

Law 611: White Collar Crime
Course Syllabus
Western New England University School of Law
Fall 2022

Class Time: M/W 2:35 -4:00 p.m.
Location: BLC C
Instructor: Professor Jennifer Taub
Office Hours: Wednesdays 4:30 – 6:00

Text

Brickey & Taub *Corporate and White Collar Crime: Cases and Materials* (7th Edition 2021)

Course Overview and Learning Outcomes

White Collar Crime balances black letter law with current, high-profile examples of corporate felonies and fiascos. In this course, students will learn:

- (1) How to read and parse statutes, regulations and associated case law in order to identify and apply the elements of the following federal criminal offenses: conspiracy, mail fraud, wire fraud, securities fraud, false statements, obstruction of justice;
- (2) The requirements for both business enterprise liability and personal liability in an organizational setting; and
- (3) The legal standards and real-world practices for sentencing of defendants convicted for white collar criminal offenses.

Requirements

- Read the materials, submit exams, and attend and participate in class. Class participation factors into the final grade;
- Class participation (10%), midterm exam (20%) and take home final exam (70%); and
- Observe the attendance policy.

Attendance: Attendance is expected at every class session. Consistent with law school and ABA policy, students must attend at least 80% of class sessions in order to be eligible for credit. A student who misses class should submit a one-page summary of the reading assignment for that day by the date of the next class.

Laptop Use: Please limit the use of your laptop, ipad, cell phone, or other electronic device to participating in class and taking notes. Using laptops or other electronic devices for non-approved purposes during class. If you choose not to use a laptop and believe screens are distracting, please sit toward the front of the classroom.

Respect: An important line exists between challenging an idea and challenging the person who expresses that idea. We should treat each other with dignity and respect. Conflicting views will create dynamic discussions and help each of us refine our thinking. However, personal attacks whether express or subtle will stifle communication. Let us work together to think and speak critically of ideas and not of each other.

University Policies: Please familiarize yourself with school and university policies. Non-compliance with law school, and university policies, including without limitation Covid19 policies, may result in referral to the Dean of

Students, referral to the honor code committee, administrative withdrawal from the class suspension/dismissal from the university, and/or other possible consequences.

Inclusivity: I am committed to creating a course that is inclusive in its design. If you encounter barriers, please let me know immediately so we can determine if there is a design adjustment that can be made. If you have a disability or think you may have a disability, you may also want to meet with Student Accessibility Services (SAS). Once I have a copy of your approved accommodation(s) from SAS, we can plan a time to connect to discuss your accommodation needs.

Flexibility: This syllabus is a guide. I will make reasonable efforts to communicate to you any material changes to this guide. However, please keep in mind that changes, additions and deletions may be made without notice.

#	Topic	Assignments
Class 1 August 29	Introduction to White Collar Crime Corp. Criminal Liability and Corp. Prosecution Policy	1 - 27
Class 2 Aug. 31	Respondeat Superior Criminal Intent Model Penal Code	27 - 60
Class 3 Sept. 6 (Tuesday)	Personal Liability in an Organizational Setting	61 - 67
Class 4 Sept. 7	Watch documentary (in lieu of meeting for class).	ABACUS: SMALL ENOUGH TO JAIL https://www.pbs.org/video/abacus-small-enough-to-jail-sugmx/
Class 5 Sept. 12	Personal Liability in an Organizational Setting	67 - 90
Class 6 Sept. 14	Conspiracy	91 - 110
Class 7 Sept. 19	Conspiracy	110 - 118
Class 8 Sept. 21	Start Mail Fraud	119 - 150
Class 9 Sept. 26	Mail Fraud	150 - 173
Class 10 Sept. 28	Mail Fraud	173 – 185 Finish and Start Securities Fraud
Class 11 Oct. 3	Securities Fraud	187 – 203
Class 12 Oct. 5	Watch film in lieu of meeting for class (as it is Yom Kippur)	Watch the film <i>Boiler Room</i> https://www.netflixmovies.com/boiler-room-2000
Class 13 Oct. 10	Securities Fraud	203 - 226

Class 14 Oct. 12	Securities Fraud	226 - 238
	Midterm distributed on TWEN on Oct. 12	Midterm due on Oct. 19
Class 15 Oct. 17	False Statements	239 – 265
Class 16 Oct. 19	False Statements	265 - 287
Class 17 Oct. 24	Finish False Statements Obstruction of Justice	329 - 346
Class 19 Oct. 26	Obstruction of Justice	346 - 382
Class 20 Oct. 31	Obstruction of Justice	382 - 405
Class 21 Nov. 2	Bribery of Public Officials	415 - 439
Class 22 Nov. 7	Bribery of Public Officials	439 - 470
Class 23 April 9	Tax Fraud	549 - 564
Class 24 Nov. 14	Tax Fraud	565 - 577
Class 25 Nov. 16	Tax Fraud	577- 590
Class 26 Nov. 21	Tax Fraud Sanctions	711 - 734
Class 27 Nov. 28	Sanctions	734 - 760
Class 28 Nov. 30	Sanctions	760 - 772