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Corporate criminals constructing white-collar crime

Or why there is no corporate crime on the USA Network's *White Collar* series

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A standard critique of media portrayals of crime correctly states that there is an over-emphasis on street crime compared to white-collar crime, especially given the prevalence and enormous costs of the latter. This situation partly reflects the pattern of legislators and enforcement agencies focusing more on harms done by the poor (street crime) than harms done by the rich (white-collar crime), but the media further magnify the carnival mirror-like distortions of the criminal law and criminal justice system (Reiman and Leighton 2013). *COPS*, all the varieties of *Law & Order*, *CSI*, etc. hardly ever deal with a white-collar crime. Occasionally, rich people kill, but not through corporate acts that harm workers, consumers, the environment and/or communities.

An apparent exception is the USA Network's *White Collar* series, which finished its fifth season in 2014. In the show, convicted art forger and con man Neal Caffrey receives a conditional release from prison to assist FBI agent Peter Burke in solving cases for the White Collar Crime Division. As a single show on a modest-sized cable channel, *White Collar* does little to disrupt the standard critique, but it still deserves scrutiny because media representations of crime are ideologically charged; they shape public perception of the "crime problem" and appropriate policy responses. Indeed, the ideological slant from corporate media creating programs about the criminality of the wealthy and powerful will not be confined to fictionalized drama, so *White Collar* is an opportunity to understand how corporate media distort harmful elite deviance.

Fox TV Studios (owned by the notoriously conservative Rupert Murdoch) produces *White Collar* that airs on USA Network (which has been owned by Fortune 500 firms during the show's five seasons).

While white-collar crime does not have a specific generally accepted definition, in the speech where he coined the term, Sutherland discussed white-collar crime as the behavior of men working in legitimate business fields who often used criminal means to gain money and influence in a variety of professional fields such as banking, oil, and real estate as well as in political arenas (Sutherland 1940: 2). So what type of mirror does the corporate medium turn on itself, its owners, advertisers, and financiers? And what type of understanding would a viewer have of white-collar crime from watching *White Collar*?

The distortions of *news* because of corporate ownership are well established (Bagdikian 2004). For example, in 2010, GE made profits in the USA of \$5.1 billion but paid no taxes (Kocieniewski 2011). The story ran on several networks, but not on the GE-owned NBC nightly news or the network's flagship public affairs program *Meet the Press*. The NBC Nightly News did have time during its broadcast on the day the GE tax story broke for a segment about the *Oxford English Dictionary* adding such terms as "OMG" and "muffin top" (Farhi 2009). An article on the "missing story" noted that one media critic "cited a series of GE-related stories that NBC's news division has underplayed over the years, from safety issues in GE-designed nuclear power plants to the dumping of hazardous chemicals into New York's Hudson River by GE-owned plants" (ibid.).

Similarly, the neglect of actual white-collar crimes by *White Collar* may be mapped against the misdeeds of the show's corporate owner. The concern, then, is that the same dynamics that created the "missing (news) story" also create "missing (crime) stories" and specifically "missing (corporate crime) stories" – even from a series about white-collar crime. Corporate ownership of the media means that corporate criminals construct white-collar crime and elite deviance in a way that neglects the crimes and abuses of power by "legitimate" businesses. The misinformed public lacks information about corporate abuses of power and harms, which means it is easier for these harms to persist.

In an earlier piece, Leighton (2010) pointed out that the crimes portrayed on *White Collar* are a narrow apolitical set of white-collar crimes that do not include abuses of power by corporations or government. For *White Collar*, white-collar crime means jewel and art theft, mostly done by high-end professional criminals and organized crime trafficking. Few reputable people commit occupationally related white-collar crime, the essence of white-collar crime according to common definitions. Even then, their crimes are not what Quinney describes as *crimes of domination*: "crimes of control" (acts by the police and the FBI in violation of civil liberties), "crimes of government" (political acts that violate US or international law), and "crimes of economic domination" (corporate acts involving price fixing, pollution, workplace safety, dangerous products, and financial harm to the public) (Barak et al. 2015: 61).

This chapter further explores that hypothesis through a content analysis of the first two seasons of *White Collar*, when it was owned by GE. Their frequent and prolific corporate offending includes environmental pollution, bribery, price fixing, defense contract fraud, safety concerns about their nuclear power reactor, and fraud in the sale of mortgage-backed securities. The following section, Methodology, describes the sample, data collection, and analysis. The second section, Results, compares the perpetrators and crimes on *White Collar* with the acts described by Sutherland's "White Collar Criminality" (1940). The third section, Discussion, reviews the crimes and abuses of power by GE. The conclusion sets this study in the context of other corporate media reporting of crime.

Methodology

White Collar first aired in October 2009 when GE had a majority ownership of the USA network's immediate corporate parent, NBC Universal. In January 2011, GE's ownership in NBC Universal fell from about 80 percent to 49 percent when telecommunications giant Comcast picked up a 51 percent stake. Thus, we focus here on the first two seasons of *White Collar*, which were written and produced before the change in control.

The first two seasons of *White Collar* comprise 30 episodes (14 episodes in season one and 16 in season two). To do the coding, we employed several data sources. First, we watched the show, which is available for on-demand viewing through services like Netflix as well as reruns on the USA network. Second, we used detailed (3,500-word) summaries of episodes available on tv.com and shorter summaries from usanetwork.com (which airs the show).

As noted by Weber, “a central idea in content analysis is that many words of the text are classified into much fewer content categories” (1990/2004: 118). The same logic applies to classifying the hours of video (44 minutes per episode) into meaningful content categories. Following up on Leighton’s critique (2010), we initially coded each episode to identify the perpetrator, crime, and victim.

The next step in the process is to develop the themes where the codes will find their new homes. We approached the process using “open coding,” which allowed us to identify as many possible themes as we could (Denzin and Lincoln 2003). As Charmaz (2004) contends, the coding process is a way in which a researcher can begin to define what it is he or she is encountering during the process. For example, the codes for smuggler, counterfeiter, and professional high-end thief were less important than professional criminals who did not enjoy the respectability and trust that are the usual hallmarks of white-collar crime (Friedrichs 2010). A second category then captured “Respectable Individuals” who are not necessarily perfect people – they may have gambling debts to organized crime – but they earn a living from a conventional, professional, and legitimate job (lawyer, bank manager, etc.).

Coding may vary widely and there is never one right way to code. The important consideration is that the “classification procedure be reliable in the sense of being consistent” (Weber 1990/2004: 118). Our original coding scheme of perpetrator, victim, and crime may be consistently applied to 26 of the 30 episodes. The other four involved a deviation from the usual episode where solving a crime or crimes was central to the plot. Instead, these episodes focused on advancing the subplot about a music box – an *objet d’art* that once belonged to Catherine the Great and contains a secret. Our efforts to apply categories of “Professional Criminal” and “Respectable Individual” produced several anomalies that did not reflect problems with the integrity of the categories as much as the show’s efforts to obfuscate the dynamics of white-collar occupational crime.

Consistency also involves intercoder reliability (Neuendorf 2002). Each of the authors watched the episodes and read each summary twice. Each author made his or her own assessment of perpetrator, victim, and crime, then verified the accuracy of the coding conducted by his or her co-author. Differences were not substantive and often revealed emerging themes. Memo writing (Charmaz 2004) helped this analysis by clarifying the theme’s development.

Results

The results of coding the first two seasons of *White Collar* are presented in Table 4.1. Column one includes the episode name and a shorthand way to reference it (i.e., S2E4 is season two, episode four). Column two highlights information about the most significant perpetrators, with PC indicating “Professional Criminal” and RI indicating “Respectable Individual.” Column three captures information about the crimes and victims. Column four, “Notes,” captures additional observations to support our coding and/or aspects of the plot that serve to deflect attention from the harms done by legitimate businesses. Our comments on crimes and harms not raised by the show are not meant to be exhaustive, but merely illustrate the types of missing issues.

From our analysis of the data, three important themes emerge. First, *White Collar* is about the thieves who steal valuable objects and high-end organized crime. Second, when legitimate individuals commit white-collar crime, they act alone or never with another person at the same company; corporate crime does not exist. White-collar criminals typically commit street crimes as well, thus minimizing the issue of white-collar occupational crimes. Third, the motive for crime never critiques consumerism or the American Dream.

Table 4.1 Perpetrator, crime and victim in each episode of the first two seasons of *White Collar*

Episode	Perpetrator	Crime/Victim	Notes
S1E1 Pilot	Art restorer [PC/RI]	Forgery of 1800s government bonds with current value of \$150 million. <i>Theft</i> of bond. <i>Murder</i> of rare book dealer providing paper for forged bonds.	Art restorer coded PC because he steals a bond from the National Archives and replaces it with a counterfeit, then kills his accomplice by entering the FBI building posing as a lawyer. Perpetrator is possibly linked to organized crime.
S1E2 Threads	Israeli counterfeiter [PC]	Smuggling of data sewn into designer dress. <i>Murder</i> of another counterfeiter. <i>Kidnapping</i> of fashion model.	
S1E3 Book of Hours	Nephew of organized crime boss [PC] instigates theft; college professor murders [PC/RI]	<i>Theft</i> from church of 500-year-old Bible. <i>Murder</i> of organized crime boss's nephew and fencing of stolen Bible.	College professor coded as PC because she indicates a familiarity with high-speed chases and murders someone in the mob.
S1E4 Flip the Coin	Former U.S. State Department official and journalist [RI]	Smuggling of Iraqi gold artifacts looted from museum. <i>Framing</i> of an innocent US soldier.	Making the State Department official a former employee removes the issue of governmental crimes in Iraq.
S1E5 The Portrait	High-end loan shark [PC]	<i>Theft</i> of \$2.6 million painting from residence.	Focus is on the burglary from the private residence, not earlier crime of a museum improperly taking it from the daughter born out of wedlock to the artist.
S1E6 All In	Chinese money launderer [PC]	<i>Murder</i> of FBI agent, money laundering, and illegal gambling.	Interagency rivalry between FBI and INTERPOL has some responsibility for the FBI agent's death. Government agencies do not violate the public's rights or harm them; government wrongdoing is excessive interagency rivalry.
S1E7 Free Fall	Counterfeiter [PC]; FBI agent [RI]	<i>Theft</i> of diamond from business and replacement with a forgery. <i>Caffrey framed</i> for heist. <i>Illegal surveillance</i> of FBI agent by another FBI agent.	Illegal surveillance is against a government agent, not the public. Government agencies do not violate the public's rights or harm them.
S1E8 Hard Sell	Wall Street broker [RI]; Con men running fraudulent telemarketing operation [PC]	"Pump and Dump" boiler-room operation where victims buy shares of stock based on <i>fraudulent claims</i> ; stock loses value and victims had average loss of \$30,000.	In a pump-and-dump operation, the perpetrator buys "penny" stocks (cheap, thinly traded), pumps up the price through fraudulent claims, then sells their shares. Victims are left with worthless stocks. Wall Street broker runs the fraudulent boiler-room operation separately from his legitimate business, so the episode avoids questions about the improper business practices of financial service companies against their customers.

ST1E9 Bad Judgment	Federal District Judge (with implications that an FBI agent is also involved) [RI] Doctor and charity [RI]	Mortgage <i>fraud</i> committed through document forgery on about nine victims. <i>Bribery</i> . Charity offers girl a new kidney in exchange for a \$100,000 donation after she was removed from an organ transplant list. <i>Trafficking of human organs</i> (smuggling) finances the charity founder's own search for an organ needed because of kidney disease. He has <i>embezzled</i> \$30 million.	No fraud by financial institutions in mortgage lending, securitization, loan processing or foreclosure practices. Because the organization is an illegitimate charity, no questions arise about the harmful practices or fraudulent billing practices of for-profit hospitals. A 2012 study added "to the case – advanced by health care researchers and Medicare overseers in at least six government and academic studies in the last three years – that the rise of for-profit providers is fueling waste, fraud, and patient harm in the \$2.8 trillion US health care sector" (Waldman 2012). Doctor's own illness is driving crime, not excessive entitlement, consumerism or the American Dream.
ST1E11 Home Invasion	Thief [PC]	<i>Murder</i> to enable <i>thefts</i> of jade elephants to bring together the pieces of a 1421 Chinese set.	
ST1E12 Bottlenecked	Professional criminal [PC]	<i>Murder</i> of an accomplice who has stolen supplies and appears to have forged an antique bottle of wine. Caffrey forges another bottle of wine to force the auction house to authenticate them, expecting both would be discovered as forgeries. But the other bottle is genuine; Caffrey has been played to draw attention to the wine and drive up the price. Money needed to repay Russian mafia from earlier job. Two <i>kidnappings</i> . Perpetrator threatens to kill Neal's friends to <i>extort</i> him to steal gold.	Passing mention that "Weatherby's" auction house sold six bottles of a 1947 wine at \$50,000 each, although the vineyard produced five bottles that year. The unexplored issue is that the auction house received a commission and thus has some conflicts of interest in the authenticity of objects for sale. The authenticity of wine in this episode minimizes the problem of stolen, looted, or forged auction items.
ST1E13 Front Man	Manager of crime syndicate [PC]		
ST1E14 Out of the Box			
S2E1 Withdrawal	Bank robber [PC]; Bank employee [RI]	<i>Armed bank robbery</i> of \$8.2 million, <i>assault</i> on guard.	This episode furthers the subplot, making it problematic to code. It is not included in the analysis. Armed robbery of millions from bank vault with help from individual employee rather than embezzlement or coordinated control fraud (Barak 2012) by the executives.

(Continued)

Table 4.1 (Continued)

Episode	Perpetrator	Crime/Victim	Notes
S2E2 Need to Know	State senator and campaign employee [RI]; pimp [PC]	<i>Illegal campaign contributions funneled through an escort service. Attempted extortion of FBI agent Burke, who is investigating the senator.</i>	Illegal contribution by illegitimate business minimizes political corruption by legitimate business or system of "legalized bribery" ("the beneficiaries of corruption have managed to legalize most of it") (Friedrichs 2010: 147-148).
S2E3 Copycat Caffrey	Criminology professor [PC/RI] and his students [RI]	<i>Art theft (\$4 million painting from gallery), forgery of art work.</i>	Professor coded as PC because there was a decade-long series of thefts copied from the techniques of talented criminals.
S2E4 By the Book	Weapons dealer, racketeer, former drug trafficker. [PC]	<i>Theft of \$100,000 by underling of crime boss from money laundering operation. Crime boss kidnaps underling's girlfriend then makes death threats to get the money back. Attempted murder of individual trying to broker an exchange.</i>	Focus on individual acts, not support for money laundering by financial institutions.
S2E5 Unfinished Business	Murderer, identify thief [PC]	<i>Investigation into the theft of \$100 million Japanese bonds uncovers that the perpetrator had earlier murdered a wealthy person to assume his identity (identity theft). Attempted murder for hire of insurance investigator to cover up crimes.</i>	
S2E6 In the Red	Lawyer [RI]; Mob boss [PC]	<i>Adoption lawyer fraudulently claims birth mother wants their baby back. Lawyer needs money to pay off gambling debt to mob boss.</i>	Lawyer has a solo practice; no questions about the billing practices of large law firms. Gambling debt is the driving force, not consumerism or the American Dream.
S2E7 Prisoner's Dilemma	US Marshall [RI]; Attorney [PC/RI]	<i>US Marshall is selling confidential information on the location of witnesses under government protection. The buyer is a defense attorney who is having the witnesses murdered. Both are framing an innocent FBI agent.</i>	Wrongdoing by government official is individualized; no systemic problems or policy concerns. Defense attorney coded as PC because of multiple murder for hire plots.

S2E8	Company Man	CEO of technology firm [RI]	In an effort to win a defense contract, CEO <i>fraudulently</i> overstates progress while also attempting to sell the company to overseas buyers. When head researcher disagrees with lie and plan, CEO <i>murders</i> him. Employee having affair with researcher <i>attempts to murder</i> CEO.	Murder and woman's revenge divert attention from problem of defense contract fraud.
S2E9	Point Blank			
S2E10	Burke's Seven			
S2E11	Forging Bonds			
S2E12	What Happens in Burma...	Smuggler [PC]	<i>Smuggles</i> a ruby and <i>frames</i> another individual.	These episodes further the subplot, making them problematic to code. They are not included in the analysis.
S2E13	Countermeasures	Counterfeiter [PC]	<i>Theft</i> of plate and supplies to make counterfeit \$100 bill	Crime against government, not state crimes.
S2E14	Payback	A prisoner [PC]	<i>Kidnapping</i> of FBI agent Burke and <i>extortion</i> ; <i>escape from custody</i> . US passport <i>forging</i> operation.	Crimes against government, not state crimes.
S2E15	Powerplay	Energy trader [RI]	<i>Energy market manipulation</i> : trader causing city-wide blackouts during a heatwave by withholding power, which company resells at higher price. The blackouts cause deaths and millions of dollars in losses to individuals and business. <i>Theft</i> of flash drive. Plan to <i>murder</i> .	No widespread Enron-like practices, which include an Enron's energy trader caught on tape talking about "all the money you guys stole from those poor grandmothers in California." One description of the tapes noted: "The conversations are amazing, basically a bunch of crooks gloating about the savage rogering they're giving to the people of California and how much money they're making" (Doctorow 2004).
S2E16	Under the Radar	Billionaire Ponzi scheme architect [PC]	Three <i>kidnappings</i> and <i>extortion</i> to open World War II German submarine containing billions of dollars of art and antiquities.	No exploration of state crime, even in context of Nazi looting.

Because the field lacks a consensus definition of white-collar crime, we believe an appropriate comparison for the acts in *White Collar* is the list Sutherland provided in his presidential address:

[M]isrepresentation in financial statements of corporations, manipulation of the stock exchange, commercial bribery, bribery of public officials directly or indirectly . . . to secure favorable contracts and legislation, misrepresentation in advertising and salesmanship, embezzlement . . . misapplication of funds, short weights and measures . . . misgrading of commodities, tax frauds, misapplication of funds in receiverships and bankruptcies.

(Sutherland 1940: 2–3)

While incomplete, Sutherland's focus is on crimes committed in legitimate business (1940: 3), but in more than half of the coded episodes of *White Collar* the perpetrators are professional criminals who steal expensive items, or wealthy mobsters. The crime that appears most frequently is interpersonal murder, and no employees, consumers, or community members die indirectly from executive decisions. (In S2E15, the perpetrator is a rogue energy trader, not an executive.)

In about one-third of the shows, a person we labeled a Respectable Individual engaged in crime. However, white-collar criminals on *White Collar* always acted alone, either in a solo professional practice or simply as a lone wolf. The doctor embezzling \$30 million from the charity (S1E10) apparently did not have any help, for example. At other times there is a *suggestion* of having an accomplice (S1E9, S2E15), but never does a white-collar crime involve two people from a legitimate business working together. In contrast, some of the most devastating white-collar crimes involve control fraud, where the executives work together to corrupt financial controls and loot the company (Barak 2012). Similarly, the Wall Street executive engaged in stock fraud (S1E8) does so through an illegitimate brokerage operation in concert with a con man, thus avoiding all issues about the “legitimate rackets” (Sutherland 1940) run by firms like Goldman Sachs and other financial institutions.

The count of Respectable Individuals does not include four instances where the perpetrator was coded both PC and RI. While Sutherland highlights how white-collar criminals use their respectability and resources to continue to commit occupational crimes without recrimination, the Respectable Individuals on *White Collar* do not commit repeated occupational crimes. They murder and/or, in the case of the college professors, commit crimes like theft related to their field of expertise, not academic dishonesty, conflicts of interest, or crimes related to their professional role. Although the energy trader (S2E15) was not coded as a Professional Criminal, his misdeeds include theft and a planned murder for hire, leaving the idea that crooked energy traders are as unnatural and rare as murder for hire. Likewise, the CEO engaging in defense contract fraud (S2E6) murders, further erasing purely occupation crime and distorting the level of pathology required to be a corrupt defense contractor.

Finally, in only two cases did *White Collar* explore the motives of Respectable Individuals who engage in white-collar crime, and in those cases it did everything possible to downplay structural critiques of consumerism, capitalism, and the American Dream (Messner and Rosenfeld 2013). The adoption lawyer (S2E6) defrauds his clients because of gambling debt to organized crime. Entitlement is not an issue; the social impact of licensed casinos and debt to legitimate financial institutions are erased. The doctor who embezzles from charity (S1E10) needs money to search for the right organ donor, a personal story that raises no questions about problems at for-profit hospitals, payments from pharmaceutical companies, or bankruptcy because of medical bills.

Discussion

White Collar does not expose crimes of the powerful or the structural characteristics of capitalism that make it so prevalent. While pretending to be about white-collar crime, *White Collar* distorts and conceals so much – and in so many predictable ways – that it is a Corporate Agenda for Crime Control and the opposite of the Agenda for Corporate Crime Control. It fits into a pattern of disappearing consciousness of corporate crime and increasing abuses of that power (Reiman and Leighton 2013). It is thus another example of agnotology, a field dedicated to culturally constructed ignorance, especially by special interests obscuring the truth. Ignorance is a strategic ploy: “we rule you, if we can fool you” (Proctor and Schiebinger 2008: 11).

Some may argue that plotlines about corporate and governmental crime would not be interesting; however, there are successful big-budget films like Julia Roberts’ *Erin Brockovich* (pollution from chemical company causes cancer), John Travolta’s *Civil Action* (pollution from chemical company causes cancer), Al Pacino’s *The Insider* (informant on tobacco company), and the HBO production *Enron: The Smartest Guys in the Room* drew popular and critical acclaim. In addition, many television programs revolve around scams of varying complexity that are not necessarily harder to understand than a range of real white-collar crimes.

Plots could be easily spiced up with details about strip clubs, prostitutes and cocaine, which the *Wall Street Journal* notes were involved in the LIBOR interest-rate-fixing scandal (Enrich and Eaglesham 2013) – and are likely a part of other “legitimate” business activities as well. Further, reality presents good raw material for character. Columbia University economist Jeffrey Sachs described the moral environment on Wall Street as being “pathological”:

[T]hese people are out to make billions of dollars and [they feel] nothing should stop them from that. They have no responsibilities to pay taxes . . . no responsibilities to their clients . . . no responsibilities to counterparties in transactions. They are tough, greedy, aggressive and feel absolutely out of control in a quite literal sense.

(Quoted in Ritholtz 2013)

Thus, there are models of successful media and a reservoir of compelling characters that could exist in a world of money, greed, sex, and drugs.

Imagine what could be done when, for example, during the first season of *White Collar*, the pharmaceutical giant Pfizer agreed to a \$2.3 billion settlement over illegally marketing drugs – “the largest health care fraud settlement and the largest criminal fine of any kind ever” (Harris 2009). Furthermore, “the government charged that executives and sales representatives throughout Pfizer’s ranks planned and executed schemes to illegally market” other drugs as well. This episode “occurred while Pfizer was in the midst of resolving allegations that it illegally marketed Neurontin, an epilepsy drug for which the company in 2004 paid a \$430 million fine and signed a corporate integrity agreement – a company-wide promise to behave.” If *White Collar* produced a “ripped from the headlines” episode about Pfizer, the plot could help dramatize how illegal marketing means higher costs for health insurance and for taxpayers (through Medicare) as people are prescribed drugs they do not need and suffer harm from the side effects of drugs that are providing no therapeutic benefit. But GE makes MRIs and other medical equipment, so it is not in their interest to shine the light on pharmaceutical companies and doctors who are important customers. Thus, on the show, a single doctor, embezzling from a charity because of his own medical condition, represents wrongdoing in the medical profession.

This analysis plays out in a number of other areas because GE is a diversified company that makes consumer appliances, parts for power plants, jet engines, nuclear power plants, wind farms,

and medical equipment. Its lending division provides more than half of the profits, so “many Wall Street analysts view G.E. not as a manufacturer but as an unregulated lender that also makes dishwashers and M.R.I. machines” (Kocieniewski 2011). Media ownership and extensive advertising works to create a positive view of the company and gloss over GE’s habitual criminality, which involves diverse crimes over many decades (Barak et al. 2015: 205–207).

In the 1950s, for example, GE and several other companies agreed in advance on the sealed bids they submitted for heavy electrical equipment. This price fixing defeated the purpose of competitive bidding, costing taxpayers and consumers as much as a billion dollars (Hills 1987: 191). Not surprisingly, price fixing and collusive behaviors by legitimate businesses do not appear on *White Collar*.

In the 1970s, GE made illegal campaign contributions to Richard Nixon’s presidential campaign, but on *White Collar* an escort service is used to funnel illegal campaign contributions and support political corruption. GE settled charges over widespread illegal discrimination against minorities and women, but on the show employees are only hurt when the boss personally murders them. Also during this time, three former GE nuclear engineers resigned to draw attention to serious design defects in the plans for the Mark III nuclear reactor because the standard practice was “sell first, test later” (Hills 1987: 170; Glazer and Glazer 1989). Not surprisingly, defective and dangerous products are not part of *White Collar* plots.

In the 1980s, GE pled guilty to felonies involving the illegal procurement of highly classified defense documents, and 108 counts of felony fraud involving Minuteman missile contracts. In spite of a new code of ethics, GE was convicted in three more criminal cases over the next few years, plus it paid to settle cases involving retaliation against four whistleblowers who helped reveal the defense fraud. (GE subsequently lobbied Congress to weaken the False Claims Act that protects whistleblowers.) In 1988, the government returned another 317 indictments against GE for fraud. A 1990 jury convicted GE of fraud on a contract for battlefield computers, and the fine included money to “settle government complaints that it had padded bids on two hundred other military and space contracts” (Greider 1996: 350; see also Clinard 1990; Greider 1994; Pasztor 1995; Simon 1999). Defense contract fraud on *White Collar* is neither widespread nor ongoing, but the problem of an individual CEO who makes fraudulent claims about his product, then kills to cover it up.

GE is also one of the prime environmental polluters, linked to 52 active Superfund sites in need of environmental cleanup in the US alone. GE is responsible “for one of America’s largest Superfund sites, the Hudson River, where the company dumped more than a million pounds of toxic wastes” over a period of decades (Center for Public Integrity 2007). Instead of cleaning up their part of the 197-mile site, they mounted an eight-year challenge to the Superfund law that requires polluters to remedy toxic situations which they created. Environmental pollution does not appear anywhere on *White Collar*.

GE created a number of finance arms to help people and companies buy its products, and provides credit services to many more, so it has no interest in critiquing consumerism or even greed. “GE Capital is one of the world’s largest and most diverse financial operations, lending money for commercial real estate, aircraft leasing and credit cards for stores such as Wal-Mart. If GE Capital were classified as a banking company, it would be the nation’s seventh largest” (Gerth and Dennis 2009). GE is one of the entities sued by the Federal Housing Finance Agency over “securities law violations or common law fraud” in the sale of mortgage-backed securities to Fannie Mae and Freddie Mac (FHFA 2011). On *White Collar*, mortgage fraud becomes the actions of an individual judge – perhaps in collaboration with an FBI agent – forging signatures in fewer than ten real estate frauds. It does not expose fraud and abuse of power by financial institutions, misrepresentations in securitized mortgage products, high executive pay and bonuses for those

who drove the economy to crisis, an assault on private property rights by institutions that cheaply hire “robosigners” to file foreclosure affidavits swearing to facts they do not know (Barak 2012; Reiman and Leighton 2013).

A review of GE’s diverse crimes indicates that a large number of corporate crimes used in an episode of *White Collar* would interest viewers in misbehavior that GE has likely engaged in. While we have mapped this tightly to GE, we do not believe there will be a substantial change under the corporate ownership of Comcast. Comcast also requires advertisers for all of their programming, so they cannot illuminate too many illegitimate business practices before offending potential sponsors. In addition, the executives of Comcast may well sit on other corporate boards and own substantial shares in other companies, so they do not have an interest in exposing criminal activities or making the public question whether there is adequate regulatory scrutiny of business.

Conclusion

Because the majority of *White Collar* is devoted to crime of the underworld, it neglects what Sutherland meant by white-collar crime. As such, *White Collar* is a minimal refutation that television drama is about street crime because there’s little about the “legitimate rackets” (Sutherland 1940). Even when showing actual white-collar crime, *White Collar* minimizes its scope and presents white-collar criminals as “bad apples” rather than as logical projections of structural problems. Michalowski and Kramer (2006: 11) once noted, “The most cost-effective way to achieve the goal of a large audience is to keep people entertained, and one of the best ways to keep people entertained is through stories that fit ideal-typical images of crime.” This certainly rings true when looking at our findings from *White Collar*, whose plots are more likely to feature gangsters than banksters and “bad apples” who are typically engaged in street crimes like murder that are portrayed in other primetime crime dramas.

The storylines on *White Collar* are not surprising given that corporate-owned media are obligated more to shareholders than to the public good, and corporate owners will use media to advance their own interests. Bagdikian (2004) notes that these ownership interests lead to reporting the failings of public bodies and the powerless, but insensitivity to failures in the private sector in ways that protect the corporate system and rob the public of the ability to understand the real world. It also leads to more specific failures to cover wrongdoing by the parent companies of media corporations. In general, these media corporations are instrumental in selecting what is broadcast and how it is framed, not only in dramas like *White Collar*, but in popular news outlets as well.

In this sense, we would raise a concern about the disparate treatment of events that occurred only two days apart in April 2013: the terrorist bombings during the Boston Marathon in Massachusetts, and the explosion of West Fertilizer Company in West, Texas. While there are differences in the intentionality of the Boston Marathon bombers and the West Fertilizer explosion (Reiman and Leighton 2013), that difference became key to downplaying an event that resulted in greater loss of life, injury, and the destruction of nearby property – and that holds a mirror to a devastating social problem.

While the Boston bombing was front and center on our televisions, computers, social networking sites and in our newspapers, fewer Americans knew what happened in West, Texas, although four people died in Boston and 14 in Texas (11 of them first responders and public safety personnel). Hundreds of people were injured in both locations; however, approximations in Texas were still higher than in Boston. Two buildings and one restaurant were damaged from the bombs in Boston, along with a boat in which one perpetrator hid. In Texas, over 75 homes

were destroyed along with an apartment complex, several schools, a nursing home with over 100 residents, and several city blocks (Mahapatra 2013).

Like many white-collar crimes, the explosion at the fertilizer plant in West, Texas tended to be reported as an accident, even though the company had been cited at least twice since 2006. The dangerous chemical ammonium nitrate was housed at the plant and caused the blast. However, the Environmental Protection Agency (EPA) does not regulate the chemical. The Occupational Safety and Health Administration (OSHA) requires the chemical to be stored in a separate fire-proof room, but the West Fertilizer Company had not been inspected by OSHA since 1985 so it is difficult to say whether or not they were in compliance (Pace 2013).

The fertilizer plant is an example of state-corporate crime, which recognizes that government and business are the most powerful social actors (Michalowski and Kramer 2006). Specifically, state-facilitated crime results from omissions like bureaucratic failure and regulatory dysfunction (Kauzlarich et al. 2003: 247), which combine with profit-seeking behavior. State-facilitated corporate crime is less the product of state negligence than the conscious pursuit of a “business-friendly” environment that minimizes criminal liability for corporations and their executives, regulates reluctantly, and promotes weak, underfunded, even dysfunctional, regulatory agencies.

While the Boston Marathon bombings fitted well with people’s existing notions of dangerousness and threats, it also promoted a Corporate Agenda for Crime Control because fear of terrorism will lead to major surveillance and technology contracts. The corporate-owned media could not explore the explosion in Texas as a crime, and even discussing it as an accident could raise questions about deficiencies in business regulation – either of which might promote an Agenda for Corporate Crime Control. “We rule you, if we can fool you” (Proctor and Schiebinger 2008: 11).

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