Perceptions of Corporate Crime: Assessing the Seriousness

Dale J. Ardovini-Brooker
Western Michigan University

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PERCEPTIONS OF CORPORATE CRIME:
ASSESSING THE SERIOUSNESS

by

Dale J. Ardovini-Brooker

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Submitted to the
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Acknowledgments--continued

person.

Dale J. Ardovini-Brooker
PERCEPTIONS OF CORPORATE CRIME:
ASSESSEING THE SERIOUSNESS

Dale J. Ardovini-Brooker, M.A.
Western Michigan University, 1998

Many studies have been done concerning the seriousness of traditional street crime. There is a need in the field of criminology to expand our knowledge about how serious corporate crimes are. A key feature of seriousness is how researchers measure it. Using a survey, I analyzed people's perceptions of corporate crime. I had the respondents indicate the seriousness of the crime and harm by using a Likert Scale as well as identifying the appropriate sanction/sentence for the company convicted of the crime. This proved useful in attempting to identify how seriousness is measured by the sanctions/sentences imposed by the respondents. Utilizing this method, I found that respondents were more likely to give harsher, more punitive sanctions to those corporate crimes involving physical harm. It was also found that corporate crimes involving environmental harm were more serious than corporate crimes involving economic harm.
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CHAPTER I

INTRODUCTION

There is a need in the criminological field of corporate crime to understand public attitudes toward corporate crime. In an attempt to gain information about public perceptions of corporate crime, a survey was designed and administered that included a series of vignettes in which corporations had been convicted of crimes and the consequences of the crime(s) were revealed. The respondents then gave the sanction(s) that they felt was appropriate given the information. This in turn led to an analysis of the responses given to try and comprehend the public's perception of the crimes involved in the survey.

Statement of the Problem

There have been few studies that specifically examine the perception of white-collar and or corporate crimes. In a number of studies, some of these crimes are included in a larger study that measures conventional crimes and their seriousness. Peter Rossi and Richard Berk, in their book *Just Punishments*, examine both white-collar and corporate offenses in comparing the public's views and the Federal Guidelines set forth by the U.S. Sentencing Commission in 1994. Herbert Edelhertz and Thomas Overcast, in their book *White-Collar Crime: An Agenda for Research*, maintain that "the pro-
blem is that criminologists have done very little research on white-collar crime compared with ordinary crime" (1982, p. 32). Furthermore, research that deals with more specific types of white-collar crime is also lacking. With the numerous definitions of white-collar crime, comes the responsibility of criminologists to empirically test attitudes and norms toward them. This is an area that may tell us about the public's understanding of corporate offenses, how serious they are perceived and what sanctions are perceived as appropriate.

The Idea of White-Collar and Corporate Crime

There is a distinct difference in the types of crimes committed by corporations (or corporate actors) and criminals on the street. "White-collar crimes have never been regarded generally by the community as of the same kind, to be handled in the same way, as those involving the historic common law crimes" (Vold, 1958, p. 259). The perception of corporate crime is partially affected by the media in the sense that the public is continually bombarded with conventional street crime stories and corporations do everything in their power to avoid bad publicity. According to Conklin (1977),

the issue of public norms and attitudes toward business crime has long formed a central part of the debate over whether white-collar crime should be considered criminal in the same way as are such offenses as murder and rape. (p. 16)

There may not be total agreement by the public as to what corporations do that is illegal.

Edwin Sutherland, in his book White Collar Crime, stated that
"the public does not think of the businessman as a criminal; that is, the businessman does not fit the stereotype of criminal" (1949, p. 224). It was his assertion that white-collar crimes are viewed from a different perspective. Most people have a stereotypical view of the criminal as a deeply disturbed individual who is often violent, of a lower social status, and a minority. This perception was challenged by Sutherland (1949) who developed the idea that crimes occur on a different level. White-collar crime was defined as "a crime committed by a person of respectability and high social status in the course of his occupation" (p. 9). This definition has gone through a long process of development since its beginning. What Sutherland examined in his book were the violations committed by major corporations (which deviated from his original definition of what white-collar crime was). He found that "the crimes committed by these corporations are rational, deliberate, persistent and much more extensive than prosecution of them indicates" (p. 228). Although Sutherland studied corporations, he was more concerned at the time with individual actors (social psychological factors) and not necessarily the corporation as a social actor (that was effected by larger structural factors such as competition within a capitalist economy, business cycles, and market pressures).

The concept of corporate crime was formulated out of Sutherland's initial definition of white-collar crime. The 20th century has seen the development of the corporation and how vital it is to the capitalist system. This has guided the current definitions of
corporate crime. Marshall Clinnard and Richard Quinney (1973) argue that corporate crime consists of, "offenses committed by corporate officials for their corporation and the offenses of the corporation itself" (p. 188). Another definition that is used to view corporations and other organizations (e.g., government), is proposed by Laura Schrager and James Short, Jr. (1977) who use the term organizational crime. Their definition states that organizational crime includes,

illegal acts of omission or commission of an individual or a group of individuals in a legitimate formal organization in accordance with the operative goals of the organization, which have a serious physical or economic impact on employees, consumers or the general public. (pp. 411-412)

James William Coleman, in his book The Criminal Elite, discusses many traditional white-collar crimes such as embezzlement, tax evasion, and bribery, but also discusses corporate crimes including unfair business practices, corporate price fixing, unsafe production and unsafe products. Coleman (1994) states that "the demand to achieve difficult organizational goals is a primary criminal motivation" (p. 239). He goes on to acknowledge that corporations may partake in criminal activity to increase profits. When engaging in illegal activity, the corporation may not be given the same punishments that traditional criminals are given. Often, the corporation is able to resolve their wrongdoings by settling civil suits and paying minimal fines.

In his book, Trusted Criminals, David Friedrichs (1996) views corporate crime in two broad categories of corporate violence and
corporate abuse of power, fraud, or economic exploitation. Fried-
richs states that "corporate violence results from policies and
actions, undertaken on behalf of the corporation, that result in
the exposure of people to harmful conditions, products, or sub-
stances" (p. 60). There are a variety of victims when examining
corporate violence; they include the environment, consumers and
employees. Corporate abuse of power, fraud and economic exploita-
tion "has no violent consequences, but rather vast political and
economic consequences" (p. 83). Friedrichs argues that corporate
actions are a major social problem. Perceptions or attitudes toward
corporate actions may be effected by how people perceive these ac-
tions within a larger framework (who is victimized, what the con-
sequences are, and how the corporation could have prevented their
negligent or harmful actions).

Members of society often relate the seriousness of a crime to
its victims or the harm done. It is easy for the public to under-
stand what harm is caused by traditional street crime, since many
people know of someone that has been a victim or have seen media
accounts of such an occurrence. However, people may fail to under-
stand the real costs involved when a corporation commits an illegal
act. Many people are unfamiliar with the harms that corporations can
inflict. As Friedrichs (1996) points out, "corporate crime both
represents a substantial threat to the physical well-being of citi-
zens, consumers, and workers and is the cause of enormous financial
losses" (p. 95).
The physical well-being of citizens can be threatened by corporations who pollute the environment with toxic waste and release toxins into the air. "An estimated one-quarter of the United States population will develop cancer and by some (admittedly controversial) estimates 80-90% of all cancers may be environmentally related" (Friedrichs, 1996, p. 71). Cancer is not the only medical problem associated with environmental pollution. Other ailments that may be the result of pollution include lung disease, heart conditions, and birth defects, not to mention the destruction of entire eco-systems (plant life, wildlife).

Consumers are affected by corporations that manufacture unsafe, inadequately tested products in order to maximize their profits. "Some 70,000 Americans die annually from product-related accidents, and millions more suffer disabling injuries at a cost of over $100 billion in property damage, lost wages, insurance, litigation and medical expenses" (Friedrichs, 1996, p. 75). Some of the products are of course dangerous to begin with, but many companies are criminally negligent when they fail to concern themselves with the consumer's safety when using the product.

Workers may be in danger due to their employer's negligence. Corporations employ thousands of workers who are often subjected to dangerous work environments. Many accidents occur on the job which result in people getting injured and even causing death. Friedrichs (1996) stated that various recent studies by the government and private organizations have estimated the annual deaths from job related di-
seases ranged from 136,800 to 390,000 and work-related accidents have been estimated to cause 10,700 deaths and 1.8 million disabling injuries annually. (p. 80)

Many of these accidents could have been avoided if employers were as concerned about their employees as they were about profit goals.

The public is also subject to paying for fraud that goes on when corporations engage in illegal activities to maximize their profits. As Friedrichs (1996) points out, "corporations with contracts to provide goods and services to the government have defrauded the government of billions; citizens and taxpayers ultimately foot the bill for these frauds" (p. 81). Medical fraud has become a major issue within the last few years. Now, a large portion of the health care bill is due to fraud. Another activity that includes economic exploitation of the public and or the taxpayer is price-fixing whereby companies conspire with competitors to inflate prices and gain profit.

It is important to realize that dealing with corporations is a much different process than dealing with traditional street criminals. As corporations started to grow in size and impact in the late 19th century, it caused some concern with the public and the government. There was need to control the operations of these organizations more closely through the creation of special regulatory agencies. As Kip Schlegel (1980) points out,

at first, these agencies were designated to deal with specific industries and were generally involved with such concerns as taxation, utility rates, transportation, interstate commerce, and banking. However, as corporations began to markedly affect the health and safety of the public at large and the tremendous number of individuals in their employ, special
regulatory agencies were formed to protect society from harm. As a consequence, some three dozen federal agencies and volume upon volume of regulatory laws have been created. (p. 8)

Agencies such as the Environmental Protection Agency (EPA), the Occupational Health and Safety Administration (OSHA), the Securities Exchange Commission (SEC), and the Federal Trade Commission (FTC) were all formed in response to activities of corporations that concerned the public. The laws used by regulatory agencies have a modest burden of proof with no jury, only a judge. It would appear as though it would be easy to use regulatory laws to control corporate crime, but as we will examine later, there are other factors involved.

The criminal justice system uses agencies like the Federal Bureau of Investigation, the U.S. Secret Service, the U.S. Postal Service, the Internal Revenue Service, the Inspectors Generals and U.S Customs to enforce and investigate crimes committed by companies. These agencies play a small role in most corporate crime cases. If a company breaks the law, it can be fined, it can be placed on probation where different terms may be imposed, it can be made to go through structural change, it can be made to engage in community service, and it can be ordered to publicize its crime(s). Regulatory laws also include such sanctions, but the most commonly used sanction overall is the fine.

Purpose of and Need for the Study

There has been some debate among criminologists as to how laws
are created and for what purpose. Two models concerned with the origins of law are the consensus and conflict models. Shrager and Short (1980) indicate

disagreement about the significance of white-collar crime often pits consensus theorists, who seize upon the presumed moral neutrality of public opinion, against conflict theorists who respond somewhat defensively that organizations are highly successful in shaping public opinion. (p. 17)

It is important to extend these models into the framework of not only how crimes are originated, but how and why they are used, why they come about and how they are enforced or not enforced and why. Another area that must be explored concerns the kinds of sanctions that can arise from law.

From a consensus model approach, law is thought to be a reflection of the shared social values of a community. Emile Durkheim (1933) is often times associated with consensus theory. It was he who argued that criminal law stems from the collective conscience:

Everybody knows that there is a social cohesion whose cause lies in a certain conformity of all particular consciences to a common type which is none other than the psychic type of society. Thus, the nature of collective sentiments accounts for punishment. Moreover, we see anew that the power of reaction which is given over to government functionaries, once they have made their appearance, is only an emanation of that which has been diffuse in society since its birth. (pp. 104-105)

This collective conscience has developed into the idea that society's consciousness is embedded in the origin of criminal law. Wolfgang Friedmann (1964) argues;

the state of criminal law continues to be--as it should--a decisive reflection of the social consciousness of a society. What kind of conduct an organized community considers, at a given time, sufficiently condemnable to impose official sanc-
tions, is a barometer of the moral and social thinking of a community. (p. 143)

These sanctions, as Friedmann alludes to, are intricate parts of criminal law. It is believed that bonds within the community are strengthened by a deviant act that has happened (Sheley, 1995). A common enemy also may be apparent, thereby producing unity in response to it, in the form of rating seriousness and imposing appropriate sanctions. Thomas, Cage, and Foster (1976) examined the consensus model and suggest that

criminal law is essentially a codification of values of a people that may be viewed as legitimate because it reflects high levels of agreement on both what constitutes a criminal offense and the magnitude of formal legal sanctions that may be imposed on those who violate the law. (p. 110)

This magnitude may be reflected in the types of sanctions that people feel are appropriate given the harm or impact of a crime. Even if the public feels that certain sanctions are appropriate, this does not mean they will be enforced. A good example is capital punishment. Many people may feel that this sanction is appropriate, but they may live in a state where it is not a form of punishment. In regards to corporate crime, regulatory laws were established to control companies, but the sanctions given may not be the ones that the public feel is appropriate. Statutory laws may not be used as often as the public would want to punish companies.

Conflict theorists would argue that definitions of crime are subject to change. This theory of criminal law, the Marxist view in particular rivals the consensus theory. This model of criminal law has been supported by Richard Quinney (1970), who has stated, "con-
rary to conventional belief, law is a tool of the ruling class providing the mechanism for forcefully (and sometimes violently) controlling the rest of the population" (p. 285). If something is believed to be criminal or deviant, there is an underlying reason for that definition. Law is used as an instrument by powerful groups in society to dominate and control. Corporations are powerful and have a great deal of economic and political influence. These influences may be part of how laws are originated in the first place. Chambliss and Seidman (1971) argue,

Sociologically, what constitutes right and wrong behavior can be discovered only by examining, not some presumed society-wide moral code, but the decision-making processes in the society which determine what activity is to be made criminal. (p. 72)

Those who make laws may not be as concerned as the public about certain types of crimes. The decisions that are made about the creation of laws may be initially influenced by a public outcry, but what happens to the law after it passes is another set of processes which can be influenced by special interests of law makers. These special interests may involve shielding companies who support law-makers. Just because a law has been put into effect does not mean it will be enforced, or that convictions will result or that appropriate sanctions will be imposed.

Even though there have been studies that measure the public's perception of corporate and white-collar crime, there has not been, to my knowledge, a study addressing only corporate offenses committed by the organization. With the amount of damage a corporation
can inflict on consumers, the environment or its employees, it is important to see how people will perceive this type of criminal offense. People may not be familiar with harms caused by a corporation. This can lead to the "widespread view that the public is condoning, indifferent, or ambivalent" toward corporate crime (Abbott, 1952, p. 265). This view was envisioned by E.A. Ross in 1907 who said the acts of "criminaloids" were not under the "effective ban of public opinion" and that their behavior was "not stigmatized by the public, the press, or the government in the same way as traditional crime" (1907, pp. 69-70). Ross goes on to suggest that the "backwardness of public opinion" might nullify the effect of law; with public morality lagging behind legislation, corporate offenders would have more opportunity to prey on the public (p. 70).

I hope to obtain an understanding of what people (for this study: college students in an advanced criminology class, two principles of sociology classes and two introduction to criminal justice classes) would do if they were the judge or jury in the case of a corporation convicted of a crime. Much of the literature has focused on seriousness of offenses using a Likert scale, but there is no clarity as to what the seriousness is. Each individual may have a different idea of what it means to be the most serious offense. To understand the seriousness of a crime there is a need to define what it means. This leads to examining what sanctions are imposed the most, if people were given the opportunity to act as judge and jury. "Consensus on crime seriousness may reflect an underlying
normative structure" (Miethe, 1982, p. 516). In studying what sanctions respondents think should be applied to corporations, the same underlying normative structure may be found. A survey can contribute "greatly to our understanding of white-collar crime because we still have much to learn about patterns of involvement, rationalizations, and attitudes pertaining to white collar crime issues" (Friedrichs, 1996, p. 44). Examining this issue is of great importance to the field of criminology due to the lack of research exploring people's perceptions of corporate crime. More specifically, there is a lack of research concerning the public's perceptions about environmental crimes committed by organizations.

Design

Research Questions

The purpose of this study is to explore people's perceptions of corporate crimes. The research questions of the study are:

1. What types of sentences are specified by the respondent?
2. What types of sentences are most commonly used by respondents in sentencing the corporation?
3. Which types of corporate crimes receive the harshest sentences from respondents?
4. What corporate crimes are ranked as being the most serious?
5. What are the possible reasons (within the vignette) for these sentences?
6. How else can we measure the seriousness of an offense?

Methodology

Measuring perceptions and attitudes about corporate crimes is done using results from survey research. The survey contains seven vignettes, each describing a corporation that has been convicted of a crime and the consequences of that crime. The vignettes contain crimes that have been depicted in other studies as well as ones that are based on actual crimes although the harm done may not be the same. Vignettes 1, 4, 6 are based on Rossi and Berk (1997). Vignette 2 was used in Rossi, Waite, Bose, and Berk, R. E. (1974), and is being replicated in this study. Vignette 3 is based on a similar offense in Rossi et al. (1974) which described, manufacturing and selling drugs known to be harmful to users. Vignette 5 is also based on an offense from Rossi et al. (1974) which stated, "manufacturing and selling autos known to be dangerously defective" (p. 10). Vignette 7 is based on a case that is currently ongoing with the Federal Bureau of Investigation where a company has been accused of overbilling Medicare billions of dollars. The survey instructed the respondent to read the vignette and then respond to it by choosing an appropriate sentence for the corporation. They were able to choose from (a) a fine (if the respondent chooses this, he/she will need to specify a dollar amount); (b) probation (if the respondent chooses this, he/she will need to specify the amount of time in months); or (c) other (the respondent was asked to specify what type
of sanction should be imposed on the corporation other than a fine or probation).

Along with the responses to each vignette, the respondents were asked to rank the crimes in order of seriousness with "1" being the most serious through "7" which denotes the least serious of the crimes. The reveal the seriousness of the offenses as seen by the respondents. The data collected from the survey will provide perceptions about how people would sentence a corporation that has been convicted of a specific type of corporate crime. Demographic information was obtained from each of the respondents. This included questions about their sex, year in school, race/ethnicity, age on their last birthday, total family income for the last year before taxes, major, and intended occupation upon completion of their degree. This data was not analyzed in this study, but remains for future research purposes.

**Operationalization of Variables**

The independent variable in the study is the vignette that is presented to the respondent. The vignette contains a description about a crime that has been committed by a corporation and it will also have the consequences or victims of that particular crime (this included people getting sick, the air being polluted, causing death, people suffering injuries, and economic loss). The sentence that the respondent gives to a particular vignette is the dependent variable. This allows for the exploration of respondent's attitudes to-
wards a corporation committing a crime by examining the sentences that are given. Along with this, respondents were asked to rank the vignettes as to their seriousness. This will clarify which crimes the respondents perceive as the most serious.

Sample

The sample of this study included one section of Advanced Criminology, two sections of Principles of Sociology and two sections of Introduction to Criminal Justice taught at Western Michigan University in the winter semester of 1998. The sample included 194 respondents. The reason why this sample is being used is because it is convenient and accessible. The survey was administered to all of the students that wished to participate in the study. The students were told that the survey is voluntary and will be kept confidential.

Data Gathering Method

Once the survey instrument was developed, completed and reviewed by the committee for content and clarity, it was sent to the Human Subject Institutional Review Board (HSIRB) for authorization. The administration of the survey took place when approval had been given by the instructor of the class to do so. The same survey was handed out to each student in the class. Students were informed about the nature of the survey. The respondents were instructed to read through the survey and then begin the questionnaire. Questions were responded to. Completed surveys were then collected.
Ethical Considerations

The survey was completely voluntary for the students. They were reassured that there would not be any consequences if they chose not to participate (due to the fact that it is in a classroom setting and may be perceived as being part of the grade for the class). The intent and purposes of the study were reviewed with the students. They were assured that their answers would be kept confidential. If they did not want to answer certain questions then they did not have to. The students' names were not used. The surveys have identification numbers on them, but only for data entering purposes. The students read the front page of the survey which informed them that by handing in the survey, this was their consent to use the information provided by them. It also told them that there might be unforeseen risks to participants. The consent form also stated that if there were any questions or concerns regarding the survey, they could contact the researcher (the phone number was provided), the Human Subject Institutional Review Board (HSIRB, the phone number was provided), or the Office of the Vice President of Research (this phone number was also provided).

Data Analysis

Frequencies of the sentence options were used to determine which ones were imposed most often for the seven vignettes (fine, probation, or other). Each vignette was analyzed separately as well to see which sentence option was imposed most often for the corpor-
ate crime involved. To find out which sentences receive the harshest sentences, the mean and median of the fine amount in dollars and probation length in months was determined for each of the vignettes. The open-ended option that allows a person to specify the type of sanction was analyzed as well to see what other types of sentences are perceived as just for the corporation in the vignette. Analysis of the open-ended responses (other) also provided insight into the harshness of the sentence given. To determine ranked seriousness of the seven vignettes, the mean rank for each vignette was calculated to determine which of the vignettes were seen as most serious and least serious.

Reliability

Six of the vignettes that were used in the survey have been used in previous studies by Rossi et al. (1974) and Rossi and Berk (1997). This survey is designed around seven specific vignettes with specific harms. I was responsible for administering and coding the survey. The construction of the survey was such that clear instructions were given to the respondent, thereby increasing the reliability.

Validity

I was assisted in the design of the survey by my thesis committee. This workgroup tested the survey for validity, clarity, and substance to ensure that it was administered in the best way pos-
sible. Respondents were allowed to answer open-ended questions with specific sanctions that should be imposed on the corporation. If answers seemed to be unreasonable, I consulted with my committee to decide on whether they should be allowed to be part of the data to be analyzed. Ranking the offenses will validate the perception of the respondents, since there may be difficulty discerning what sentences are the more serious ones.

Limitations to the Study

There are several limitations to this study that can affect the outcome and generalizability. First, the surveys will be administered to one Advanced Criminology class, two Principles of Sociology classes and two Introduction to Criminal Justice classes at Western Michigan University. It is not possible to generalize about an entire population (the United States public, or the students at Western Michigan University) and what their perceptions are of corporate crime by analyzing this sample. Second, the age of the sample may play a role in the perception of corporate crime. Since many people do not have direct knowledge about corporate wrongdoing and its intricacies, it may be difficult to decide on a sentence for the corporation. This is particularly difficult when people fail to realize that corporations can be held criminally liable for their actions. Third, the vignettes only include seven corporate crimes; this is only a small sample of what corporations have been and could be convicted of in a court of law. Fourth, the corporations are as-
sumed to have been already put on trial and convicted of the offense that is stated in the vignette. This fails to take into consideration that there may be other information about the crime, the corporation and its' consequences that may be heard by a judge and jury. Fifth, the decisions that respondents make are abstract, they do not consider the constraints of carrying out the sentences (implementing probation within the corporation, collecting the fines). Lastly, the respondents' perceptions of corporate crime are measured in regards to the vignettes, but may be affected by other variables not included in this study.

Outline of Thesis

Chapter II of this thesis provides a review of the related literature. This review includes sections on the idea of white-collar and corporate crime, public perceptions of crime and punishment and public perceptions of white-collar and corporate crimes. Chapter III consists of the findings from the survey. Chapter IV includes a discussion and interpretations of the findings.
CHAPTER II

LITERATURE REVIEW

Public Perceptions of Crime and Punishment

Many studies include white-collar or corporate crimes along with conventional street crimes when examining public perceptions. The focus of these studies is not white-collar or corporate crimes in particular, but usually the condemnation of an array of crimes by the public. In Don Gibbons' study, "Crime and Punishment: A Study In Social Attitudes", the degree of punishment given to specific crimes is the focus (1969). Respondents indicated which sanction was appropriate for a specific crime. A major finding was that, "distribution of responses shows some variability among citizens in their views about the penalty to fit the crime" (p. 395). The variability in the sanctions handed down by the respondents may be understood in the sentencing practices of the criminal justice system that also has a degree of variability. Out of the twenty crimes the respondents had to decide on, only four could have been considered white-collar. Within these four, only two could be considered as being a corporate action that the corporation was ultimately responsible and could be held criminally liable for. In these offenses, "the penalty preferences of many citizens were harsher than were actually handed out by the court" (p. 397). This may indicate that the public has a get tough attitude towards corporations.
Rossi et al. (1974) studied the perceived seriousness of 140 offenses. They suggest that, "the seriousness of a criminal act may be viewed as a normative evaluation, an overall judgement which allows comparison among criminal acts, cultural values in different societies and cultures, and individual value differences" (p. 224). Rossi et al. asked respondents to judge the seriousness of 140 offenses by asking them to indicate a "9" if the offense was among the most serious and a "1" for the offense being one of the least serious.

Of the 140 offenses, there were fifteen that could be considered corporate or organizational offenses. They were, "manufacturing and selling drugs known to be harmful to users," "knowingly selling contaminated food which results in a death," "causing the death of an employee by neglecting to repair machinery," "causing the death of a tenant by neglecting to repair heating plant," "manufacturing and selling autos known to be dangerously defective," "knowingly selling defective used cars as completely safe," "knowingly selling worthless stocks as valuable investments," "lending money at illegal interest rates," "overcharging on repairs to automobiles," "overcharging for credit in selling goods," "knowingly using inaccurate scales in weighing meat for sale," "refusal to make essential repairs to rental property," "fixing prices of a consumer product like gasoline," "fixing prices of machines sold to businesses," and "false advertising of headache remedy" (Rossi et al. 1974, pp. 228-229). They were ranked 25th, 26th, 51st, 57th, 63rd, 79th, 90th,
97th, 110th, 116th, 121st, 122nd, 126th, 127th and 132nd (out of 140) respectably.

The first two fall between "assault with a gun on a stranger" (24th) and "armed robbery of a payroll company" (27th) (p. 228). Causing the death of an employee falls between "father-daughter incest" (50th) and "breaking and entering a bank" (52nd) (p. 228). Causing the death of a tenant falls between "mugging and stealing $200" (56th) and "killing spouse's lover after catching them together" (58th) (p. 228). The defective auto falls between "forcible rape of a former spouse" (62nd) and "beating up a stranger" (64th) (p. 229). The selling of defective used cars falls between "theft of a car for resale" (78th) and "burglary of an appliance store stealing several TV sets" (80th) (p. 229). The offense of selling worthless stocks falls between "brother-sister incest" (89th) and "beating up a spouse" (91st) (p. 229). Lending money at illegal interest rates falls between "joining a riot" (96th) and "knowingly buying stolen goods" (98th) (p. 229). Overcharging on repairs to autos falls between "proposing homosexual practices to an adult" (109th) and "shoplifting a dress from a department store" (111th) (p. 229). Overcharging for credit falls between "shoplifting a pair of shoes from a shoe store" (115th) and "shoplifting a carton of cigarettes from a supermarket" (117th) (p. 229). Knowing-ly using inaccurate scales and refusal to make essential repairs fall between "false claims of dependents on income tax return" (120th) and "engaging in male homosexual acts with consenting
adults" (123rd) (p. 229). The "price fixing" offenses fall between "breaking a plate glass window in a shop" (125th) and "selling pornographic magazines" (128th). False advertising of a headache remedy falls between "joining a prohibited demonstration" (131st) and "refusal to pay alimony" (133rd) (p. 229).

Rossi et al. fail to give the victims (if any) in the "harmful drugs," "defective auto," "defective used autos," "worthless stocks," "lending money at illegal rates," "overcharging on repairs and for credit," "inaccurate scales," "refusal to make essential repairs," "price fixing" and "false advertising" offenses. This inconsistency may have led to the lower seriousness ranking that they received. If we examine these offenses in terms of the harms that they have the potential of causing then we can view them in two distinct categories; physical harm and economic harm. The offenses that can be considered as physical include those that may hurt or inflict physical harm on a person or persons. In the offense described as "knowingly selling contaminated food which results in death" (ranked 26th) we can plainly see the physical harm is death. Rossi et al. fail to clearly state the harm done for all of the offenses. The offense described as "manufacturing and selling goods known to be harmful to users" ranked the highest of the organizational crimes (25th) provides no clear indication of the physical harm. The respondent can only guess what happened to the users. There is indeed potential for harm to be done, but in order to assess an offense more effectively, there needs to be more informa-
tion about the harm done by the offense.

The harms are even more vague in the description of economic offenses. The offenses ranked 90th, 97th, 110th, 116th, 121st, 122nd, 126th, 127th, and 132nd are all examples of economic harm crimes. There is no mention in any of the offenses as to how much money was lost or how much it cost the consumers. One other point is that Rossi et al. fails to include offenses that deal with pollution or other environmental violations (which corporations are often found criminally liable for). They conclude that 'white-collar crimes and victimless crimes were not seen as serious by the respondents' (p. 233). Even though 'seriousness' was not specified by Rossi and his colleagues, respondents in the study produced some degree of consensus as to what it meant. This is true especially when we view the crimes in terms of the harms that were caused or could have been caused. It must be noted that all of the physical harm offenses (the ones ranked 25th, 26th, 51st, 57th, 63rd, and 79th) were ranked higher in terms of seriousness than the economic harm offenses (the ones ranked 90th, 97th, 110th, 116th, 121st, 122nd, 126th, 127th, and 132nd).

In another major study conducted by Rossi and Berk (1997), people were surveyed to see what their sentencing preference would be for a range of federal crimes. They used a series of vignettes that described a crime, the offender involved, and what the outcome of the crime was in terms of dollar amount lost or physical harm done. Respondents were asked to select a punishment for the vig-
nette. They could choose from probation, prison or a death sentence. They were also asked to determine a length of the prison sentence. There were five major crimes examined that fell into the corporate crime category. The only crime not examined by Rossi and Berk (1997) that is common in other studies is selling unsafe automobiles that can cause harm to the consumer.

Rossi and Berk found that "when injuries result from corporate food and drug violations, sentences were enhanced by substantively large amounts" (1997, p. 136). Here is a point that seems crucial to public perception: victimization and physical harm. When victims are involved and physical harm occurs, the public seems to react more severely according to Rossi and Berk. They point out that "respondents were more concerned when concrete consequences were specified" (p. 140). This is a key element that seems to be lacking in their earlier study. They clearly have identified numerous factors within the vignettes that deal with the harm involved with the offenses. This can be seen by such vignettes that include the following harms; "the local habitats for native plants and animals were destroyed", "at least one death occurred", and "the public was overcharged $500,000" (pp. 221-222). Corporate crime has many victims and this could effect public attitudes towards it. However, Rossi and Berk also note that, "perhaps corporate actors are given the benefit of the doubt, because their only real crime is an overzealous pursuit for profit" (p. 140).

M. Levi and S. Jones, in their study, "Public and Police
Perceptions of Crime seriousness in England and Wales, found that while there is little difference between police and public views on the overall rank order seriousness of each offense, there were lower police scores for fraud (1985, p. 239). Fraud, may be viewed as a white-collar type offense and may receive a lower score due to its lack of physical harm to the public. Levi and Jones believe that the lower scores "may indicate that fraud is seen to be outside the mainstream 'action-oriented' police subculture, noted as a central aspect of police self-concept by all researchers in Britain and America" (p. 242). When studying different groups it is helpful to know the position of their occupation or education and how it may or may not relate to their perception of crime. In the case of corporate crime, the police may have no idea what goes on since they are so consumed with combating traditional street crimes.

Public Perceptions of White-Collar and Corporate Crime

Donald Newman (1957) studied how citizens reacted to food violations that were considered to be a type of white-collar crime (at this point, these types of violations were not considered to be "corporate" or "organizational" crimes) in his article, "Public Attitudes Toward a Form of White Collar Crime." The people surveyed were asked to respond to cases that came from the federal district attorney in which a corporation was convicted of a food law violation. The case included the company's history of convictions (if the offense was the company's first or whether they had been con-
victed previously). Newman found that 78% of his respondents felt that the penalties should have been more severe than the actual court decision (p. 230). In the study, the respondent was asked to provide the sentence that they believed to be appropriate for the offense. "Fines, warnings, seizure of the product, and jail terms, in various combinations were the most popular responses" (p. 231). The idea that the public views these crimes as a social problem suggests that there is a need to examine other types of corporate crimes, as well. Newman also addresses the importance of attitudes and their use as a "guide to enforcement of present laws and to possible changes in future legislation" (p. 232).

Reed and Reed (1975) examined attitudes toward white-collar offenders as a general category based on questionnaires filled out by college students at a southern university. The survey found that knowledge of white-collar crime was limited: only 42% of the sample read or heard about white collar crime and only 32% could give an adequate definition of the term. The popular image of the white collar criminal was a "rather innocuous figure" who was "educated, neat, male, white and married;" however, he was also "dishonest, ambitious, intelligent, greedy, and aggressive" (Reed & Reed, 1975, p. 282). When asked what the students feared the most about white-collar crime, they referred to being cheated, embarrassed, or physically harmed; however, only 40% gave such responses, the rest being uncertain about the consequences of the crimes (Reed & Reed, 1975). When asked to recommend criminal penalties for white-collar
offenders, students usually preferred suspended sentences, probation, fines or short prison terms. A point that is noteworthy is that there may be a smaller social distance between the student respondent and the white-collar offender than between the respondent and a conventional criminal. This may effect their perceptions and attitudes towards white-collar offenders and conventional street criminals.

Frank, Cullen, Travis III, and Borntrager (1989) examined the conditions under which "business executives and the public embrace the use of civil or criminal sanctions against either company executives or the corporate entity itself" (p. 141). They use a series of vignettes that describe incidents of potential corporate crime. The major limitation to these vignettes is that they all contain possible crimes involving defective automobiles. This is the only type of corporate crime considered. The purpose of the analysis was "to examine how support for the imposition of sanctions would differ according to the level of culpability and harm a specific act involved" (p. 144). The vignettes include information as to the person's role within the company in deciding on the defective auto. They also include physical and economic harms that were caused by the defective auto. The respondents were asked in each vignette to apply a civil or criminal penalty on the individual and/or corporation using a Likert scale for punitiveness preference. "The respondents generally showed a strong willingness to hold the corporate entity civilly responsible in all of the vignettes presented"
126th and 127th, in Cullen et al. (1982) they are ranked 96th and 97th. "Knowingly selling defective used cars as completely safe" increased from 79th to 40th to 41st. Another increase in the ranked seriousness was for the offense of "causing the death of an employee by neglecting to repair machinery", which was ranked 51st by Rossi et al. (1974) and in Cullen et al. (1982) is ranked 24th. There was an increase in rank of seriousness for the offense of "knowingly selling contaminated food which results in death" from 26th to 13th. "Causing the death of tenant" which was ranked 57th in Rossi et al. (1974) jumped to 51st in Cullen et al. (1982). The 90th ranked offense in Rossi et al. (1974) "knowingly selling worthless stock" moved up to 78th in this study. The offense of "lending money at illegal interest rates" went from 97th to 94th. "Overcharging on repairs" dropped from 110th to 116th. "The offense of "manufacturing and selling autos known to be dangerously defective" ranked 63rd to 40th to 41st. "Overcharging for credit in selling goods" went from 116th to 100th. "Knowingly using inaccurate scales" ranked 121st in Rossi et al. (1974) went to a rank of 99th for this study. The 122nd ranked offense in Rossi et al. (1974), "refusal to make repairs" went to 109th for this study. The 132nd offense in Rossi et al. (1974) went to 114th. It is interesting to note that this jump in seriousness could possibly be attributed to the Ford Pinto case that was highly publicized in the late 70s. One offense to drop in rank of seriousness was the offense of "manufacturing and selling drugs known to be harmful to users" which was 25th in Rossi
Other results of the study showed that civil sanctions increased as economic and physical harm went up, executives (when compared with the public) were consistently less willing to impose sanctions, and legally sanctioning corporations earned widespread public support in situations where there was direct victimization.

This study also tackled the issue of the culpability of the corporation. They included three levels of culpability; knowingly, recklessly and negligently. They deliberately leave out the idea of intentionally due to the fact that when an organization commits an offense it is in the process of doing business and it is hard to prove a company would intentionally harm a consumer or worker. This study, despite its limitations, shows that the public is willing to hold corporations criminally liable for their actions.

Cullen, Link and Polanzi (1982) replicate the survey conducted by Rossi et al. (1974) to see if the growing attention given to white-collar crime(s) in the late 70s and early 80s has changed people's perceptions. Cullen et al. (1982) believe that changes in politics (Watergate) and increased media attention may have contributed to an increased awareness about the problem of white-collar crime and therefore changed perceptions and attitudes. The fifteen offenses that were considered to be corporate offenses in the Rossi et al. study were reconsidered in this study.

The fifteen offenses did change drastically in their rankings in this. The price fixing offenses increased a great deal in terms of ranked seriousness. In Rossi et al. (1974), the two were ranked
et al. (1974) and is ranked 26th in Cullen et al. (1982). The only
other offense that dropped in rank was the offense of "overcharging
on repairs to autos", ranked 110th in 1974 and 116th in 1982. Once
again in this study the physical harm offenses (ranked 13th, 24th,
26th, 40th, 41st, and 51st) were higher than the economic harm of-
fenses (ranked 78th, 94th, 96th, 97th, 99th, 100th, 109th, 114th to
115th, and 116th). We do begin to see that there is some form of
consensus between these two samples in Rossi et al. (1974) and Cul-
len et al. (1982) in terms of seriousness scores for the two types
of offenses.

Cullen, et al. (1982) argue that white-collar crime is not a
concrete definition and cannot be studied as such:

The violations that have traditionally been grouped under this
offense category often have little in common with one another
--ranging, for instance, from an individual's evasion of in-
come tax to a corporate decision to market defective automo-
biles. In this light, it is problematic whether a complete
understanding of public attitudes toward white-collar crime
can be reached unless we dissect the concept of white-collar
crime to see how seriousness ratings might vary for different
violations within this general category. (p. 96)

There is a need to break down the category of white-collar
crime into different violations and this is what the researcher has
attempted to do by extracting the fifteen offenses that are believed
to fit into the corporate crime typology. Cullen et al. (1982) con-
clude "white-collar crime has increased in seriousness more than any
other category, but it is still viewed as less serious than most
other forms of illegality" (p. 83).

McCleary et al. (1981) also recreate the Rossi et al. (1974)
study and apply it to criminal justice bureaucrats, including judges, prosecutors, public defenders and probation officers. They felt that "criminal justice bureaucrats perceive seriousness in terms of many dimensions" instead of "relative terms" taking into consideration "loss of life, the degree of medical attention required by the victim, the use of force/intimidation, and the amount of money lost in the crime" (p. 276). The following offenses increased in terms of seriousness; "food contamination," "defective automobiles," and all economic harm offenses. The three offenses to drop in the ranking of seriousness were "manufacturing and selling drugs known to be harmful to users," (went from 25th to 32nd), "causing the death of an employee by neglecting to repair machinery" (went from 51st to 63rd) and "causing the death of a tenant" (went from 57th to 58th).

In this study the seriousness rankings are also similar to the previous studies in that the physical harm offenses are ranked more serious than the economic harm offenses. Although McCleary and his colleagues were concerned with the legal education and work experience of their sample, the study provides even more information as to how corporate crimes and harms are perceived.

Schrager and Short (1980), reexamines the Rossi et al. (1974) data on public evaluation of the seriousness of white-collar crimes. In particular, they looked at the economic and physical offense ratings as well as those which had potential physical impact. "The hypothesis that individuals consider organizational crimes with physical impact to be more serious than those with economic impact is
consistently supported* (p. 21). It is apparent from this reexamination of the Rossi et al. (1974) study as well as McCleary et al. (1981) and Cullen et al. (1982) studies that physical harm weighed more heavily on the minds of the respondents than economic harm. Individuals not only consider organizational crimes with physical impact to be far more serious than those with economic impact, but they also rate physical organizational crimes as equal in seriousness to a range of common crimes which theorists consider central to the "crime problem" (p. 26). The impact of the crime is an important factor when assessing seriousness and perceptions of a crime. Schrager and Short go on to conclude that "there should be strong support for the goals of agencies such as the Occupational Safety and Health Administration, the Environmental Protection Agency and the Consumer Product Safety Commission agencies, which are particularly concerned with reducing the physical consequences of organizational activity" (p. 28).

This study brings to light the fact that organizational crimes are not always handled by the law in the same manner, but public perception dictates that there be some sort of discussion of legal processing, legal definitions and public opinion to effectively deal with these types of crimes. It seems to be clear from the research that it is not the influence of the corporations that shapes public opinion, but rather it is the nature and consequences of the crime itself.

Cullen, Mathers, Clark and Cullen (1983) conducted surveys in
which they tried to provide information "on the extent to which the
general public would favor the use of a criminal sanction in the
control of white collar crime" (p. 482). They found that few white-
collar violations are "considered to be as serious as street crimes
characterized by direct personal violence" (p. 486). In their sur-
vey, they examined the way in which the public agreed with state-
ments that were made regarding white-collar crimes and offenders.
Approximately 90% of their respondents felt that "white-collar crim-
inals were treated too leniently and deserve to be sent to jail for
their crimes just like everyone else" (p. 488). Examining how the
public views criminal sanctions in response to white-collar crimes,
Cullen, et al. also point to the idea that if the public knew the
extent of violent corporate actions, "the levels of punitiveness
might become even more pronounced" (p. 488). The public may not be
completely aware of the extent to which corporations cause harm.

Miller, Rossi and Simpson (1991) attempt to measure perceptions
of appropriate punishments for offenders convicted of various crimes
committed under differing circumstances. They "expect to find that
survey respondents think corporate offenders deserve harsher crim-
inal punishments than do individual offenders" (p. 397). Miller et
al. used fifty different vignettes describing criminal acts, offend-
ers and the harm resulting from the crimes in each booklet that was
given to the sample. The respondents were to respond to the sen-
tence that was given in each vignette by marking an "X" on a rating
line indicating the degree to which the criminal sanction meted out
for the incident described (was it too lenient, about right or too harsh) (Miller et al., 1991). Miller et al. concluded that for corporations that committed crimes, the sample survey respondents called for more punishment than for individual offenders. "We argue that, from society's point of view, corporate offenders deserve more punishment than individual criminal offenders" (Miller et al., 1991, p. 413). The main focus of the corporate crime was the offense of tax evasion; this was included in all of the vignette booklets. The study did examine other corporate crimes such as price fixing, making and selling pharmaceutical products known to be harmful to users, and selling cars known to be dangerous, but results from these were not reported on.

V. Lee Hamilton and Joseph Sanders also look at corporate crime and public attitudes in their study, "Corporate Crime through Citizens' Eyes: Stratification and Responsibility in the United States, Russia, and Japan" (1996). They focus on offenses that occur while a person is carrying out a job within an organizational setting (a corporation). The research focused on "how individuals' places in the social stratification system can affect judgements" (p. 514). Hamilton and Sanders measure responsibility and avoidability of the corporate offender in their survey. They hypothesize that leniency is given to corporate actors by those who share similar group characteristics with them such as income and education (p. 541). However, in their findings, there was only an "indirect impact on responsibility judgments via its' effects on sociolegally
related attitudes* (p. 541). Hamilton and Sanders bring up a key issue in the understanding of public perceptions of corporate wrongdoing: the respondent's social status (whether it be income, education, occupation, etc.) may affect the way in which they perceive the offense.

This research will use different aspects of these studies to study public attitudes towards corporate crimes and how the public would like to punish the corporation. The intention is to combine some of the measurements of public perceptions and attitudes that other social scientists have used to try and understand how people view a certain number of corporate crimes. Many questions still remain about the public's attitudes, but hopefully this study will capture one aspect that can be helpful in developing future research in this area.
CHAPTER III

FINDINGS

Seriousness Scores

Table 1 entitled "Mean Seriousness of Vignettes in Rank Order" shows the average ratings received for each one of the vignettes if we were to rank the mean seriousness from "most serious" to "least serious."

Table 1

Mean Seriousness of Vignettes in Rank Order

<table>
<thead>
<tr>
<th>Rank</th>
<th>Vignette</th>
<th>Harm/Impact</th>
<th>Mean Seriousness (Valid N)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Vignette 3</td>
<td>Physical</td>
<td>6.59 (193)</td>
</tr>
<tr>
<td>2</td>
<td>Vignette 2</td>
<td>Physical</td>
<td>6.19 (193)</td>
</tr>
<tr>
<td>3</td>
<td>Vignette 1</td>
<td>Environmental</td>
<td>6.07 (194)</td>
</tr>
<tr>
<td>4</td>
<td>Vignette 6</td>
<td>Environmental</td>
<td>5.96 (190)</td>
</tr>
<tr>
<td>5</td>
<td>Vignette 5</td>
<td>Physical</td>
<td>5.80 (194)</td>
</tr>
<tr>
<td>6</td>
<td>Vignette 7</td>
<td>Economic</td>
<td>5.26 (190)</td>
</tr>
<tr>
<td>7</td>
<td>Vignette 4</td>
<td>Economic</td>
<td>4.34 (192)</td>
</tr>
</tbody>
</table>
Table 1 does not really produce any surprises in terms of the crimes and their seriousness as perceived by the respondents. The two most serious offenses were those that included the deaths of people (physical harm); Vignettes 3 and 2 are ranked 1st and 2nd respectfully. In Vignette 3, the company was responsible for the deaths of four people because it knowingly sold unsafe, improperly tested pharmaceutical devices. In Vignette 2, the company was responsible for an employee's death because it was negligent in repairing machinery. The other vignette (5) that includes physical harm is ranked 5th; this is the vignette in which twenty people suffered serious injuries when they were driving a new truck that was not tested properly by the company. The two crimes involving environmental harm come after the physical harm crimes that involve death, but before the physical harm crime that involved serious injuries to twenty people. Vignette 1 (ranked 3rd), involves the pollution of local streams and lakes rendering the drinking water unsafe. In Vignette 6 (ranked 4th), the company is responsible for destroying local habitats of plants and animals. The least serious of the Vignettes 7 and 4 (ranked 6th and 7th respectively), were ones that involved economic harm when the companies overcharged the government. Vignette 7 involved a company overcharging the government $1 billion by knowingly overbilling Medicare. Vignette 4 involved a company overcharging the government $1 million by knowingly rigging the bids with competitors.
Assigning Sanctions

Seriousness is only one way in which to measure how a crime is perceived by people. The other way that was used to understand people's perceptions about corporate crimes was by having the respondents indicate the sanction that they felt would be appropriate for the crime. In doing so, the respondents could choose any combination of the following: Fine, Probation and Other. If Fine was chosen, the respondent was then asked to specify a value in U.S. dollars. If Probation was chosen the respondents were asked to put how many months would be appropriate. If the respondents chose Other, they were asked to specify the sanction that they would place upon the company. By having the respondents do this, we can begin to understand more clearly how serious the crimes were perceived. The more punitive the sanction the more serious the crime was perceived by the respondents.

The Fine Sanction

I found that the most common sanction selected by respondents was a fine. In Table 2, the percentages ranged from 67% to 89.2% indicating a fine was an appropriate sanction for the crime. Both of the vignettes that included economic harm (4 and 7) had over 80% of the respondents assigning a fine sanction to them. Vignette 7 had 84.0% of respondents (163) indicate that they would assign a fine as a sanction. Vignette 4 had 81.4% of respondents indicate that a fine was appropriate for the crime and harm done. The fine
sanction was used by over 80% of the respondents in both of the vignettes (1 and 6) that involved environmental harm(s) as well.

Table 2
Percentage of Respondents Indicating Fine as a Sanction by Vignette

<table>
<thead>
<tr>
<th>Vignette</th>
<th>Harm/Impact</th>
<th>Percent Indicating &quot;Fine&quot;</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>(N)</td>
</tr>
<tr>
<td>1</td>
<td>Environmental</td>
<td>89.2%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(173)</td>
</tr>
<tr>
<td>2</td>
<td>Physical</td>
<td>67.0%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(130)</td>
</tr>
<tr>
<td>3</td>
<td>Physical</td>
<td>73.2%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(142)</td>
</tr>
<tr>
<td>4</td>
<td>Economic</td>
<td>81.4%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(158)</td>
</tr>
<tr>
<td>5</td>
<td>Physical</td>
<td>69.1%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(134)</td>
</tr>
<tr>
<td>6</td>
<td>Environmental</td>
<td>80.9%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(157)</td>
</tr>
<tr>
<td>7</td>
<td>Economic</td>
<td>84.0%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(163)</td>
</tr>
</tbody>
</table>

The vignette that had the most respondents indicate that a fine was an appropriate sanction was Vignette 1 which was the one that included the polluting of lakes and streams making the water unsafe for swimming and drinking. Vignette 6 had 80.9% of respondents (157) indicate a fine as a sanction. The crimes involving physical harm did not have as many respondents (73.2% for Vignette 3, 69.1%
for Vignette 5 and 67.0% for Vignette 2) choosing the fine, but as we will examine later, these crimes involving physical harm were penalized more so using a combination of the sanctions.

Respondents who indicated that they would assign a fine included those respondents who did not specify a dollar amount for the fine, but they included specifics about the fine. For Vignette 1, 152 respondents indicated a dollar amount, three of those indicated a dollar amount plus they included these conditions, "or amount to clean up if more," "or however much is necessary to clean up the water," and "fine towards clean up." Twenty-one respondents for Vignette 1 did not assign any dollar amount but included these conditions, "cost of clean up," costs of clean up plus any medical costs that arise," "150% of clean up cost," and "cost of clean up plus $1,000,000." For Vignette 2, 129 respondents indicated a dollar amount when assigning the fine. One of the 129 respondents indicated a dollar amount plus added the following condition, "fine to the victim's family." One other respondent did not indicate a dollar amount but specified the fine under this condition, "however much it takes to fix the machines." For Vignette 3, 140 respondents indicated a dollar amount for the fine. Two of the 140 indicated a dollar amount plus the following conditions, "per person" and "fine to victim's family." Two other respondents did not assign a dollar amount but specified the following as a sanction, "150% of profits" and "gross worth of victims." For Vignette 4, 158 respondents indicated a dollar amount, one of which added the following condition,
"if not greater." For Vignette 5, 133 respondents specified a dollar amount, one of which added, "per person." One other respondent who did not specify a dollar amount specified the fine as "enough to cover the accident." For Vignette 6, 149 respondents specified a dollar amount, one of which also included that the "fine should go towards clean up." Eight respondents indicated that the fine have certain conditions they are coded as follows; "cost of clean up" and "150% of clean up costs." Vignette 7 had 163 respondents indicate a dollar amount for the fine, there were no other specifications given.

Examining Table 3 in terms of dollar amounts and seriousness, I found the most severely sanctioned crime, (Vignette 7) involved overbilling Medicare for $1 billion dollars, an economic harm. Fine amounts ranged from $1.00 to $300 billion. The average fine was over $3 billion dollars for this crime. The mode for this crime was $1 billion dollars, the amount that the government was overcharged. Vignette 4, the other economic harm crime, was ranked 7th, it included a company being convicted of knowingly rigging bids and overcharging the government $1 million dollars. This vignette had a mean fine of just over $9 million dollars. The second most serious in terms of dollar amount was Vignette 3, a physical harm crime in which the company was knowingly responsible for four deaths. The mean fine amount for this vignette was over $625 million. Vignette 5 which had twenty people injured because of an unsafe defect, was ranked 5th in terms of its mean fine amount that was over $18 mil-
lion. Surprisingly, Vignette 2, which included the death of one employee because the company neglected to repair machinery, was ranked 6th in terms of mean fine amount which was just over $10 million. The two vignettes ranked 3rd and 4th in terms of mean fine amount are the ones that involve corporate crimes that include environmental harms (Vignettes 1 and 6). These two vignettes are close in terms of their mean fine amounts, Vignette 1 had a mean of just over $127 million and Vignette 6 had a mean just over $126 million.

Table 3
Mean Amount of Fine for Vignettes in Rank Order

<table>
<thead>
<tr>
<th>Rank</th>
<th>Vignette</th>
<th>Harm/Impact</th>
<th>Mean Dollar Amount (Valid N)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>7</td>
<td>Economic</td>
<td>$3,164,908,258 (163)</td>
</tr>
<tr>
<td>2</td>
<td>3</td>
<td>Physical</td>
<td>$625,182,093 (140)</td>
</tr>
<tr>
<td>3</td>
<td>1</td>
<td>Environmental</td>
<td>$127,110,190 (152)</td>
</tr>
<tr>
<td>4</td>
<td>6</td>
<td>Environmental</td>
<td>$126,156,193 (149)</td>
</tr>
<tr>
<td>5</td>
<td>5</td>
<td>Physical</td>
<td>$18,268,609 (133)</td>
</tr>
<tr>
<td>6</td>
<td>2</td>
<td>Physical</td>
<td>$10,203,478 (129)</td>
</tr>
<tr>
<td>7</td>
<td>4</td>
<td>Economic</td>
<td>$9,250,681 (158)</td>
</tr>
</tbody>
</table>
The Sanction of Probation

As for the sanction of probation (see Table 4), I found that respondents were less likely to give a sanction of probation than a fine. Those who indicated that they would give probation as a sentence ranged from 55.7% (for Vignette 7) of the sample to 67% (for Vignette 2). Vignette 2, which included a crime with a physical harm, had the most respondents (130) indicate that they would assign probation to the company for the crime that it had committed.

Table 4
Percentage of Respondents Indicating Probation as a Sanction by Vignette

<table>
<thead>
<tr>
<th>Vignette</th>
<th>Harm/Impact</th>
<th>Percent Indicating Probation (N)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Environmental</td>
<td>62.4% (121)</td>
</tr>
<tr>
<td>2</td>
<td>Physical</td>
<td>67.0% (130)</td>
</tr>
<tr>
<td>3</td>
<td>Physical</td>
<td>58.2% (113)</td>
</tr>
<tr>
<td>4</td>
<td>Economic</td>
<td>60.8% (118)</td>
</tr>
<tr>
<td>5</td>
<td>Physical</td>
<td>61.3% (119)</td>
</tr>
<tr>
<td>6</td>
<td>Environmental</td>
<td>64.9% (126)</td>
</tr>
<tr>
<td>7</td>
<td>Economic</td>
<td>55.7% (108)</td>
</tr>
</tbody>
</table>
The other physical harm vignettes, 3 and 5 had less of the respondents assign probation as a sanction. Vignette 3 had 58.2% and Vignette 5 had 61.3% of the respondents indicate that they would assign probation. The vignettes that included environmental harms had the second and third highest percentages indicating that probation was an appropriate sanction. Vignette 6 had 64.9% of respondents (126) indicate that they would assign probation as a sanction. Vignette 1, had 62.4% of respondents (121) assign probation as a sanction. The economic harm vignettes, 4 and 7 had 60.8% and 55.7% of respondents choosing probation as a suitable sanction.

The probation sanction, as with the fine sanction, had respondents indicating specifics for the sanction and there were those who chose probation, but did not indicate a number of months. For Vignette 1, 120 respondents specified a number of months that the company had to serve as a sanction. One respondent indicated a number of months plus noted, "have the company observed and watched for further implications." One respondent did not indicate a number of months, but felt that the term of probation should be, "until things are restored to normal." For Vignette 2, there were 130 respondents who specified a number of months, one of which also added to the sanction, "constant supervision and checks." In Vignette 3, 113 respondents specified a number of months and there were no additions to the sanctions. Vignette 4 had 118 respondents indicate a number of months; there were no other additions to the sanctions. For Vignette 5, 118 respondents specified a number of months. One
respondent did not specify a number of months, but added that the probation period should last, "until the trucks are fixed or inspected." For Vignette 6, 123 respondents indicated a specific number of months. Three respondents did not specify a number of months, but added that the probation period should last, "until restored to normal." Vignette 7 had 108 respondents that indicated a number of months; there were no additions to the sanctions.

Examining the mean number of months for the sanction of probation in Table 5, I found that Vignette 3, involving a crime that had physical harm (four deaths) was the one with the highest mean, 120.3 months. This can be associated with the finding that Vignette 3 was also found to be the most serious using the seriousness scale. The 5th ranked vignette was Vignette 5 that had a mean of 59.9 months and dealt with serious injuries suffered by twenty people, another crime with physical harm. Surprisingly, the 7th ranked vignette was Vignette 2 that involved the death of an employee; a physical harm. This vignette's mean was 41.2 months. The 2nd ranked vignette in terms of mean number of months for the sanction of probation was Vignette 6, which had a mean of 93.0. This vignette had to do with an environmental crime where the company had been convicted of negligently releasing toxins into the air and creating a problem with acid rain that destroyed the local habitats of plants and animals. The 4th ranked vignette for probation was Vignette 1; this had a mean of 66.5 months and involves an environmental harm where lakes and streams were polluted. The 3rd ranked vignette was Vignette 7,
this had a mean of 86.9 months and involved an economic harm where the company overbilled Medicare and the government was subsequently overcharged $1 billion. The 6th ranked vignette was Vignette 4, which had a mean of 51.5 months. This involved an economic harm; the government was overcharged $1 million by the company.

Table 5

Mean Number of Months for the Sanction of Probation in Rank Order

<table>
<thead>
<tr>
<th>Rank</th>
<th>Vignette</th>
<th>Harm/Impact</th>
<th>Mean Months of Probation (Valid N)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>3</td>
<td>Physical</td>
<td>120.3 (113)</td>
</tr>
<tr>
<td>2</td>
<td>6</td>
<td>Environmental</td>
<td>93.0 (123)</td>
</tr>
<tr>
<td>3</td>
<td>7</td>
<td>Economic</td>
<td>86.9 (108)</td>
</tr>
<tr>
<td>4</td>
<td>1</td>
<td>Environmental</td>
<td>66.5 (120)</td>
</tr>
<tr>
<td>5</td>
<td>5</td>
<td>Physical</td>
<td>59.9 (118)</td>
</tr>
<tr>
<td>6</td>
<td>4</td>
<td>Economic</td>
<td>51.5 (118)</td>
</tr>
<tr>
<td>7</td>
<td>2</td>
<td>Physical</td>
<td>41.2 (130)</td>
</tr>
</tbody>
</table>

The Sanctions Specified by Respondents

Table 6 analyzes the percent of respondents in the sample who
indicated that another sanction would be appropriate for the crime and its harm or impact described by the vignette. It is interesting to point out that the vignettes are ranked by percentage, but also by groups in terms of the harm involved. The first three ranked vignettes are those that involve physical harms.

Table 6
Percentage of Respondents Indicating Other as a Sanction in Rank Order

<table>
<thead>
<tr>
<th>Rank</th>
<th>Vignette</th>
<th>Harm/Impact</th>
<th>% Indicating Other (Valid Number)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>5</td>
<td>Physical</td>
<td>42.3% (82)</td>
</tr>
<tr>
<td>2</td>
<td>3</td>
<td>Physical</td>
<td>40.2% (78)</td>
</tr>
<tr>
<td>3</td>
<td>2</td>
<td>Physical</td>
<td>38.7% (75)</td>
</tr>
<tr>
<td>4</td>
<td>6</td>
<td>Environmental</td>
<td>29.4% (57)</td>
</tr>
<tr>
<td>5</td>
<td>1</td>
<td>Environmental</td>
<td>21.6% (42)</td>
</tr>
<tr>
<td>6</td>
<td>7</td>
<td>Economic</td>
<td>14.9% (29)</td>
</tr>
<tr>
<td>7</td>
<td>4</td>
<td>Economic</td>
<td>8.2% (16)</td>
</tr>
</tbody>
</table>

The second group includes the two environmental harm crimes and the third group at the bottom of the rankings for those who indicated "other" as an appropriate sanction, are the economic crimes. Vig-
nette 5 which is ranked 1st with 42.3% (82) of the respondents, had to do with twenty people being seriously injured. Vignette 3, ranked 2nd with 40.2% (78) of the respondents, involved a crime in which four people died. The 3rd ranked Vignette was Vignette 2 with 38.7% (75) of the respondents indicating that “other” was an appropriate response. This particular vignette involved an employee death. The 4th ranked vignette, involving an environmental harm crime, Vignette 6 had 29.4% (57) of the respondents indicating that “other” was an appropriate sanction. The 5th ranked vignette was Vignette 1 which had 21.6% (42) of respondents indicating “other” as a sanction. Vignette 7 was ranked 6th and had 14.9% (29) respondents specifying “other” as an appropriate sanction. This vignette involved an economic harm where the government was overcharged $1 billion. The 7th ranked vignette in terms of the percentage of the sample that indicated “other” was Vignette 4. It had 8.2% (16) of the respondents specify a sanction other than fine or probation.

Respondents who indicated “other” as a response were then asked to specify the sanction that they felt to be appropriate for the crime and the harm done or impact it had. Tables 7 through 13 examine the vignettes in rank order based on Table 6. Within each table is the sanction given by the respondent for “other” and frequency of each response.

When examining the data collected for the response to “other” there were many responses with many different features. These responses were narrowed to the five categories seen in Table 7.
Table 7
Specific Sanctions Given by Respondents to Vignette 5

<table>
<thead>
<tr>
<th>Sanction</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Compensation/Restitution</td>
<td>50</td>
</tr>
<tr>
<td>Product (Recall)</td>
<td>14</td>
</tr>
<tr>
<td>Compensation + Recall</td>
<td>13</td>
</tr>
<tr>
<td>Shut Down Company</td>
<td>4</td>
</tr>
<tr>
<td>Compensation + Loss of License</td>
<td>1</td>
</tr>
</tbody>
</table>

This particular vignette involved a company that had been convicted of negligently testing a new line of trucks which resulted in an unsafe defect causing serious injuries to twenty people. There were fifty respondents that indicated that there should be some sort of compensation/restitution given to the victims or victims' families. This category included differing sums of money that respondents felt should be given to the victim and or the families, payment of medical bills, pain and suffering costs, and replacement costs for the vehicle(s). The category of "Product (Recall)" included fourteen respondents who indicated that the trucks (the product) should be recalled or taken off of the market. Thirteen respondents felt that an appropriate sanction would be to give money to the injured parties or pay medical bills, and recall the trucks or take them off of the market, this is what constitutes the category titled, "Compensation + Product." There were four respondents
that indicated that they would want the company shut down for the crime that had been committed. One respondent indicated that the company should pay for all medical expenses and the company should lose its license, thus the category "Compensation + Loss of License."

Table 8 provides information regarding the sanctions specified by respondents in Vignette 3 under "other." Twenty-eight respondents found that a form of "compensation or restitution" was an appropriate sanction for the crime where four people died due to the company knowingly selling an unsafe, improperly tested pharmaceutical device. This category included different sums of money given to the families of the deceased for restitution, pain and suffering expenses; compensation to the families for medical costs, funeral costs, and payments made to the widow. Twenty-five respondents in the sample indicated that an appropriate sanction for the crime and the harm done would be to shut down the company. Seven respondents felt that an appropriate sanction would be for the company to lose its license. Six respondents specified a sanction that would have the product recalled or banned from the market; these are included in the category of "product." Five respondents felt that some form of compensation (in terms of money to families or medical expenses) plus recalling the product was the sanction that was suitable for the crime and harm caused. There were three respondents who specified some form of compensation (funeral costs and damages paid to families) as well as shutting down the company as specific sanctions
for Vignette 3. Two respondents indicated a sanction that included compensation to the families (funeral costs and paying families for damages) plus having the company lose its license would be appropriate. One respondent indicated that an appropriate sanction would be to fire those who knowingly allowed the crime to occur. One other respondent in the sample felt that letters of explanation should be sent to customers informing them of what occurred.

<table>
<thead>
<tr>
<th>Sanction</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Compensation/Restitution</td>
<td>28</td>
</tr>
<tr>
<td>Shut Down Company</td>
<td>25</td>
</tr>
<tr>
<td>Loss of License</td>
<td>7</td>
</tr>
<tr>
<td>Product</td>
<td>6</td>
</tr>
<tr>
<td>Compensation + Product</td>
<td>5</td>
</tr>
<tr>
<td>Compensation + Shut Down Company</td>
<td>3</td>
</tr>
<tr>
<td>Compensation + Loss of License</td>
<td>2</td>
</tr>
<tr>
<td>Fire Those Who Knew</td>
<td>1</td>
</tr>
<tr>
<td>Letters of Explanation</td>
<td>1</td>
</tr>
</tbody>
</table>

Table 9 provides us with five categories of sanctions that respondents indicated when answering "other" to Vignette 2. This vignette was one in which a company was convicted of neglecting to repair machinery and as a result, one employee died. Fifty respon-
Dents indicated that some form of "restitution or compensation" should be given to the employee's family and/or widow. Many of the responses included the following; sums of money that the company should pay the family/widow along with costs that may be incurred from a funeral, certain portions of the employee's salary that should be paid to the family, and pain and suffering costs. Nine respondents noted that some form of "compensation" to the family or widow should be paid in addition to "repairing" the machinery. Eight respondents felt that an appropriate sanction would be to "shut down the company". For the category of "Inspections/Repair Machinery," seven respondents indicated that having the machinery repaired and inspected was a sanction that would be suitable for the crime. One respondent indicated that some form of compensation was due to the family (in the form of money) along with having the company shut down.

Table 9
Specific Sanctions Given by Respondents to Vignette 2

<table>
<thead>
<tr>
<th>Sanction</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Compensation/Restitution</td>
<td>50</td>
</tr>
<tr>
<td>Compensation + Repair</td>
<td>9</td>
</tr>
<tr>
<td>Shut Down Company</td>
<td>8</td>
</tr>
<tr>
<td>Inspections/Repair Machinery</td>
<td>7</td>
</tr>
<tr>
<td>Compensation + Repair Machinery</td>
<td>1</td>
</tr>
</tbody>
</table>
The specific sanctions given by respondents to Vignette 6 were broken down into eight categories seen in Table 10. This vignette involved a company convicted of releasing toxins in the air which caused the acid rain in the surrounding area to worsen and it also destroyed local habitats for native plants and animals. Thirty-four respondents felt that a sanction that made the company clean up the area, restore plant life, help the surrounding area, and pay for wildlife preservation was appropriate, these were included in the category of "Clean Up." Thirteen respondents indicated that an appropriate sanction would be to shut down the company. The category of "Community Service" included specific sanctions of three respondents who indicated that the company should do community service with an environmental group, donate money to the clean air fund and give profits to an environmental group. The "Prevention Measures" category included three respondents who felt that the company should have "full time monitoring of air emissions", "install devices to prevent this" and "hire environmental consultants." One respondent felt a the specific sanction should be to "clean up and have inspections every three months" this was categorized as "Clean Up + Inspection." One respondent indicated that the company should be made to "clean up and shut down", this was categorized as "Clean Up + Shut Down." One respondent indicated that an appropriate sanction would be to have the company pay "damages to the city," categorized as "Damages to City." One other sanction given by a respondent was to have the company lose their license, categorized as "Loss of
Table 10

Specific Sanctions Given by Respondents to Vignette 6

<table>
<thead>
<tr>
<th>Sanction</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clean Up</td>
<td>34</td>
</tr>
<tr>
<td>Shut Down Company</td>
<td>13</td>
</tr>
<tr>
<td>Community Service</td>
<td>3</td>
</tr>
<tr>
<td>Prevention Measures</td>
<td>3</td>
</tr>
<tr>
<td>Clean Up + Inspection</td>
<td>1</td>
</tr>
<tr>
<td>Clean Up + Shut Down Company</td>
<td>1</td>
</tr>
<tr>
<td>Damages to City</td>
<td>1</td>
</tr>
<tr>
<td>Loss of License</td>
<td>1</td>
</tr>
</tbody>
</table>

Table 11 displays the categories of specific sanctions for Vignette 1 which included a company being convicted of dumping toxic waste into a river, resulting in the pollution of local streams and lakes making water unsafe for drinking and swimming. Thirty respondents felt that an appropriate sanction would be to have the company clean up the pollution, "participate in a clean up effort", "pay for an alternative water source" and "any additional clean up costs." These were categorized as "Costs of Cleaning Up." Six respondents felt that an appropriate sanction would be to shut down the company. Three respondents felt an appropriate sanction would be to have the company publicize the crime and or make an apology for what it had
done, this was categorized as "Publicize Crime/Apology." One respondent indicated that an appropriate sanction would be to "fine and give probation to those responsible." An appropriate sanction specified by one respondent was to have the company lose its license. One other respondent felt that having "future disposals monitored and checked" was an appropriate sanction for the company.

Table 11

<table>
<thead>
<tr>
<th>Sanction</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Costs of Cleaning Up</td>
<td>30</td>
</tr>
<tr>
<td>Shut Down Company</td>
<td>6</td>
</tr>
<tr>
<td>Publicize Crime/Apology</td>
<td>3</td>
</tr>
<tr>
<td>Fine and Probation to Those Responsible</td>
<td>1</td>
</tr>
<tr>
<td>Loss of License</td>
<td>1</td>
</tr>
<tr>
<td>Monitoring and Check Future Disposals</td>
<td>1</td>
</tr>
</tbody>
</table>

Table 12 displays the specific sanction given by respondents for Vignette 7 which had to do with a company being convicted of knowingly overbilling Medicare that resulted in the government being overcharged $1 billion. There were seven respondents that indicated that the company should lose its license as a sanction for the crime described in the vignette. Seven other respondents indicated that an appropriate sanction would be to have the company pay back the government. There were six respondents that felt that shutting down
the company was an appropriate sanction for the crime described. Three respondents felt that not allowing the company to contract with the government was a sanction that was appropriate, this is categorized as "Cannot Contract with Government." Three other respondents felt that the company should make the crime known to the public and apologize for it, this is categorized as "Public Admittance/Apology." There were two respondents who indicated that the company should "donate to charity" or "give profits to Medicare" both were placed into the category, "Donate." One respondent felt that having the company pay back the government and not allowing them to contract was an appropriate sanction, categorized as "Pay Back Government + Cannot Contract."

Table 12
Specific Sanctions Given by Respondents to Vignette 7

<table>
<thead>
<tr>
<th>Sanction</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Loss of License</td>
<td>7</td>
</tr>
<tr>
<td>Pay Back Government</td>
<td>7</td>
</tr>
<tr>
<td>Shut Down Company</td>
<td>6</td>
</tr>
<tr>
<td>Cannot Contract with Government</td>
<td>3</td>
</tr>
<tr>
<td>Public Admittance/Apology</td>
<td>3</td>
</tr>
<tr>
<td>Donate</td>
<td>2</td>
</tr>
<tr>
<td>Pay Back Government + Cannot Contract</td>
<td>1</td>
</tr>
</tbody>
</table>
Table 13 examines the specific responses given by those surveyed for Vignette 4 which included a company being convicted of knowingly rigging bids with competitors on government contracts that resulted in the government being overcharged $1 million. Eight respondents indicated that the company should pay back the government as its sanction. Four respondents indicated that the company should not be allowed to contract with the government any longer. Two respondents indicated that an appropriate sanction would be to have the company make a public announcement of the crime. One respondent felt that the company should "fire the president (of the company) and hire new employees" as a sanction, this was categorized as "Reorganization." One other respondent felt that the company should be shut down for the crime that it committed and its harm.

Table 13.

Specific Sanctions Given by Respondents for Vignette 4

<table>
<thead>
<tr>
<th>Sanction</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pay Back Government</td>
<td>8</td>
</tr>
<tr>
<td>Cannot Contract with Government</td>
<td>4</td>
</tr>
<tr>
<td>Public Announcement</td>
<td>2</td>
</tr>
<tr>
<td>Reorganization</td>
<td>1</td>
</tr>
<tr>
<td>Shut Down Company</td>
<td>1</td>
</tr>
</tbody>
</table>
The Notion of Punitiveness in Sanctioning

After examining each of the sanctions given, I decided to combine and recode the sanctions to see how many were given for each vignette. Respondents did not limit themselves to just one sanction in the form of fine or probation or other. Many respondents gave multiple parts to the sanction, whether it be a fine and probation, fine and other, probation and other or even all three sanctions. The idea that one sanction was not enough contributes to the punitive nature of the respondent in judging the crime and its harm. If an individual answered "yes" to only one of the sanctions (fine, probation or other), the value given was 1. If the respondent answered "yes" to two of the three sanctions, the value given was 2. If all three sanctions were answered, the value given was 3. If no sanction was given, the value is 0. The proceeding section will view the vignettes in rank order for each of the sanction categories; "no sanction," "one sanction," "two sanctions" or "three sanctions."

Most respondents (over 92% for each vignette) gave some form of sanction as displayed in Table 14. The vignettes that involved an environmental crime (1 and 6) were interesting in the percentage of respondents who decided not to give a sanction. For Vignette 1, only 1.0% of the respondents (2) did not indicate some form of sanction. Vignette 6 only had 4.6% of the respondents (9) not give a sanction. For respondents giving only one sanction, they were more inclined to do so for Vignettes 4 and 7 (39.7% and 35.6%) which in-
cluded crimes with economic harms. At least 50% or more of the respondents gave two sanctions to all of the vignettes.

Table 14
Percentage of Respondents who Indicated No Sanction, One Sanction, Two Sanctions or All Three Sanctions for Each Vignette

<table>
<thead>
<tr>
<th>Vignette</th>
<th>Harm/Impact</th>
<th>No Sanction</th>
<th>1 Sanction</th>
<th>2 Sanctions</th>
<th>3 Sanctions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Environmental</td>
<td>1.0%</td>
<td>34.5%</td>
<td>54.6%</td>
<td>9.8%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(2)</td>
<td>(67)</td>
<td>(106)</td>
<td>(19)</td>
</tr>
<tr>
<td>2</td>
<td>Physical</td>
<td>7.2%</td>
<td>27.8%</td>
<td>50.0%</td>
<td>14.9%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(14)</td>
<td>(54)</td>
<td>(97)</td>
<td>(29)</td>
</tr>
<tr>
<td>3</td>
<td>Physical</td>
<td>5.2%</td>
<td>30.9%</td>
<td>51.0%</td>
<td>12.9%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(10)</td>
<td>(60)</td>
<td>(99)</td>
<td>(25)</td>
</tr>
<tr>
<td>4</td>
<td>Economic</td>
<td>5.7%</td>
<td>39.7%</td>
<td>53.1%</td>
<td>1.5%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(11)</td>
<td>(77)</td>
<td>(103)</td>
<td>(3)</td>
</tr>
<tr>
<td>5</td>
<td>Physical</td>
<td>4.1%</td>
<td>31.4%</td>
<td>52.1%</td>
<td>12.4%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(8)</td>
<td>(61)</td>
<td>(101)</td>
<td>(24)</td>
</tr>
<tr>
<td>6</td>
<td>Environmental</td>
<td>4.6%</td>
<td>25.8%</td>
<td>59.3%</td>
<td>10.3%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(9)</td>
<td>(50)</td>
<td>(115)</td>
<td>(20)</td>
</tr>
<tr>
<td>7</td>
<td>Economic</td>
<td>7.2%</td>
<td>35.6%</td>
<td>52.6%</td>
<td>4.6%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(14)</td>
<td>(69)</td>
<td>(102)</td>
<td>(9)</td>
</tr>
</tbody>
</table>

Approximately 59% (59.3) of the respondents gave two sanctions to Vignette 6 which included a crime with an environmental crime, this was the highest percentage of respondents indicating two sanctions. The second highest in terms of those respondents giving two sanctions was Vignette 1 with 54.6% of respondents giving two sanctions. This vignette also includes an environmental harm. I also
examined the most sanctions that can be given. In doing so, I found that the top three in terms of respondents choosing all three sanctions, were the vignettes that included physical harms. They were Vignettes 2, 3 and 5. Vignette 2 was the highest with 14.9% of the respondents (29) indicating that a fine, a term of probation and another sanction were all appropriate sanctions for the crime described in the vignette. Vignette 3 was the second highest for those respondents indicating all three sanctions. Approximately 13% (12.9) of the respondents (25) felt that all three sanctions would be the suitable sanction. The third highest vignette in terms of receiving all three sanctions was Vignette 5 which had 12.4% of the respondents (24) answering this way. Environmental crimes followed close behind the physical crimes in receiving all three sanctions. Vignettes 6 and 1 had 10.3% and 9.8% of respondents (20 and 19) indicating that all three sanctions were appropriate. The economic crime vignettes had the lowest percentage of respondents indicating that all three sanctions were appropriate. For Vignette 7, only 4.6% of respondents (9) indicated all three sanctions. For Vignette 4, only 1.5% of respondents (3) indicated all three sanctions.
CHAPTER IV

INTERPRETATIONS AND CONCLUSIONS

Introduction

This chapter interprets the survey findings presented in the previous chapter. It must be noted that these research findings and interpretations may only be generalized to the sample population's perceptions and not to students in general, or the public. Some concluding thoughts and suggestions for further research will also be included.

This chapter will attempt to answer the research questions formulated in Chapter I. The questions were:

1. What types of sentences/sanctions are specified by the respondents?
2. What types of sentences/sanctions are most commonly used by the respondents?
3. Which types of corporate crime receive the harshest sentences/sanctions from respondents?
4. What corporate crimes are ranked as the most serious?
5. What are the possible reasons (within the vignette) for these sentences/sanctions?
6. How else can we measure the seriousness of an offense?
Research Question #1

The first question concerns the types of sentences/sanctions other than fine and probation that were specified by the respondents. These specific sentences/sanctions are described in Tables 7 to 13. The most sanctions specified by respondents were for Vignettes 2, 3, and 5. These crimes all have to do with physical harms/impacts. Vignette 5 which involved twenty people being seriously injured, had the most respondents specify sanctions. It appears as though many of the sanctions that were specified are in response to the injuries suffered by the twenty people. This was confirmed when I looked at the specifics of the sanctions (as seen in Table 7). Fifty of the respondents felt that some sort of restitution or compensation was due to the victims and or their families. The respondents seemed to be focused on making sure that the victims were compensated in terms of money from the company to make up for the harm done. I find this extremely interesting in that respondents were concerned about the victims in this manner. This sanction may not necessarily be "harsh" or "tough" on the company, but it is appropriate in the views of the respondents. The compensation or restitution may add up to a lot of money depending on the extent of the injuries. Fourteen other respondents for Vignette 5 felt that the victims should receive compensation or restitution, but they added another sanction as well. One respondent felt that the victims should be compensated plus have the company lose its license, a more severe penalty than just compensation.
Thirteen respondents felt compensation was necessary along with having the trucks pulled off the market or recalled.

In Vignette 3, the other sanctions specified were much like the ones for Vignette 5. There were many respondents who felt that compensating the victims was an appropriate sanction, but there were also many that felt another sanction should be imposed. The other sanction of interest was shutting down the company. A death penalty for the company is the severest of all penalties for a corporation. Respondents in all seven vignettes gave this particular sanction. Vignette 3 had the most respondents indicate this sanction. This particular vignette had to do with four people dying because of an unsafe, improperly tested pharmaceutical device. This vignette was also ranked as the most serious in terms of the mean seriousness. Shutting down a company is highly unlikely to occur given the power and influence of the corporation in the real world. The respondents seem to have strong feelings that it could be applied and is reasonable given the circumstances of the crime. I believe that this sanction is a result of the harm done. Environmental crimes such as the one described in Vignette 6 also received this penalty. Thirteen respondents felt that the company that destroyed the habitats of plants and animals should also be shut down. This sanction was not just applied to one certain type of crime, but to all (physical, environmental and economic).

Other sanctions specified by respondents were influenced in large part by the details of the crime including the impact. For
instance, in Vignette 2, the company neglected to repair machinery and the respondents reflected this in the specific sanction by specifying that the machinery should be repaired. Respondents indicated that the machinery should be repaired and or inspected. I believe that this crime may have led respondents to envision themselves as workers who had to work on the machinery. They would not want to have to work on machines that were unsafe. Another example can be seen with Vignettes 1 and 6, where the companies had committed an environmental harm crime. Respondents felt that the costs of clean up should be the responsibility of the company. The respondents seem to be focused on the environment getting the attention needed to ensure a safe eco-system. I believe that the respondents may have been thinking past the crime phase into predicting what may happen if the environment is not cleaned up properly. In response to Vignettes 4 and 7, where companies committed an economic harm crime, the sentences specified were directed towards the companies paying back the government. This sanction is a result of the dollar amounts involved. There were not many specific sanctions for these two vignettes and this may be the result of the lack of any real harm caused besides monetary loss which is more easily recovered.

Research Question #2

The most commonly used sanction by respondents was the fine (see Table 2). The lowest number of respondents giving a fine as a sanction was for Vignette 2, where 67% indicated a fine was appro-
The highest percentage of respondents indicating that a fine was appropriate was for Vignette 1 (89.2%). Only 21 respondents (10.8%) did not assign a fine for this vignette. Cohen (1989) found that "89% of the 288 corporate offenders he studied were fined" (p. 610). The average fine in Cohen's study was "a little over $50,000" (p. 611). It is interesting that the courts seem to fine the companies as often as the respondents do in this study. This seems to be an appropriate sanction given the financial nature of the corporation. However, a respondent may be content to stipulate the most generally appropriate sanction, but the omission of other sanctions is not necessarily a rejection of them. In Cohen's study, the mean amount of the fine is small compared with the mean fine amounts for the vignettes in this study (see Table 3). The respondents, faced with only seven corporate crimes with specific harms, gave much higher fines than is usual in the federal courts. The 288 corporate offenders in Cohen's study may not have committed as serious offenses as described in the vignettes, but the fact that the fine is so low is interesting when examining the dollar amounts given in this study. The fines levied by the respondents are likely based upon the harm being done by the company. In Vignette 7 for example, the mean fine amount was three times the amount the company overcharged the government. The dollar amount here is extremely high at $1 billion and this directly affected the way respondents answered. Frank et al. (1989) found that as the physical and economic harm goes up, sanctions are increased, this seems to be echoed in
this study. I believe that the respondents felt it much easier to assign a dollar amount to the crimes where a dollar amount was a part of the harm done. For the environmental harm and physical harm crimes, the dollar amount may not have been as easy to calculate. How much does a human life cost? If we look at the mean fine amount given for Vignette 3, over $600 million, and divided by four (the number of deaths) then we could say that respondents felt on average that a life was worth over $150 million. However, this is not the case when looking at Vignette 2 (one death occurring) where the average fine was over $10 million. I feel that respondents do not have a formula for the dollar amount to assign on a physical harm, rather they randomly select a dollar amount that they feel would be appropriate for the company, the crime committed and the harm done. It is interesting to note that the environmental harm crimes were ranked 3rd and 4th in terms of mean fine amount ($127 and $126 million). These fine amounts are over $25 million more than what the Exxon Corporation received as part of its sentence in the 1989 oil spill in Alaska. So we can see that respondents may in fact be more severe than federal courts in sentencing corporate offenders. This however, is not the focus of this particular study; it does however raise an interesting research question, would respondents give a higher or lower fine to a corporation as compared to the federal courts?
Research Questions #3 and #6

In answering research question #3, it is difficult not to answer #6 as well. To understand what the harshest sentences/sanctions are, it must be defined what harshest actually means. In Chapter IV, I referred to punitiveness as a way in which we can re-code all three sanctions (fine, probation and other) to see how many were given for each vignette. The maximum number of sanctions that can be assigned in this survey is three. Respondents who indicate all three sanctions are giving the harshest sanction possible, a fine with a dollar amount, probation with number of months and another sanction that is specified. A large fine amount may be harsh for some respondents, but a long term of probation may be for others. As was said previously, just because respondents chose one sanction which they feel is most appropriate, this does not mean that they would reject another sanction. This is important to remember when conducting future research. Respondents may in fact chose other sanctions if they know what other sanctions are possible. If respondents could chose between a fine, probation and or specified sanctions like those discussed in research question #1, they may be even harsher. Some harsh sanctions have already been discussed in answering research question #1. Shutting down a company can be the harshest of all sanctions, but this too can be compounded, some respondents included a fine along with shutting down the company. For the purposes of this study, I am viewing the responses of all three sanctions as the harshest. This means if they indicated a fine,
probation and specified another sanction, this is the harshest, regard-
less of what the fine amount was, the term of probation was and
the sanction specified.

This leads me to discuss another way that seriousness can be
measured. Measuring seriousness is a complex issue and needs to be
examined more closely than this study attempts to do. There are a
number of factors for respondents to consider when assessing a crime
and its seriousness. First, there needs to be a clearly defined
crime. Second, the offender must be described at length. Finally,
the consequences of the crime must also be clearly stated. This
will enable respondents to assess the offense in a more complete and
effective manner. I have not really dealt with the nature of the
companies involved in these crimes, but I have taken a close look at
the crime and the harm or impact that it has had. These are things
that judges and juries examine when deciding the sentence of an of-
fender whether it is an individual or a corporation. Dealing with a
corporation (in a legal sense) is a complex issue in regards to its
prior record, size and net worth all of which could be considered
when assigning a sanction. Using a Likert scale is only one way to
measure the seriousness of an offense. This scale leaves us with a
question as to what is serious? How serious is it? Having respon-
dents choose a sanction is a way in which we can better understand
the seriousness from a different perspective. It is not complete,
but a step in the right direction. There is a need to assess what
sanctions will be more punishing to a corporation than others. Is a
fine more serious than probation? Is shutting down the company the most serious? Some would agree with this, others would feel that it is a sanction that is unreasonable and unrealistic, but the fact remains that many respondents in this survey felt it was appropriate.

In terms of the seriousness as I have defined it (represented in Table 14), the crimes that are the most serious are those which involve a physical harm (Vignettes 2, 3 and 5). This follows Schrager and Short's (1980) analysis that there is a "high degree of public concern for illegal actions with serious adverse physical impact" (p. 27). Respondents felt that not only were a fine and probation appropriate, but so too was another specified sanction. The highest percentage of respondents felt that the physical harm crimes deserved all three sanctions. The environmental harm crimes (Vignettes 1 and 6) were the next highest in terms of percent of respondents indicating all three sanctions. This is an important factor because these crimes have not been studied and it has been difficult to hypothesize as to where they may fit in to the overall seriousness. It has been discussed in research question #1 what sanctions were specified by respondents. Because of the seriousness of the harms involved in the vignettes, the more sanctions that are needed to adequately punish a company. Gibbons (1969) found variability among citizens in the degree of punishment given to specific crimes, this study seems to differ from this conclusion. While there was some degree of variability in terms of dollar amount or number of months on probation, the number of sanctions selected appear to be
consistent across all vignettes with a majority selecting two sanctions to be imposed.

Research Question #4

Other criminologists have attempted to answer how serious certain types of traditional crimes are viewed. I was curious to see if the physical harm crimes would be the most serious given the nature of the impact that they had upon the victims. As can be seen in Table 1, those vignettes that included death (2 and 3) were ranked 1st and 2nd after which came the environmental harm crimes ranked 3rd and 4th. In Rossi et al. (1974), the three corporate offenses that included the death of an individual were ranked behind the offense that included the manufacturing and selling of drugs that were harmful to users. This study differs from Rossi et al. in terms of where the offenses that include death are located. Surprisingly the other physical harm Vignette (5) was ranked 5th behind the environmental harm crimes. The reason I found this surprising was the physical harm crimes involved people, that I felt the respondents would relate to. Vignette 3, in which four people died, had to do with a pharmaceutical device which could have been anything from an IUD to an inhaler. The idea of a pharmaceutical company being a company you are trusting with your health, may have been shattered with the notion that people could die from a device that was not properly tested. As Friedrichs (1996) notes,

the common element in all of these pharmaceutical product
cases was that the corporations put the pursuit of profits ahead of scrupulous concern for the health and safety of their users. Despite the fines, civil damages, and negative publicity experienced by the pharmaceutical companies, they have typically suffered no lasting damage and have continued to operate profitably. (p. 77)

The environmental harm crimes may have been perceived more serious due to their potential for future harms. In Vignette 1, the local streams and lakes were polluted and this could result in physical harm if people did drink or swim in the water. In Vignette 6, the physical harm was directed towards plants and animals, not humans. It is difficult to compare these environmental crimes to any other studies on crime seriousness because these types are continually left out. I believe that respondents may have perceived this crime as serious because acid rain may have long term effects on humans. Friedrichs (1996) points out that "there has in fact been a historical reluctance to prosecute corporate environmental cases" (p. 309). This reluctance may have been known by the respondents and perceived as problematic, therefore they assigned a high seriousness score to the crimes. Friedrichs also points out that "support for more vigorous prosecution of environmental crimes is growing" (p. 309). This may coincide with the way environmental crimes are seen by the public. Friedrichs goes on to point out, "the overall harmful consequences of such practices (referring to pollution) for the health of Americans seem evident to many observers" (p. 71). Events like Earth Day and recycling may also bring to light the problems of the environment. Media portrayals of pollution (Exxon Valdez) can also contribute to the way in which respondents feel about the serious-
ness of such crimes.

As was seen in Chapter II, studies by Rossi et al. (1974), McCleary et al. (1981) and Cullen et al. (1982) did not focus on organizational crimes, but did have certain crimes that could be considered corporate or organizational offenses. These offenses were broken into two distinct categories; economic and physical. In all three studies, the physical harm crimes were found to have a higher seriousness score than economic crimes. This study finds the same thing. This finding is consistent with what Schrager and Short (1980) found when examining the organizational type crimes in Rossi et al. (1974). Economic harm crimes are not perceived as serious as physical harm crimes. As Sanford Kadish (1963) points out,

> these perceptions require distinguishing and reasoning processes that are not normal governors of the passion of moral disapproval, and are not dramatically obvious to a public long conditioned to responding approvingly to the production of profit through business shrewdness, especially in the absence of live and visible victims. (p. 436)

People may recognize the fact that companies need to make profits, but it should not have physical costs. There is a consensus among respondents in all of these studies including this one. The one main factor in all of them is the harm done by the offender. More needs to be done in terms of analyzing environmental crimes because corporations are the world's largest polluters and the effects of pollution can be felt in the ecological system and by humans that may suffer physically from the pollution long after it has been cleaned up.
Research Question #5

Many reasons may be present for the sentences that were given by the respondents. Respondents may have focused in on the act itself, the harm done, or they may have envisioned something in the vignette that was not fully explained. The main reason that has continually been focused on is the type of harm involved in the vignettes. There are three main types, physical, environmental, and economic. Another aspect of the vignettes that may have played a part is the culpability of the company; there were three levels of this, knowingly, recklessly, and negligently. These were not controlled for in the study and did not seem to have any affect on the seriousness or sanctions given to the crimes. Frank et al. (1989) concluded, "there is a tendency for punitiveness to be positively associated with the level of harm and though not quite as consistent, with the clarity of culpability" (p. 155). The punitiveness did come from the differing levels of harm included in the vignettes. The harms in this study were the main predictors of the seriousness scores and sanctions specified by the respondents. It becomes clear when examining research question #1 how much the levels of harm affect the sanctions given. The specified sanctions had a direct relation with the intricacies of the vignette. Take for instance, the fact that there were consumer products in Vignettes 3 and 5. Some respondents referred to the product in some manner when assigning a specific sanction (recalling the product). The harm done was also a concern of respondents as is seen in all of the physical harm crime
Vignettes (2, 3 and 5) where there was a concern for the victims receiving some form of compensation. The economic crimes were sanctioned most often with a fine. This seems to relate to the harm being done. It is clearly pointed out when viewing the mode of the fine for Vignette 4 and 7. The most common dollar amount assigned for a sanction was the same dollar amount that was lost. The nature of the offender has a lot to do with the sanctions given. A corporation cannot be imprisoned so other sanctions are used as punishment. I did not include any information about the company's prior criminal history, but there may be a need for this in future research seeing that it can play a role in assigning sanctions. The size of the company is another factor that could play a role. Some transnational companies worth billions of dollars can shrug off a fine of $100 million whereas a local company that employs fifty workers may not be able to do so and a fine of such proportion could be its demise. In any event, the levels of harm involved in the vignettes seem to have the biggest influence on how respondents assigned penalties.

Summary and Conclusions

Even though there appears to be some consensus among those respondents specifying sanctions, there still remains the fact that these sanctions may never be imposed or enforced even if a much larger sample of the society was to call for such sanctions. Thomas et al. (1976) concluded that the consensus model provided more accurate predictions of the seriousness in the offenses they studied.
(most of which were traditional street crimes). This study cannot conclude the same given the nature of corporate crime where the origins of law differ in terms of those who create it. Even if consensus exists, there remains the fact that the respondents do not represent those in power who actually make the decisions in lawmaking. If lawmakers were more focused on the offenses of corporations and laws governing them, it may be due to a temporary outcry from the public that needs to be taken care of to maintain some order. Take for instance the Sherman Antitrust Act, Chambliss and Seidman (1971) state that the anti-trust laws "were tantamount to giving up a room in the basement in order to save the castle" (p. 66).

The consensus model fails to provide an explanation as to how the decision-making process is affected by those with power and special interests. Following a conflict perspective, even if the laws are passed condemning certain corporate activities, there still remains the process of enforcing the laws, obtaining convictions, and actually imposing these sanctions, all of which maybe influenced by interest groups. These interest groups may be concerned with drugs or violence and not corporate crimes. The recent war on drugs has lawmakers supporting stiffer penalties for those individual criminals that are convicted of drug offenses. This focus is what is seen as important in the current state of affairs.

This study investigated the perceptions of students at Western Michigan University. The quantitative findings provide great insight into the research questions. For example, understanding what
types of sanctions were specified most by respondents when sentencing a company. Fines were used most often in each vignette as an appropriate sentence for the company. Another example where the quantitative findings were useful was in answering the research question about what corporate crimes were ranked the most serious by respondents. Analyzing the mean scores for each vignette provided me with the data that showed those crimes involving death were considered the most serious.

Analyzing the qualitative data proved interesting in terms of understanding what respondents felt about other sanctions. Many of the sanctions specified by the respondents may have policy implications. There is support for shutting down companies that commit physical harm crimes. This support may be the start of a public outcry whereby lawmakers are made to respond to what the public demands. Some of the other sanctions may also be the way other people, not surveyed are feeling, this in turn could lead to stronger enforcement of the laws or a change in the current ones.

A major weakness of this study is the fact that it is difficult to really assess the seriousness of the punishments. There is some vagueness as to what really affects corporations in terms of punishment. There is no doubt that shutting down the company would be the worst punishment, but it is hard to figure how a fine or probation would affect the company. This may leave some respondents to guess at what the sanction will do to the company. Another weakness is that the company has already been put on trial and convict-
ed. This is not how the real criminal justice system usually operates. Companies are usually not even put on trial or even convicted of a crime. If they even go to trial, a plea is usually negotiated whereby the company will not be sanctioned as harshly had they gone through a lengthy, costly trial. This is where the interests of the state play a major role. The state must pull together costly resources to successfully prosecute a company. Even if the public demands a trial, it may be in the best interest of the state to cut costs and negotiate a plea.

Respondents may have been influenced when specifying sanctions by the role they play in society. They may be a consumer, an employee, a husband/wife, a concerned citizen, or a taxpayer all of which can affect their view about crime and how they would sanction the party responsible. Due to time constraints in this study, these issues were not investigated. More questions may need to be raised about respondents and their characteristics to gain this type of information. This may be an important factor to examine in future research.

One of the strengths of this study is the fact that its focus is on corporate crimes. Rossi et al. (1974) did not examine who the offender was when stating the offenses in their study. It was unclear who the offender was. In this study, a company is identified in each vignette. Another strength is that respondents were able to make a better judgment since the vignettes described what the actual impact of the crime was. This study also examines en-
environmental crimes, which have not been examined by previous studies. In this study, there did seem to be a concern by respondents about these offenses. This is a point for future research. There may need to be a closer examination of how the public feels about the environment, the crimes against it, and why they feel the way that they do. Finally, another strength of this study is that it attempts to expand the scope of crime seriousness to include sanctions as a factor in measurement. Using a Likert scale has been the sole method used in previous studies, but this fails to provide us with a practical response to a crime. A practical response would be one that is similar to a real court setting. Sentences are handed down, not numbers on a scale.

In conclusion, this study has shed new light on what constitutes seriousness and how it can be measured. Respondents showed a concern for corporate crime and the harm involved in the crime(s). There remains more research to be done in terms of how the public’s perceptions and attitudes can affect law-making policy. This may assist those interested in corporate and white-collar crime in the debate between consensus and conflict theories. This study touches on only a small portion of this debate.
Appendix A

HSIRB Approval Letters
Date: 5 March 1998

To: Ronald Kramer, Principal Investigator
    Dale Ar dovini-Brooker, Student Investigator

From: Richard Wright, Chair

Re: HSIRB Project Number 98-01-18

This letter will serve as confirmation that your research project entitled "Perceptions of Corporate Crime" has been approved under the exempt category of review by the Human Subjects Institutional Review Board. The conditions and duration of this approval are specified in the Policies of Western Michigan University. You may now begin to implement the research as described in the application.

Please note that you may only conduct this research exactly in the form it was approved. You must seek specific board approval for any changes in this project. You must also seek reapproval if the project extends beyond the termination date noted below. In addition if there are any unanticipated adverse reactions or unanticipated events associated with the conduct of this research, you should immediately suspend the project and contact the Chair of the HSIRB for consultation.

The Board wishes you success in the pursuit of your research goals.

Approval Termination: 5 March 1999
You are invited to participate in a research project entitled “Perceptions” designed to analyze perceptions regarding corporate crime being conducted by Dr. Ronald Kramer and Dale J. Ardovini-Brooker from Western Michigan University, Department of Sociology. This survey is comprised of seven vignettes, with two questions regarding each one and will take approximately 20 minutes to complete. Your replies will be completely anonymous, so do not put your name anywhere on the form. You may choose to not answer any question and simply leave it blank. If you choose to not participate in this survey, you may either return the blank survey or discard it in the box provided. Returning the survey indicates your consent for use of the answers you supply. If you have any questions, you may contact Dr. Ronald Kramer at 387-5284, Dale Ardovini-Brooker at 387-6224, the Human Subjects Institutional Review Board (387-8293) or the Vice President for Research (387-8298).
Appendix B

Survey Instrument
Please read the following seven vignettes and then apply the sentence/sanction that you believe to be the most appropriate. If you choose to give the corporation a fine, please specify how much in U.S. dollars. If you choose a sentence of probation please specify how long in terms of months. If you choose other, please explain the sentence/sanction that you believe is appropriate. After you have done that, to determine how serious you feel the crime was, please circle a number from 1 to 7, 1 being not serious and 7 being very serious. Please keep in mind that the corporation itself cannot be imprisoned.

VIGNETTES

1. Company ABC has been convicted of recklessly dumping toxic waste into the Jones River. As a result, local streams and lakes were polluted (along with the river), making them unsafe for swimming and drinking water.

A. Fine: $ Amount______________________
B. Probation: Number of Months______________
C. Other (Please Explain)__________________

Using the scale, please circle ONE number to determine how serious you feel the crime is:

1 2 3 4 5 6 7
Not Serious Somewhat Serious Very Serious
2. Company PQR has been convicted of neglecting to repair machinery. As a result, one employee died.

A. Fine: $ Amount
B. Probation: Number of Months
C. Other (Please Explain)

Using the scale, please circle ONE number to determine how serious you feel the crime is:

1 2 3 4 5 6 7
Not Serious Somewhat Serious Very Serious

3. Company JKL has been convicted of knowingly selling an unsafe, improperly tested pharmaceutical device that has caused the deaths of four people.

A. Fine: $ Amount
B. Probation: Number of Months
C. Other (Please Explain)

Using the scale, please circle ONE number to determine how serious you feel the crime is:

1 2 3 4 5 6 7
Not Serious Somewhat Serious Very Serious

4. Company GHI has been convicted of knowingly rigging bids with competitors for government contracts. As a result, the government was overcharged $1,000,000.

A. Fine: $ Amount
B. Probation: Number of Months
C. Other (Please Explain)

Using the scale, please circle ONE number to determine how serious you feel the crime is:

1 2 3 4 5 6 7
Not Serious Somewhat Serious Very Serious
5. Company MNO has been convicted of negligently testing a new line of trucks before putting them on the market. As a result of an unsafe defect, twenty people suffered serious injuries in accidents where they were driving this new truck.

A. Fine: $ Amount
B. Probation: Number of Months
C. Other (Please Explain)

Using the scale, please circle ONE number to determine how serious you feel the crime is:

1 2 3 4 5 6 7
Not Serious Somewhat Serious Very Serious

6. Company DEF has been convicted of negligently releasing toxins into the air. As a result, acid rain in the surrounding areas worsened and the local habitats for native plants and animals were destroyed.

A. Fine: $ Amount
B. Probation: Number of Months
C. Other (Please Explain)

Using the scale, please circle ONE number to determine how serious you feel the crime is:

1 2 3 4 5 6 7
Not Serious Somewhat Serious Very Serious

7. Company STU has been convicted of knowingly overbilling Medicare. As a result, the government was overcharged $1,000,000,000.

A. Fine: $ Amount
B. Probation: Number of Months
C. Other (Please Explain)

Using the scale, please circle ONE number to determine how serious you feel the crime is:

1 2 3 4 5 6 7
Not Serious Somewhat Serious Very Serious
DEMOGRAPHIC INFORMATION

Are you 1. Male  
2. Female

What was your age on your last birthday? 

What is your racial group that best describes you?  
A. African American/Black  
B. White/Caucasian  
C. Hispanic  
D. Native American  
E. Asian  
F. Other

What was your total current household income last year before taxes?  
A. Under $9,999  
B. $10,000 To $19,999  
C. $20,000 To $29,999  
D. $30,000 To $39,999  
E. $40,000 To $49,999  
F. $50,000 To $59,999  
G. $60,000 To $69,999  
H. Over $70,000

Are you currently a:  
A. Freshman  
B. Sophomore  
C. Junior  
D. Senior

What is your major? 

What is your intended occupation when you graduate? 

Thank you for your participation. All answers are completely confidential.
BIBLIOGRAPHY


