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Bureau of Justice Statistics Special Report

Tracking Offenders: White-Collar Crime

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In 1983 the white-collar crimes of forgery/counterfeiting, fraud, and embezzlement accounted for 6% of the almost 459,000 dispositions of felony arrests in nine jurisdictions reporting Offender-Based Transaction Statistics. Just over half of the 28,012 white-collar dispositions were for forgery/counterfeiting; 38% were for fraud; and 8% were for embezzlement.

Other findings include:

- Of those arrested for white-collar felonies, 88% were prosecuted—a somewhat higher proportion than those arrested for felonies involving property crimes (86%), violent crimes (82%), or public-order crimes (81%).
- Those arrested for white-collar crimes who were subsequently prosecuted were convicted 74% of the time—a slightly lower rate than for property crimes (76%), but higher than for violent crimes (66%) or public-order crimes (67%).
- Three-fifths (60%) of those arrested for white-collar crimes who were later convicted were sentenced to incarceration—a smaller proportion than violent (67%) and property (65%) offenders, but a higher proportion than public-order offenders (55%).
- Those convicted after arrest for white-collar crimes were much less likely to be sentenced to incarceration for more than a year (18%) than were

White-collar crime—what is it? Who commits it? What happens to people arrested for it? How are they treated by the criminal justice system compared to those arrested for other types of crime? This report, based on 28,000 white-collar felony cases from eight States and one territory, provides initial answers to these questions. The data were submitted as part of the Offender-Based Transaction Statistics program. As this report indicates, OBTS can be a powerful tool for informing policymakers and law enforcement officials addressing current problems in criminal justice. Efforts are currently underway to expand OBTS coverage to additional States. We gratefully acknowledge the voluntary efforts of those States already contributing to this increasingly rich data series.

Steven R. Schlesinger
Director

violent offenders (39%) or property offenders (26%).

- Females were a much higher proportion of those arrested for white-collar crimes than for other types of crimes.
- Almost half of those arrested for white-collar felonies were at least 30 years old, making them older on average than violent and property offenders

and about the same age as public-order offenders.

Offender-Based Transaction Statistics

The data for this report were obtained from the Offender-Based Transactions Statistics (OBTS) program. OBTS gathers information from participating States on felony dispositions for a given year. An OBTS record consists of selected facts about those arrested for felonies and about the subsequent actions taken by the police, prosecutors, and courts. The program is designed to collect information tracking adult offenders from the point of entry into a State's criminal justice system through final disposition. Such a final disposition may be a dismissal of charges by police or prosecution or a court disposition such as a dismissal, acquittal, or conviction and sentencing.

Unlike other statistical series such as the Uniform Crime Reports (UCR) or the National Crime Survey, OBTS focuses on what happens to an individual after arrest, through the various stages of a State's criminal justice system. Also, OBTS collects data only on felony arrests; arrests for misdemeanors are not tracked.

For calendar year 1983, eight States (California, Minnesota, Nebraska, New York, Ohio, Pennsylvania, Utah, and Virginia) and the Virgin Islands provided OBTS data. These jurisdictions account for approximately 34% of the Nation's population and an equal percentage of all UCR Index crimes reported for 1983. Because the participating juris-

dictions are not necessarily representative of the entire Nation, caution should be used in interpreting the data.

What is white-collar crime?

White-collar crime is not an official legal crime category. Individuals are arrested and prosecuted for specific crimes such as forgery, fraud, or embezzlement. The term "white-collar crime" is, rather, an analytic category that identifies several specific crimes with common characteristics and distinguishes them from other crime types, such as violent, property and public-order crimes.

The **Dictionary of Criminal Justice Data Terminology** defines white-collar crime as "nonviolent crime for financial gain committed by means of deception by persons whose occupational status is entrepreneurial, professional or semi-professional and utilizing their special occupational skills and opportunities; also, nonviolent crime for financial gain utilizing deception and committed by anyone having special technical and professional knowledge of business and government, irrespective of the person's occupation."¹

This definition includes both the nature of the offense and the occupational status or special knowledge of the offender. However, the **Dictionary** adds that "in current criminal justice usage of the term, the focus of the meaning has shifted to the nature of the crime instead of the persons or occupations."

Given this usage and the fact that OBTS data do not include information on the occupational status or knowledge of the offender, white-collar crime in this report is defined simply as "nonviolent crime for financial gain committed by means of deception."

The main categories of crimes reported to OBTS that meet this definition are forgery/counterfeiting, fraud, and embezzlement, all of which are nonviolent crimes that utilize deception for financial gain. These crimes are generally prosecuted in State courts. Other crimes, such as mail fraud and Internal Revenue Service code violations, which meet the definition of white-collar crime, are Federal crimes and therefore are not prosecuted at the State level.²

¹Second Edition, Bureau of Justice Statistics, NCJ-76939 (Washington, D.C.: U.S. Department of Justice, 1981), p. 215.

²A separate BJS report on Federal white-collar crimes utilizing a different data series is currently in preparation.

	Number of dispositions	Percent of dispositions with arrest offense of:				
		All crimes	White-collar crimes	Violent crimes	Property crimes	Public-order crimes
Total	458,901	100%	6%	25%	38%	31%
California	194,174	100	6	22	38	35
Minnesota	10,276	100	14	17	47	22
Nebraska	2,498	100	18	21	35	26
New York	125,180	100	3	33	39	25
Ohio	4,288	100	11	7	52	30
Pennsylvania	85,826	100	6	27	34	33
Utah	7,938	100	3	8	27	62
Virginia	28,145	100	16	20	43	21
Virgin Islands	576	100	5	30	19	47

Note: Numbers may not add to total because of rounding.

OBTS data are submitted in accordance with the nearly 400 crime classifications established by the FBI's National Crime Information Center (NCIC). The States submitting data determine the appropriate classifications for their reported dispositions. Subsequently, these data are merged into the NCIC's 44 major crime categories. In this study these categories were aggregated into four basic crime types:

White-collar crime—forgery/counterfeiting, fraud, and embezzlement.

Violent crime—homicide, kidnaping, rape and sexual assault, robbery, aggravated and simple assault, and other violent crimes.

Property crime—burglary, larceny/theft, motor vehicle theft, arson, stolen property, and other property offenses.

Public-order crime—the remaining NCIC categories, including nonviolent sexual offenses, commercialized vice, drug offenses, disorderly conduct, and weapons offenses.

Treatment of white-collar crime

In 1983 white-collar crime accounted for 6% of the 458,901 dispositions of felony arrests in the nine jurisdictions reporting OBTS data (table 1). This figure ranged from 3% in New York and Utah to 18% in Nebraska. Compared to other types of crime, white-collar crimes represented the smallest proportion of total OBTS dispositions in all but one of the States. Property crimes accounted for the largest proportion of felony dispositions in seven of the States.

Forgery/counterfeiting accounted for 54% of the 28,012 white-collar felony dispositions (table 2). For three-fourths of these the actual type of forgery was not reported by the participating States. Fraud constituted 38% of the white-collar dispositions, insufficient funds being the most common

type specified. Embezzlement made up the remaining 8% of white-collar dispositions.

In general, white-collar crimes do not appear to have been treated differently than other types of crime by the criminal justice systems in these

	White-collar dispositions	
	Number	Percent
Total	28,012	100%
Forgery/counterfeiting	15,017	54%
Forgery (type unspecified)	10,964	39
Possession of a forged document	1,590	6
Check forgery	880	3
Counterfeiting (type unspecified)	617	2
Passing a forged document	541	2
Document forgery	380	1
Possession of tools for forgery or counterfeiting	19	-
Passing a counterfeit document	12	-
Transporting a forged document	8	-
Counterfeiting a document	4	-
Possession of a counterfeit document	2	-
Fraud	10,761	38%
Check fraud/insufficient funds	4,573	16
Type unspecified	3,645	13
Swindling	963	3
Fraud due to a false statement	804	3
Illegal use of a credit card	394	1
Fraud by impersonation	370	1
Fraud by wire	10	-
Mail fraud	1	-
Fraud by confidence game	1	-
Embezzlement	2,234	8%
Type unspecified	2,157	8
Embezzlement of public property	52	-
Embezzlement of business property	25	-

Note: Based on eight States and one territory; see table 1.
- Less than .5%

States. A high proportion of all felony arrests (84%) resulted in prosecution (table 3). The prosecution rate for those arrested for white-collar crimes (88%) was slightly higher and exceeded the rates for violent crimes (82%), property crimes (86%), and public-order offenses (81%).

The conviction rate for those arrested for white-collar crimes was not substantially different from that for other types of crimes:

Arrest offense	Percent of prosecutions resulting in convictions
All	71%
White-collar	74
Violent	66
Property	76
Public-order	67

About 62% of all convictions resulted in incarceration (table 4). Among white-collar crimes this rate was 60%. The highest rates of incarceration were for those convicted after arrest for violent and property crimes (67% and 65%); the lowest rate of incarceration was for those convicted after arrest for public-order offenses (55%).

Of all those convicted after a felony arrest, 26% were sentenced to more than 1 year in prison. Those convicted after arrest for violent crimes were the most likely to be sentenced to prison for more than 1 year (39%); white-collar and public-order offenders were the least likely (18%).

White-collar crimes, then, were prosecuted and resulted in convictions about as often as, or more often than, other felonies. Those convicted after arrest for white-collar crimes were sentenced to incarceration at a rate similar to the average for all offenders, but somewhat less than for violent and property offenders; and they received sentence lengths of more than 1 year much less often than either violent or property offenders, but about as often as public-order offenders.

Demographic characteristics

Of all those arrested for felonies in the reporting States, the vast majority were male (85%), 60% were white, and 63% were under 30 years old (table 5). Those arrested for white-collar crimes had a similar racial breakdown, but a different pattern for sex and age. Females were a much higher proportion of those arrested for white-collar crimes (34%) than for other types of crimes; and offenders at least 30 years old were a higher proportion of those

Table 3. Outcomes of felony arrests, by crime type, 1983

	Percent of felony arrests for:				
	All crimes	White-collar crimes	Violent crimes	Property crimes	Public-order crimes
All arrests	100%	100%	100%	100%	100%
Was arrest prosecuted?					
No	16	12	18	14	19
Yes	84	88	82	86	81
Did prosecution result in conviction?					
No	25	23	28	21	27
Yes	59	65	54	65	55
Conviction resulted in sentence of:					
Probation	12	17	10	12	12
Other non-incarceration	11	9	8	10	13
Incarceration	37	39	36	43	30
1 year or less	22	27	15	26	20
More than 1 year	15	12	21	17	10

Note: Numbers may not add to total because of rounding. Data are based on eight States and one territory; see table 1.

Table 4. Sentences imposed by arrest offense, 1983

Sentence imposed	Arrest offense				
	All crimes	White-collar crimes	Violent crimes	Property crimes	Public-order crimes
All sentences	100%	100%	100%	100%	100%
Probation	20%	26%	18%	19%	21%
Other non-incarceration	18%	14%	16%	16%	24%
Incarceration	62%	60%	67%	65%	55%
1 year or less	36	42	28	40	37
More than 1 year	26	18	39	26	18

Note: Numbers may not add to total because of rounding. Data are based on 8 States and 1 territory; see table 1. All arrest offenses are felonies, but convictions may include misdemeanors.

Table 5. Offender characteristics by crime type, 1983

Characteristics	Percent of individuals				
	All crimes	White-collar crimes	Violent crimes	Property crimes	Public-order crimes
Persons arrested					
Sex					
Male	85%	61%	89%	86%	86%
Female	13	34	9	13	13
Race					
White	60%	61%	47%	61%	67%
Black	36	30	49	35	30
Other	1	1	1	1	-
Age					
Less than 20 years old	11%	6%	11%	16%	7%
20-29	52	49	54	54	50
30-39	23	30	22	20	25
40 or more	14	15	12	10	18
Persons convicted					
Sex					
Male	86%	62%	91%	87%	87%
Female	13	37	8	13	12
Race					
White	62%	64%	50%	63%	69%
Black	35	32	47	34	28
Other	1	1	1	1	1
Age					
Less than 20 years old	12%	6%	12%	17%	7%
20-29	53	52	55	54	51
30-39	22	29	22	20	25
40 or more	12	13	11	9	17

Note: Numbers may not add to total because of rounding and missing data. Data are based on eight States and one territory; see table 1. - Less than .5%.

arrested for white-collar (45%) and public-order offenses (43%) than of those arrested for violent crimes (34%) or property crimes (30%).

The demographic patterns for convicted offenders were quite similar to the patterns for those arrested.

Methodology

OBTS data are based on the year of final disposition, not on the year of arrest. Data for 1983 represent arrests that may have occurred in previous years. A final disposition refers to either a decision not to prosecute or a trial court finding, not to any subsequent judicial appeal that may have occurred. Also, OBTS data show the sentence imposed, not the actual time served in prison or jail.

OBTS standards allow the States to submit data on the offender (including age, race, sex, and ethnic origin), the arrest (including arresting agency, date of arrest, arrest offense, and date and type of police disposition), prosecutor or grand jury action, court activities (court dates, disposition offense if different from charge offense, type of court, type of trial, type of counsel, and final plea), the judicial decision, and the sentence imposed if convicted.

These standards, however, are flexible, permitting the States to submit minimal data (age of offender, arrest date and charge, court-disposed offense and date, judicial decision, and sentencing data). Thus the research potential of OBTS data depends upon the comprehensiveness of State submissions and the number of States reporting. No assumption is made here that the data presented in this report accurately reflect national trends or patterns.

The percentages reported here are based upon the total record counts of all the States that provided data, giving equal weight to each case. An alternative set of percentages for the key data reported in table 3, giving equal weight to each State, was calculated by averaging the percentages reported within each State (appendix table). Outcomes for prosecution and conviction are not substantially different than for percentages based on total record counts. There are, however, some differences in sentencing patterns.

Access to OBTS data

Researchers interested in using the OBTS data files for their own analyses may access the data through the Crimi-

Appendix table. Outcomes of felony arrests, by crime type, jurisdictional average, 1983

	Percent of felony arrests for:				
	All crimes	White-collar crimes	Violent crimes	Property crimes	Public-order crimes
All arrests	100%	100%	100%	100%	100%
Was arrest prosecuted?					
No	12	12	17	12	11
Yes	88	88	83	88	89
Did prosecution result in conviction?					
No	24	23	28	22	26
Yes	64	65	55	66	63
Conviction resulted in sentence of:					
Probation	13	15	8	13	14
Other non-incarceration	16	19	12	17	18
Incarceration	35	31	35	36	31
1 year or less	17	18	13	18	17
More than 1 year	18	13	22	18	14

Note: Data are based on eight States and one territory; see table 1. The data in this table were calculated by first computing the values for each jurisdiction and then taking the average (mean) for the nine jurisdictions. This procedure in effect weights each State equally, unlike table 3, which weights each individual case equally.

nal Justice Archive and Information Network (CJAIN). Additional information can be obtained from CJAIN, ICPSR, P.O. Box 1248, Ann Arbor, MI 48106, telephone 313/763-5010.

Bureau of Justice Statistics Special Reports are prepared principally by BJS staff under the direction of Joseph M. Bessette, deputy director for data analysis. The report was written by Don Manson and was edited by Frank D. Balog. Patrick Langan and Carla K. Gaskins provided statistical assistance. Marilyn Marbrook, publications unit chief, administered report production, assisted by Millie J. Baldea.

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Crime and Justice Facts, 1985 summarizes much of what BJS has learned about crime and justice in the United States since December 31, 1985. It is intended to bridge the gap between the first and second editions of the Report to the Nation on Crime and Justice, a comprehensive statistical portrait of crime and justice in the United States, first published in October 1983.

Crime and Justice Facts, 1985 may be ordered (NCJ-100757) from the Justice Statistics Clearinghouse, NCJRS, P.O. Box 6000, Rockville, MD 20850, toll-free 800-732-3277 (local number 301-251-5500). Postage and handling are charged for bulk orders.

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Crime and Justice Facts, 1985

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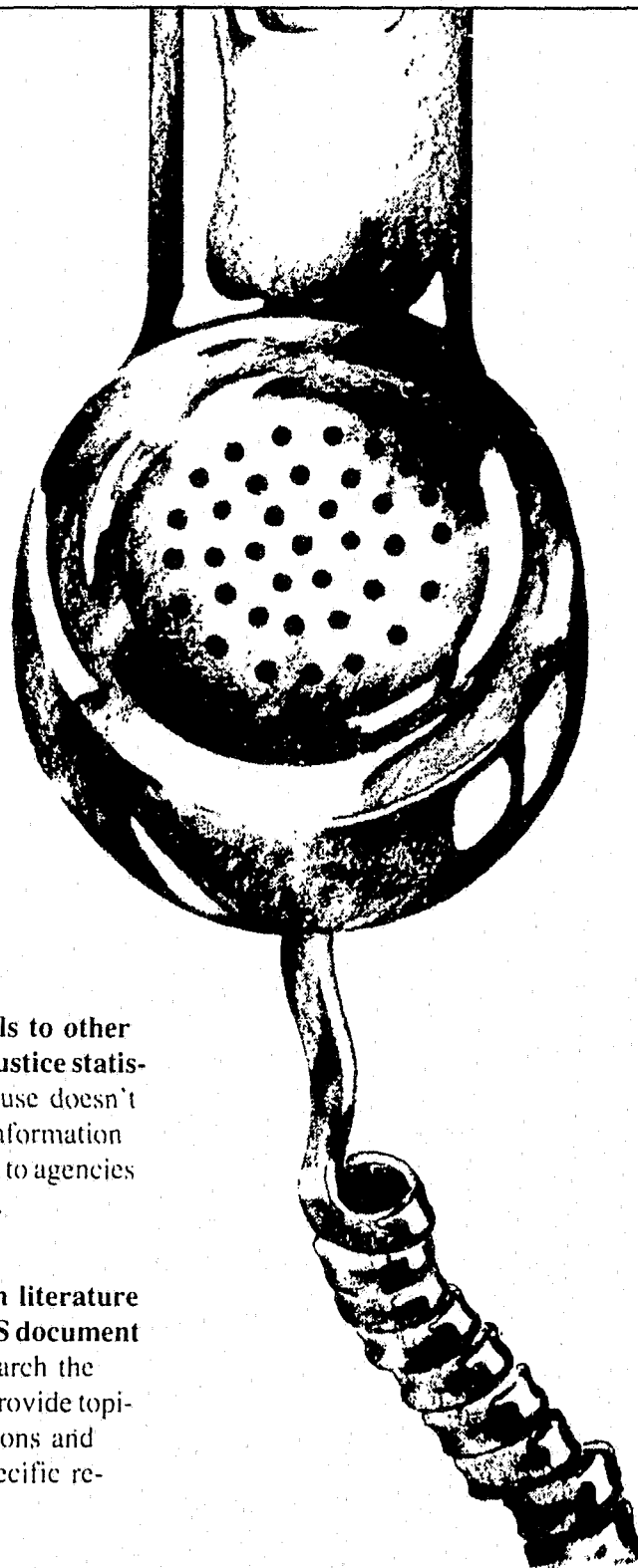
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Criminal victimization in the U.S.:

- 1984 (final report), NCJ-100435, 5/86
- 1983 (final report), NCJ-96459, 10/85
- 1982 (final report), NCJ-92820, 11/84
- 1973-82 trends, NCJ-90541, 9/83
- 1980 (final report), NCJ-84015, 4/83
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- Returning to prison, NCJ-95700, 11/84
- Time served in prison, NCJ-93924, 6/84

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- 1980, NCJ-97684, 10/85
- 1979, NCJ-86482, 5/84
- State court model statistical dictionary, Supplement, NCJ-98326, 9/85
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- A cross-city comparison of felony case processing, NCJ-55171, 7/79

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BJS special reports:

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BJS bulletins:

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