have led to the exclusion of white collar criminals from discussion of policies of specific deterrence, incapacitation, and rehabilitation. Using a sample of offenders convicted of white collar crimes we find that white collar criminals are often repeat offenders with serious criminal records. We argue further that white collar offenders may be particularly influenced by criminal justice prosecution and sanctions. In concluding, we examine the implications of our review for criminal justice policy and future research on white collar criminal careers.
The fact that a relatively small group of high rate offenders is responsible for a substantial proportion of street crimes has led to a growing interest, both among researchers and practitioners, in the effects of sanctions upon individual criminals and, thus, upon criminal careers (e.g. see Greenwood, 1985; Blumstein et al. 1986). Whether phrased in terms of policies of selective incapacitation (Greenwood, 1982; Barnett and Lofaso, 1985), specific deterrence (Sherman and Berk, 1984), or a return to rehabilitation and "corrections" (Wilson, 1980), interest in how sanctions influence the criminality of those who are punished has become a central concern in criminal justice (Farrington, Ohlin and Wilson, 1986). This general focus however has generated little interest among scholars or policy-makers concerned with white collar crime.

Deterrence in white collar crime has typically been seen in general terms (e.g. see Stotland et al., 1980; Geis, 1984), and when the effects of punishment on the sanctioned offender have been examined it has been in reference to corporate rather than individual violators (Hopkins, 1980; Orland, 1980; Braithwaite and Geis, 1982; Geis and Clay, 1982). In this paper we examine the reasons for this emphasis upon "general deterrence"--the prevention of crimes by potential offenders--in the study of white collar crime punishment, and challenge commonly-held beliefs that have led to the exclusion of white collar criminals from discussion of policies of specific deterrence,
incapacitation, and rehabilitation. We also review the likely impact of sanctions upon white collar criminal careers, and the potential effects of crime control policies focusing on sanctioned offenders on the overall white collar crime problem.

Flawed Assumptions About White Collar Criminal Careers

Behind the neglect of punishment policies that are expected to affect sanctioned white collar criminals lies a common assumption about the nature of white collar criminal careers. Although street criminals are assumed to repeat their crimes, white collar defendants are thought to be "one-shot" criminals unlikely to be processed in the justice system after their initial brush with the law. While this assumption has little empirical support, it is deeply embedded in the thinking of researchers (see Edelhertz and Overcast, 1982) and criminal justice practitioners (e.g. see Benson, 1985; Wheeler, Mann, and Sarat 1988). Indeed, deterrence in white collar crime is often thought of only in terms of potential offenders. White collar criminals already identified by the criminal justice system are assumed to pose "little danger to public safety" and are perceived as "unlikely to have the inclination or opportunity to sin again." (Wall Street Journal 1985:31; see also Geis, 1977).

Empirical evidence, however, suggests a different picture of the criminal careers of those convicted of white collar crimes. Our analyses of data collected by Wheeler, Weisburd and Bode from a sample of defendants convicted of federal white collar crimes
be gauged from the number with either prior felony convictions or previous incarcerations. More than one in seven security fraud violators in the sample have prior felony convictions and this is the case for more than a quarter of credit fraud, false claims and mail fraud defendants. While only one in twenty-five securities violators had spent any time in jail or prison, this was true for a fifth of credit fraud, false claims and mail fraud defendants. And many of those in this latter group had served substantial periods of time behind bars.

Certainly many of the defendants identified in the Wheeler et al. study are repeat offenders who evidence serious criminality even before the felony convictions that brought them into the Wheeler et al. sample. Yet, given the fact that our findings differ so widely from conventional assumptions it is important to ask to what extent this white collar crime sample actually identifies criminals of "white collar" status.

To address this question we provide some basic demographic characteristics of the defendants in the Wheeler et al. sample in Table 2. As we would expect, these defendants are typically much older than street criminals. The average age of defendants within the crime categories examined range from 31 for bank embezzlement to 47 for tax offenders and 54 for antitrust defendants. Not only are most of the defendants in the sample employed, but a majority work in white collar occupations. Indeed, a significant number of these defendants are officers or owners of their companies. This is the case for only 16% of bank
drawn from seven major judicial districts during the late 1970s (hereafter referred to as the Wheeler et al. sample) reveals that white collar criminals often are repeat, and frequently serious, offenders.¹

Table 1 provides a general summary of the criminal histories of offenders within each of the statutory categories in the Wheeler et al. study. Of the eight white collar crimes examined, only in the antitrust category, which accounts for a very small proportion of the sample, do offenders fit traditional stereotypes of white collar criminals. For every other offense, ranging from mail frauds to securities violations, a substantial number of defendants have prior criminal records. Even in the case of bank embezzlement, where one might expect barriers to subsequent employment in a bank for those with prior records to reduce the number of repeat embezzlers, almost one-third of the defendants have prior arrests.

Many defendants evidence multiple prior arrests. In the case of credit fraud, false claims and mail fraud violators about four in ten defendants have two or more prior arrests, and about three in ten have four or more prior arrests. A substantial proportion of offenders in every crime category with the exception of antitrust, also have prior convictions. The proportion ranges from a low of twenty-two percent for bank embezzlers to a high of forty-six percent for credit fraud defendants.

The seriousness of the prior records of these defendants may
embezzlers and false claims defendants, but for about a third of
tax fraud, bribery and credit fraud defendants.

These statistics suggest that the defendants in the sample
are drawn from a very different population from that which is
responsible for most street crime. Nonetheless, because we are
looking at offenders prosecuted within particular white collar
crime categories, the sample includes many defendants who may not
fit within more restrictive definitions of white collar crime
that focus on elite social status or position. If, following
Katz (1979), we restrict our criminal history analysis to those
defendants who worked within a bourgeois profession (such as
doctors, lawyers or accountants), who had positions as officers
or managers, or who were owners of substantial capital (and who
used their occupation to commit their crimes) approximately two-
thirds of the sample would be eliminated. Even restricting our
sample in this way over a quarter are reported to have criminal
records (see Table 3). Ten percent report prior felony
convictions, and six percent have prior records of incarceration.

The Effects of Sanctions on White Collar Criminal Careers

Now that we have established that white collar criminals are
often repeat offenders, we need to ask whether we would expect
sanctions to have any effect on these criminals. While we will
draw from an ongoing research effort on criminal careers of white
collar offenders in examining this question, our discussion is by
necessity drawn principally from theory rather than empirical.
data. Below we examine potential consequences of punishment in terms of perspectives on deterrence, incapacitation and rehabilitation.

It is generally assumed that deterrence will be more powerful for those individuals who have greater economic or personal success, and thus much more to lose in the sanctioning process (Geis, 1977; Benson and Cullen, 1988). As Zimring and Hawkins note, "success determines the amount of investment in society an individual puts at risk when committing a threatened behavior" (1973:128). Braithwaite and Geis argue that it is because white collar criminals have relatively far to fall that sanctions will loom larger for them than more "traditional" criminals (1982). Their established reputations and material possessions make them particularly susceptible to sanction threats. Moreover, their crimes are generally assumed to be instrumental, rather than expressive (see Chambliss, 1984), and thus we might expect that white collar criminals are more likely to consider the costs of punishment when they contemplate crime (see Geis, 1984).

These assumptions are usually made in reference to the general deterrent effects of white collar crime punishment. But, they also have relevance for special or specific deterrence (see Zimring and Hawkins, 1973:226). White collar offenders often do not see themselves as "criminals," and may minimize the seriousness of their crimes (see Braithwaite and Geis, 1982; Meier and Geis, 1982). Accordingly, they may believe that they
are really not deserving of punishment and thus unlikely to be caught within the criminal justice web or, if caught, are unlikely to receive very harsh punishment. They may expect that their positions in society will insulate them from the legal process or serious criminal justice sanctions. In this sense, the reality of sanctioning may be a "moral eye opener" for the white collar criminal (see Andenaes, 1974), forcing him or her to accept the criminal label and leading to a reassessment of the costs of criminality.

In contrast to the case of street criminals, where contact with the criminal justice system is assumed to generate little stigma from peers, for white collar offenders such contact and, in particular conviction, may result in negative social reactions among friends, families and work associates. Braithwaite and Geis (1982) suggest that the shame and humiliation that result from such reactions contributes to a white collar crime defendant's fears of future sanctions and thus leads to an unwillingness to reoffend. In this sense, we might expect that the imposition of the most punitive criminal justice sanctions, such as imprisonment, would produce so much personal suffering that punished white collar offenders would avoid behaviors that might lead again to such sanctions.

Taking a different view, Andenaes (1974) argues that if stigma is the actual deterrent for criminals, increasing the severity of punishment will not enhance its crime prevention value. Indeed the stigma of the criminal label may serve to
weaken the deterrent threat because once prestige and status are lost, they may be difficult to re-establish. And, once the cost of illicit behavior has been minimized, recidivism may be more likely. The white collar offender may be relatively free to commit future acts, not fearing the social consequences. We already have some evidence of this process in our follow-up study. For example, one 40 year old bank officer convicted for bank embezzlement but who had no prior arrests at the time of the Wheeler et al. study subsequently was convicted of two street crimes: assault and drug sales. We might speculate that the change in life circumstances caused by this offender's experience with the justice system had some role in reducing the perceived costs of such common crime offenses.

Overall, these latter perspectives do not imply that specific deterrence will not work in white collar crime punishment, but rather that the relationship between deterrence and sanctioning is a complex one. In particular, the simple assumption that there will be a linear relationship between the seriousness of sanctioning and specific deterrence (e.g. see Cook, 1980) appears unwarranted for white collar criminals. In this regard one recent review implies that the most severe criminal justice sanctions will not affect the subsequent criminality of white collar offenders. Benson and Cullen (1988) argue that the white collar offender may adjust relatively well to the prison environment, suggesting that the deterrent value of imprisonment may decline once offenders realize that the prison
environment is "not as bad as they thought."

Like the potential benefits of specific deterrence, the incapacitative consequences of white collar crime punishment are not straightforward. Although, most street crime offenders cannot reoffend (at least against the public) while incarcerated, a number of white collar crimes may be perpetrated even from a penitentiary. For example, one offender in the Wheeler et al. sample submitted false tax returns while a resident of a federal prison. Although many offenses cannot be carried out without the opportunities for white collar crime provided by legitimate occupations, frauds that rely on paper rather than personal interactions make the incapacitative effects of incarceration much less effective for white collar crime than common crime defendants.

There are of course other "incapacitative" effects of punishment beyond that provided by imprisonment. In particular, loss or changes in employment may reduce opportunities for engaging in white collar offenses. Such sanctions may come directly from the criminal justice system in the form of restrictions on future work; from governmental agencies such as the Securities and Exchange Commission in the form of revocation of licenses; from private administrative bodies such as legal and medical associations that are empowered to regulate professional certification; or, more informally, through the firing of defendants or unwillingness to hire those with a criminal record. In fact, it may be that collateral consequences of involvement in
the sanctioning process such as loss of job or community standing provide a major incapacitative effect for white collar criminals. Certainly, the inability to enter certain professions or to gain certain types of employment seriously constrains a white collar criminal's ability to commit similar white collar crimes in the future. Of course, such limitations in legitimate opportunities may, as with specific deterrence, lead to a "backfire" effect.  

Rehabilitation, in contrast to incapacitation and specific deterrence, has declined in importance as a punishment goal in recent years. It is generally assumed that rehabilitation is too difficult to achieve through criminal justice sanctions or treatments (see Martinson, 1974; Lipton, Martinson, and Wilks, 1975), though some have argued that the problem is one of implementation and methodology rather than the actual impact of such strategies (Murray and Cox, 1979; Wilson, 1980). A number of rehabilitation strategies, such as those that try to improve the basic skills of street criminals, are not applicable to the vast majority of white collar criminals, though in some of the cases in the Wheeler et al. study judges recommended financial counseling or substance and gambling abuse programs. We might speculate that precisely because white collar offenders often do not see themselves as "criminals" or their behaviors as "real crimes," rehabilitative efforts may be particularly appropriate for them. In this sense, the "moral eye opener" of punishment referred to by Andenaes (1974) may help the offender to come to redefine white collar crime as morally wrong behavior and thus
prevent future law violations.

Punishment Policies and the Overall White Collar Crime Problem

We believe that the theoretical issues reviewed above suggest the importance of examining the effects of punishment on recidivism in white collar crime. But of course, the relative benefits of any of these strategies depends in part on the relative contribution of convicted offenders to the overall white collar crime problem. Surely, all else being equal, we want to prevent offenders from committing future crimes. Nevertheless, if sanctioning strategies do not have a significant impact upon the overall white collar crime problem, costs of implementation may outweigh their potential benefits.

The salience of punishment policies with a goal of preventing future offending may be linked to the development of the concept of the "career criminal" or "repeat offender" (see Blumstein et al. 1982; Blumstein et al. 1986). The modification of criminal careers, like the question of the incapacitation benefits of imprisonment, becomes much more significant if a small group of offenders responsible for a large proportion of the crime problem can be identified for criminal justice intervention. In turn, if the offenders are "high rate" criminals, it becomes likely that they will eventually fall within the net of criminal justice policy. Such career criminals are indeed assumed to account for a disproportionate share both of detected and undetected criminality in the case of street
crime (Chaiken and Chaiken, 1982). But can we apply a similar logic to white collar criminality?

One method used to identify the impact of repeat offenders on crime generally is to examine the proportion of the total crimes committed (by a sample of offenders) that may be attributed to high rate criminals. For example, Tillman (1987) in a recent study reports that chronic offenders (those with three or more arrests) account for almost 30% of California arrestees, and are responsible for 67% of that group's total arrests over a 12 year period. Looking at the Wheeler et al. sample, we find that the proportion of chronic offenders is similar (31%) and accounts for an even larger proportion (69%) of the total arrests of the group. The comparison here most probably overstates the number of chronic offenders among white collar crime arrestees, since this sample is not based on a specific age cohort and includes only convicted defendants. Nonetheless, these data lead us to speculate that concepts of career criminality and chronic offending may indeed be applicable to white collar crime samples.

These comparisons are complicated by the fact that the meaning of arrest for a white collar crime is often different than that for a street crime. This derives in part from the special nature of processing of white collar criminals in the legal system. Prosecutors, not the police, are usually the primary investigators (Katz, 1979), and white collar offenders are often "arrested" much later in the investigative process than
are street criminals, since their crimes are many times difficult to unravel and seldom have the advantage of identifiable victims (Braithwaite and Geis, 1982). Such offenders may not be arrested at all if prosecutors decide to use the myriad of civil actions that sometimes replace criminal prosecutions in white collar crime (Mann, 1989). We thus might expect greater underreporting of criminality for white collar criminals than for others.

This problem is exacerbated by the fact that white collar crimes may take place over months or even years. For example, a land scheme that continued over several years in Florida only produced one arrest, but it is certainly not comparable to a single theft or mugging. Even accounting for the fact that white collar crimes prosecuted in the federal courts seldom approximate the spectacular offenses reported in the popular press, they generally represent more complicated and longer-lived crimes than the average street offense (Wheeler et al, 1988). In this sense, we might expect that white collar criminal careers will include large gaps between officially reported offenses. But this does not necessarily imply that such offenders are inactive in those periods. Thus, while official data in white collar crime may include greater underreporting of criminality than that found in street crime, each reported offense may represent a much more important portion of a criminal career.

Our discussion of repeat criminality has so far assumed that white collar criminals will generally specialize in white collar type crimes. Though the precise form of criminal careers of
white collar offenders cannot be analyzed using the Wheeler et al. data, we can examine whether offenders had some white collar criminality in their pasts. Focusing upon the chronic offenders in the sample, we find that about one-third are reported to have prior white collar crime arrests (see Table 4). Interestingly, only in the case of securities violators had more than half of the "chronic" offenders been arrested for prior white collar crime violations. These data do not allow us to disentangle the complicated issues relating to specialization, but they do support Hirschi and Gottfredson's (1987) view that the distinction between white collar and common crime offending may not be as great as is often believed. At the same time, it may be more accurate to say that there are various types of criminal careers for those involved in white collar crime. For some, like many securities violators, special skills and opportunities may lead to concentration in one type of offending. For others, white collar crime, often of a relatively trivial type,\textsuperscript{11} represents only one part of a mixed bag of criminal activities.

Our follow-up of the Wheeler et al. study provides some preliminary evidence both of the mixed nature of many criminal careers as well as examples of specialization in white collar crime among some offenders. For example one defendant convicted of bank embezzlement, also has a long rap sheet (23 arrests) for such offenses as theft, grand larceny, bad checks and gun possession. Another, providing an example of a career white collar criminal had 11 arrests in 14 years, 6 of them for stock
frauds, 4 for mail or wire frauds, and one bad check arrest.

Clearly, the impact of punishment strategies on the overall white collar crime problem is somewhat limited by the fact that many of those repeat offenders convicted of white collar crimes do not have specialized criminal careers. But even if we identify those who are likely to commit white collar crimes in the future, it is very difficult to estimate what impact sanctioning them will have on the white collar crime rate.

In studies of common crime there are fairly well-developed estimates of the relationship between arrest rates and the true incidence of offending. Similar estimates do not exist for white collar criminality. In part this results from the fact that the prosecution of many offenses demand special investigative effort. But the lack of such estimates is also linked to the nature of white collar crimes, especially because victims are often unaware that crimes have been committed. Overall, it is generally assumed that there is a vast reservoir of undiscovered and unreported white collar crime and that white collar crime is more likely to be unreported than are common crime offenses (see Braithwaite, 1985). But at the same time, there is some evidence that more serious white collar crimes are more likely to become the focus of prosecution efforts, and are also the more likely to be the subject of criminal as opposed to civil prosecutions (see Shapiro, 1988). If this is true, a policy directed at criminally prosecuted defendants may, at the very least, identify those defendants responsible for the most serious white collar crime
violations.

Future Directions for Research and Policy

It is generally assumed that those who commit white collar crimes are "one-shot" criminals. We find in a sample of offenders convicted of federal white collar crimes that white collar criminals are often repeat offenders with serious criminal records. We believe that this fact undermines the assumptions that have allowed the exclusion of white collar crime from studies of criminal careers and the effects of sanctions on recidivism.

Our review also suggests that white collar offenders may be particularly influenced by criminal justice prosecution or sanctions. And this implies that utilitarian sentencing policies should take into account the potential for interrupting the criminal careers of such offenders. At the same time, it is unclear what benefit such strategies will have in terms of the overall white collar crime problem. Certainly, there is to date insufficient evidence either in regard to specialization in white collar crime or the relationship between reported and unreported crime to support costly punishment policies, like incarceration, that have moved to the center of crime control policy debates.
Notes

1. For previous treatments of this body of data see Wheeler, Weisburd and Bode, 1982; Wheeler, Weisburd, Waring and Bode, 1988; and Weisburd, Wheeler, Waring and Bode, forth. The sample contains defendants convicted under federal antitrust, securities, false claims and statements, mail and wire fraud, bribery, lending and credit fraud, tax fraud and bank embezzlement statutes. The subsample presented in this analysis is limited to individuals convicted in seven federal judicial districts (Southern New York, Central California, Maryland, Western Washington, Northern Illinois, Northern Texas, and Northern Georgia). No more than thirty individuals were chosen for each district/offense combination. As a result, the figures for the whole sample underrepresent crimes that appear relatively frequently, such as tax violations, and overrepresents rare crimes such as antitrust.

Collection of the Wheeler et al. data set was funded by a grant from the National Institute of Justice. The analysis and interpretations presented here do not necessarily reflect the official policies or positions of the National Institute of Justice and do not necessarily represent the views of the original researchers.

2. Prior to the offense which led to their inclusion in the Wheeler et al. study.

3. We operationalized this by identifying those people who had at least one of the following characteristics: an occupational title of doctor, judge, lawyer, accountant or clergyman; a social class of manager, owner or officer; and assets of at least $500,000. The management class includes government managers and inspectors. Three hundred seventy of the individuals fit this definition of white collar social class. Again following Katz, those who did not use their occupations to commit their offenses were then eliminated, leaving 319 offenders in the sample.

4. While they make their remarks are in the context of a discussion of general deterrence, Zimring and Hawkins note their relevance for specific (or "special") deterrence. Specific deterrence also considers "the fact that apprehension and punishment may affect the offender's attitudes to both crime and the threat of punishment." (Zimring and Hawkins, 1973: 226).

5. Note, however that Braithwaite (1988) argues in a later work that if shame is not followed by reintegration and acceptance, and instead leads to stigmatization, increased criminality may be the result.
6. Zimring and Hawkins also suggest that the general deterrence potential for social stigma might act as a substantial element of the threat of punishment, independent of legal threats (1973; see also Gibbs, 1975).

7. However, Braithwaite and Geis (1982) argue that a criminal identity, with implications for "secondary deviance," does not result from punishment of white collar offenders since "[t]hey are likely to regard themselves as unfairly maligned pillars of respectability, and no amount of stigmatization is apt to convince them otherwise" (195).

8. While incapacitation is generally viewed in terms of incarceration, it can be used to refer to other restraints that reduce the criminal's opportunities to commit crime (see Clear and O'Leary, 1983).

9. For example, if an offender is cut off from legitimate opportunities in their given profession he or she might be much more willing to engage in crime.

10. In calculating these statistics we include the conviction that led to inclusion in the Wheeler et al. sample.

11. Such as lying on credit card applications.
Table 1

Prior Criminal Records of White Collar Offenders, By Statutory Offense
(From the Wheeler et al. Sample)

<table>
<thead>
<tr>
<th></th>
<th>Antitrust</th>
<th>Securities Fraud</th>
<th>Tax</th>
<th>Bribery</th>
<th>Credit Fraud</th>
<th>False Claims</th>
<th>Mail Fraud</th>
<th>Bank Embezzlement</th>
<th>Whole Sample</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percent With Any</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prior Arrests</td>
<td>3%</td>
<td>32%</td>
<td>47%</td>
<td>23%</td>
<td>55%</td>
<td>56%</td>
<td>54%</td>
<td>29%</td>
<td>43%</td>
</tr>
<tr>
<td>Percent With Any</td>
<td>0%</td>
<td>26%</td>
<td>37%</td>
<td>19%</td>
<td>46%</td>
<td>45%</td>
<td>41%</td>
<td>22%</td>
<td>34%</td>
</tr>
<tr>
<td>Prior Convictions</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Percent With 2 or</td>
<td>0%</td>
<td>11%</td>
<td>29%</td>
<td>13%</td>
<td>42%</td>
<td>40%</td>
<td>37%</td>
<td>13%</td>
<td>28%</td>
</tr>
<tr>
<td>More Prior Arrests</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Percent With 4 or</td>
<td>0%</td>
<td>2%</td>
<td>25%</td>
<td>8%</td>
<td>29%</td>
<td>28%</td>
<td>27%</td>
<td>6%</td>
<td>12%</td>
</tr>
<tr>
<td>More Prior Arrests</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Percent With Prior</td>
<td>0%</td>
<td>15%</td>
<td>23%</td>
<td>9%</td>
<td>29%</td>
<td>31%</td>
<td>29%</td>
<td>11%</td>
<td>21%</td>
</tr>
<tr>
<td>Felony Convictions</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Percent Previously</td>
<td>0%</td>
<td>4%</td>
<td>14%</td>
<td>6%</td>
<td>25%</td>
<td>22%</td>
<td>23%</td>
<td>7%</td>
<td>15%</td>
</tr>
<tr>
<td>Incarcerated</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Of Those Previously</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Incarcerated</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Percent Serving</td>
<td>n/a</td>
<td>33%</td>
<td>61%</td>
<td>60%</td>
<td>63%</td>
<td>63%</td>
<td>63%</td>
<td>33%</td>
<td>60%</td>
</tr>
<tr>
<td>More Than 6 Months</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Percent Serving</td>
<td>n/a</td>
<td>33%</td>
<td>57%</td>
<td>60%</td>
<td>47%</td>
<td>50%</td>
<td>61%</td>
<td>25%</td>
<td>52%</td>
</tr>
<tr>
<td>More Than 1 Year</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>N of Cases*</td>
<td>27</td>
<td>65</td>
<td>210</td>
<td>84</td>
<td>157</td>
<td>157</td>
<td>189</td>
<td>201</td>
<td>1090</td>
</tr>
</tbody>
</table>

*This is the maximum number of cases used. Specific statistics are calculated on at least 90% of the cases.
<table>
<thead>
<tr>
<th></th>
<th>Antitrust</th>
<th>Securities Fraud</th>
<th>Tax</th>
<th>Bribery</th>
<th>Credit Fraud</th>
<th>False Claims</th>
<th>Mail Fraud</th>
<th>Bank Embezzlement</th>
<th>Whole Sample</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percent White</td>
<td>100%</td>
<td>100%</td>
<td>87%</td>
<td>83%</td>
<td>72%</td>
<td>62%</td>
<td>77%</td>
<td>74%</td>
<td>78%</td>
</tr>
<tr>
<td>Percent Male</td>
<td>100%</td>
<td>97%</td>
<td>94%</td>
<td>95%</td>
<td>85%</td>
<td>85%</td>
<td>82%</td>
<td>55%</td>
<td>83%</td>
</tr>
<tr>
<td>Mean Age</td>
<td>54</td>
<td>44</td>
<td>47</td>
<td>45</td>
<td>38</td>
<td>39</td>
<td>38</td>
<td>31</td>
<td>40</td>
</tr>
<tr>
<td>Percent Unemployed</td>
<td>0%</td>
<td>0%</td>
<td>12%</td>
<td>18%</td>
<td>24%</td>
<td>25%</td>
<td>25%</td>
<td>3%</td>
<td>8%</td>
</tr>
<tr>
<td>Percent Owners or Officers</td>
<td>74%</td>
<td>69%</td>
<td>33%</td>
<td>37%</td>
<td>32%</td>
<td>16%</td>
<td>28%</td>
<td>16%</td>
<td>30%</td>
</tr>
<tr>
<td>Percent Employed Workers (Non-managers)</td>
<td>0%</td>
<td>17%</td>
<td>27%</td>
<td>17%</td>
<td>30%</td>
<td>38%</td>
<td>32%</td>
<td>71%</td>
<td>36%</td>
</tr>
<tr>
<td>Percent in White Collar Occupations</td>
<td>100%</td>
<td>97%</td>
<td>74%</td>
<td>77%</td>
<td>67%</td>
<td>66%</td>
<td>65%</td>
<td>96%</td>
<td>78%</td>
</tr>
<tr>
<td>N of Cases*</td>
<td>27</td>
<td>65</td>
<td>210</td>
<td>84</td>
<td>157</td>
<td>157</td>
<td>189</td>
<td>201</td>
<td>1090</td>
</tr>
</tbody>
</table>

*This is the maximum number of cases used. Specific statistics are calculated using at least 90% of the cases.
Table 3

Prior Criminal Records of A Sample
Restricted to High Status
White Collar Offenders

(From the Wheeler et al. Sample)

<table>
<thead>
<tr>
<th>Percent of Restricted Sample</th>
<th>N of Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percent With Any Prior Arrests</td>
<td>28%</td>
</tr>
<tr>
<td>Percent With Any Prior Convictions</td>
<td>22%</td>
</tr>
<tr>
<td>Percent With 2 or More Prior Arrests</td>
<td>13%</td>
</tr>
<tr>
<td>Percent With Prior Felony Convictions</td>
<td>10%</td>
</tr>
<tr>
<td>Percent Previously Incarcerated</td>
<td>6%</td>
</tr>
</tbody>
</table>
Table 4
Percent of Chronic Offenders With at Least 1 Prior White Collar Crime, By Statutory Offense
(From the Wheeler et al. Sample)

<table>
<thead>
<tr>
<th></th>
<th>Antitrust</th>
<th>Securities Fraud</th>
<th>Tax</th>
<th>Bribery</th>
<th>Credit Fraud</th>
<th>False Claims</th>
<th>Mail Fraud</th>
<th>Bank Embezzlement</th>
<th>Whole Sample</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percent With Any</td>
<td>n/a</td>
<td>57%</td>
<td>25%</td>
<td>20%</td>
<td>39%</td>
<td>20%</td>
<td>46%</td>
<td>23%</td>
<td>34%</td>
</tr>
<tr>
<td>Known Prior Arrest</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>for a White Collar</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Crime</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>N of Cases</td>
<td>0</td>
<td>65</td>
<td>210</td>
<td>84</td>
<td>157</td>
<td>157</td>
<td>189</td>
<td>201</td>
<td>295</td>
</tr>
</tbody>
</table>
REFERENCES


presented to the School of Criminal Justice, Rutgers the State University of New Jersey, February 22.


