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Bureau of Justice Statistics U.S. Department of Justice

2014 Survey of State Attorneys General

This survey is being conducted by the National White Collar Crime Center (NW3C) and the National Association of Attorneys General (NAAG) under the direction of the Bureau of Justice Statistics.

The purpose of this survey is to obtain information regarding your office's cases involving white collar offenses. The data collected will be used to assess the prevalence of white collar cases handled by the Attorneys General's Offices and to inform future data collection activities. Although this survey is voluntary (i.e., a person is not required to respond to a collection of information), we urgently need and appreciate your cooperation to make the results comprehensive, accurate, and timely.

In this survey, the term "white collar offenses" refers to "any violation of law committed through non-violent means, involving lies, omissions, deceit, misrepresentation or violation of a position of trust, by an individual or organization for personal or organizational benefit." When answering the survey questions, please keep this definition in mind and be inclusive with your answers.

We are interested in criminal prosecutions of white collar crime and civil cases that involve similar activity.

While this is not a complete list of all white collar offenses, some specific examples include:

Consumer Fraud

Securities Fraud

Insurance Fraud

Tax Fraud

False Claims and Statements

Workplace Related Offenses (e.g., unsafe working conditions)

Environmental Offenses

Illegal Payments to Government Officials (giving or receiving)

Unfair Trade Practices

Bank Fraud

Medical Fraud

Information Supplied By:

Name

Title

Telephone

Fax

Email

Instructions

1. For all questions, the phrase "During 2014" refers to January 1, 2014 through December 31, 2014.
2. Some questions will ask for specific counts (e.g., cases or offenses). In these questions, we are interested only in instances where charges were filed with a court. A case is defined as a set of all charges against a single defendant that are handled by the court as a single matter. A case with three defendants should be recorded as three cases, but a case with one defendant with multiple charges should be counted as one case.
3. For the purpose of this survey, we are interested in cases that were closed during 2014. A case is closed when the court has made a decision to convict the defendants or find the defendants liable or to dismiss the case.
4. If you need to come back to the survey at a later time, simply click the "Save" button located at the bottom of the survey. You may log back in to the survey using the original email sent to you. If you need to send the survey to another person to complete, please forward them the original email containing the survey link.
5. Do not click "Submit" until the survey is complete. You will not be able to return to the survey once it is officially submitted.
6. If you have questions or need assistance, please contact the NW3C at XXXX@nw3c.org <<mailto:XXXX@nw3c.org>> or call (toll-free) 877-628-7674.

Burden Statement

Federal Agencies may not conduct or sponsor an information collection, unless it displays a currently valid OMB Control Number. Public reporting burden for this collection of information is estimated to average 36 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Send comments regarding the burden estimate, or any other aspects of this collection of information, including suggestions for reducing this burden, to the Director, Bureau of Justice Statistics, 810 Seventh Street, NW, Washington, DC 20531. The Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 USC 3732), authorizes this information collection.

1. What is the position of the person filling out this survey?

2. What types of white collar cases does your office handle, including criminal prosecutions and civil complaints? Select One.

- Criminal prosecutions only** (You will skip the civil section and be advanced to Q13 upon completion of the criminal section)
- Civil complaints only** (You will be advanced to Q8)
- Both criminal prosecutions and civil complaints**
- Our office does not handle white collar cases** (You will be advanced to Q21)

3. During 2014, what types of criminal white collar cases did your office prosecute? Check either "yes" or "no" for each case type. If you are not able to determine "yes" or "no," please click the "not able to determine" button.

	Yes	No	Not Able to Determine
Consumer Fraud	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Securities Fraud	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Insurance Fraud	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tax Fraud	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
False Claims and Statements	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Workplace Related Offenses (e.g., unsafe working conditions)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Environmental Offenses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Illegal Payments to Government Officials	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Unfair Trade Practices	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bank Fraud	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Medical Fraud	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Other Please specify.

4. During 2014, how many criminal white collar cases in total did your office prosecute? *If this number is an estimate, please click the estimate button. If you are not able to determine this, please click the "not able to determine" button. A case is defined as a set of all charges against a single defendant that are handled by the court as a single matter. A case with three defendants should be recorded as three cases, but a case with one defendant with multiple charges should be counted as one case.*

- Estimate
- Not Able to Determine

Number of Closed Cases

You may provide additional comments pertaining to the "Number of Closed Cases" listed above, if needed.

5. During 2014, how many criminal white collar cases involved the prosecution of businesses (i.e., corporations or partnerships)? *If this number is an estimate, please click the estimate button. If you are not able to determine this, please click the "not able to determine" button. A case is defined as a set of all charges against a single defendant that are handled by the court as a single matter. A case with three defendants should be recorded as three cases, but a case with one defendant with multiple charges should be counted as one case.*

- Estimate
- Not Able to Determine

Number of Closed Cases

You may provide additional comments pertaining to the "Number of Closed Cases" listed above, if needed.

6. During 2014, how many criminal white collar cases involved the prosecution of individuals or sole proprietorships? *If this number is an estimate, please click the estimate button. If you are not able to determine this, please click the "not able to determine" button. A case is defined as a set of all charges against a single defendant that are handled by the court as a single matter. A case with three defendants should be recorded as three cases, but a case with one defendant with multiple charges should be counted as one case.*

- Estimate
- Not Able to Determine

Number of Closed Cases

You may provide additional comments pertaining to the "Number of Closed Cases" listed above, if needed.

7. Of the cases closed during 2014, what criminal sanctions were imposed on individuals that were found guilty, pleaded no contest, or pleaded to lesser charges? Check either "yes" or "no" for each type of criminal sanction.

	Yes	No
Probation	<input type="checkbox"/>	<input type="checkbox"/>
Restitution and/or Fines	<input type="checkbox"/>	<input type="checkbox"/>
Community Service	<input type="checkbox"/>	<input type="checkbox"/>
Imprisonment	<input type="checkbox"/>	<input type="checkbox"/>
Suspended Sentence	<input type="checkbox"/>	<input type="checkbox"/>
Suspension of Business or Professional License	<input type="checkbox"/>	<input type="checkbox"/>
Revocation of Business or Professional License	<input type="checkbox"/>	<input type="checkbox"/>
Court Costs	<input type="checkbox"/>	<input type="checkbox"/>

Other Please specify.

8. If 'yes' During 2014, what types of civil offenses did your office handle that involved behavior referenced in the white collar offense definition? Check either "yes" or "no" for each case type. If you are not able to determine "yes" or "no," please click the "not able to determine" button.

	Yes	No	Not Able to Determine
Consumer Fraud	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Securities Fraud	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Insurance Fraud	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tax Fraud	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
False Claims and Statements	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Workplace Related Offenses (e.g., unsafe working conditions)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Environmental Offenses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Illegal Payments to Government Officials (giving or receiving)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Unfair Trade Practices	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bank Fraud	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Medical Fraud	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If 'yes' Other Please specify.

9. If 'yes'**During 2014, how many types of civil offenses, in total, did your office handle that involved behavior referenced in the white collar offense definition?** *If this number is an estimate, please click the estimate button. If you are not able to determine this, please click the "not able to determine" button. A case is defined as a set of all charges against a single defendant that are handled by the court as a single matter. A case with three defendants should be recorded as three cases, but a case with one defendant with multiple charges should be counted as one case.*

- Estimate
- Not Able to Determine

If 'yes'Number of Closed Cases

If 'yes'You may provide additional comments pertaining to the "Number of Closed Cases" listed above, if needed.

10. If 'yes'**How many civil white collar offenses involved the prosecution of businesses (i.e., corporations or partnerships)?** *If this number is an estimate, please click the estimate button. If you are not able to determine this, please click the "not able to determine" button. A case is defined as a set of all charges against a single defendant that are handled by the court as a single matter. A case with three defendants should be recorded as three cases, but a case with one defendant with multiple charges should be counted as one case.*

- Estimate
- Not Able to Determine

If 'yes'Number of Closed Cases

If 'yes'You may provide additional comments pertaining to the "Number of Closed Cases" listed above, if needed.

11. If 'yes'**How many civil white collar offenses involved the prosecution of individuals and/or sole proprietorships?** *If this number is an estimate, please click the estimate button. If you are not able to determine this, please click the "not able to determine" button. A case is defined as a set of all charges against a single defendant that are handled by the court as a single matter. A case with three defendants should be recorded as three cases, but a case with one defendant with multiple charges should be counted as one case.*

- Estimate
- Not Able to Determine

If 'yes'Number of Closed Cases

If 'yes' You may provide additional comments pertaining to the "Number of Closed Cases" listed above, if needed.

12. If 'yes' Of those cases closed during 2014, what civil sanctions were imposed on those found liable? Check either "yes" or "no" for each type of civil sanction. If you are not able to determine this, please click the "not able to determine" button.

	Yes	No	Not Able to Determine
Restitution and/or Fines	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Suspension of Business or Professional License	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Revocation of Business or Professional License	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dissolution of Business	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If 'yes' Other Please specify.

13. During 2014, which of the following sources referred white collar offenses to your office for either criminal or civil enforcement for investigation or prosecution? Check either "yes" or "no" for each type of source. If you are not able to determine this, please click the "not able to determine" button.

	Yes	No	Not Able to Determine
Local Law Enforcement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
State Law Enforcement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
State Regulatory Agencies	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Federal Regulatory Agencies	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
U.S. Attorney's Office	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FBI	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DHS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Business Victims	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Citizen Victims	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Public Interest Groups	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Other Please specify.

14. During 2014, did your office participate in a federal or state white collar crime task force or working group? *Check One.*

- Federal Task Force or Working Group*
- State Task Force or Working Group*
- Both Federal and State Task Force(s) or Working Group(s)*
- My office did not participate in a task force or working group.*

15. Does your office have a specialized unit (or dedicated staff) that deals exclusively with white collar crime cases?

- Yes*
- No*
- Don't Know*

16. We are interested in your office's decision making process for white collar offense referrals. Under what circumstances would you refer a case to the federal level for prosecution? *Check all that apply.*

- Conflict of interest in office*
- Deconflict with on-going federal investigation*
- More significant penalties from federal prosecution*
- Case has national/international links*
- Our office does not have necessary resources to investigate/prosecute*
- Our office does not refer cases to the federal level for prosecution*

Other Please specify.

17. We are interested in your office's decision making process for white collar offense referrals. Under what circumstances would you refer a case to local prosecutors for prosecution? *Check all that apply.*

- Does not meet our dollar threshold.*
- Current caseload is too high*
- Case requires criminal authority*
- Conflict of interest in office*
- Our office does not refer cases to the local level for prosecution*

Other Please specify.

18. We are interested in your office's decision making process for white collar offense referrals. Under what circumstances would you refer a case to state agencies for regulatory action? *Check all that apply.*

- Does not meet our dollar threshold.*
- Case more suitable for regulatory adjudication*
- Current caseload is too high*
- Our office does not refer cases to state agencies for regulatory action*

Other Please specify.

19. Does your office have an automated case management system?

- Yes
- No

19.a Can your case management system differentiate between businesses and individuals with regard to white collar offenses that have been pursued?

- Yes
- No
- Don't Know

19.b For which of these categories would your office be able to provide additional statistics for future data collections?

- Businesses Only*
- Individuals Only*
- Businesses and Individuals*
- Don't Know*

22. In the event that there are follow-up questions regarding this survey, please provide the contact information (name, phone number, email address) of the person most appropriate to answer questions related to the following within your agency:

Criminal White Collar Crime
Prosecutions

Civil White Collar Crime Cases

Thank you for participating in the survey.