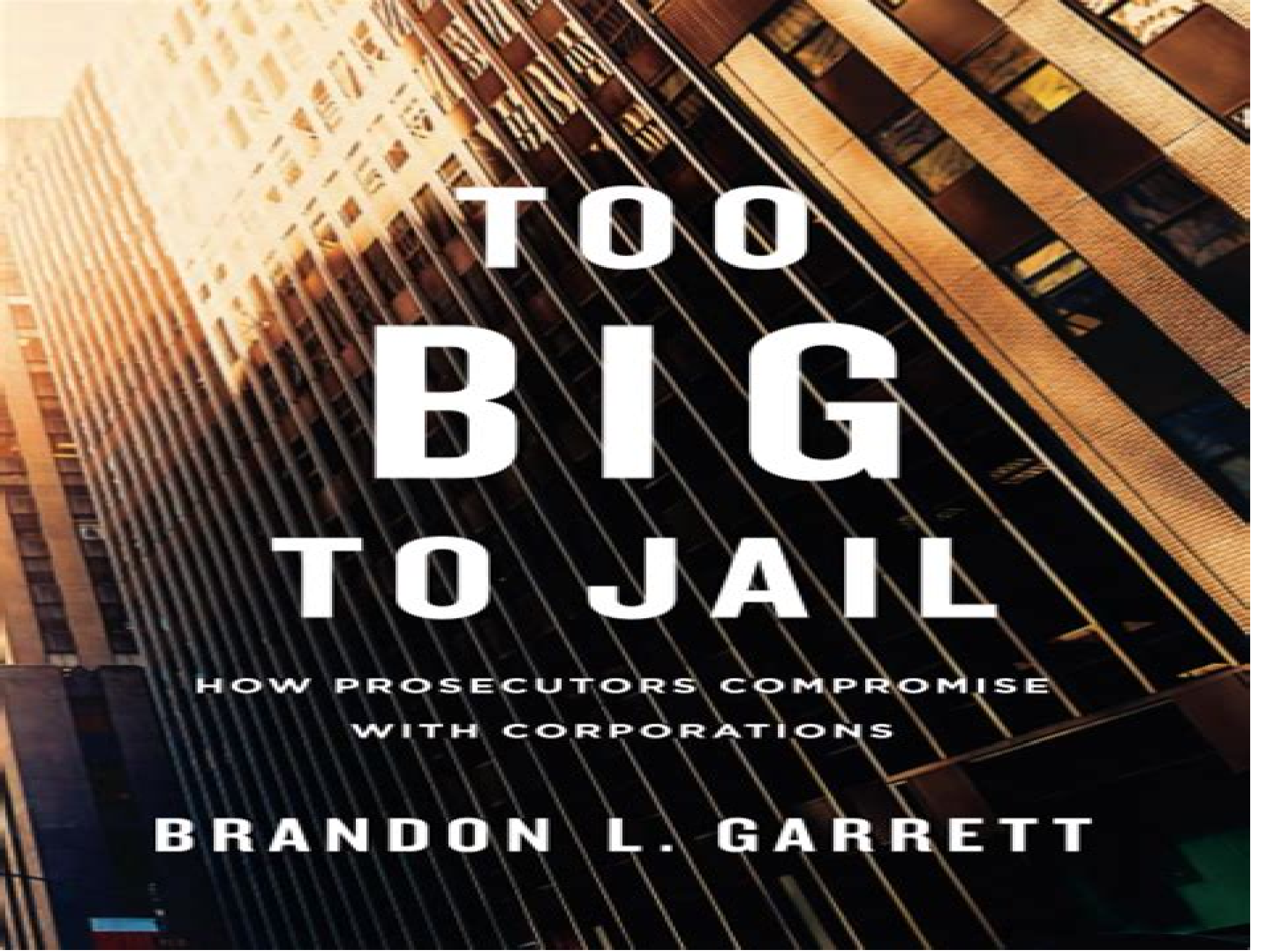


An aerial, high-angle photograph of a city street grid. The streets are dark and run diagonally across the frame. On the left side, a large, multi-story building with a light-colored facade and many windows is visible. The building's facade is partially obscured by the text. The overall lighting is warm, suggesting a sunset or sunrise, with a golden glow on the left side of the image.

TOO BIG TO JAIL

**HOW PROSECUTORS COMPROMISE
WITH CORPORATIONS**

BRANDON L. GARRETT

Too Big To Jail How Prosecutors Compromise With Corporations

Michael J. Kelly



Too Big To Jail How Prosecutors Compromise With Corporations:

Too Big to Jail Brandon Garrett, 2014-11-03 American courts routinely hand down harsh sentences to individual convicts but a very different standard of justice applies to corporations Too Big to Jail takes readers into a complex compromised world of backroom deals for an unprecedented look at what happens when criminal charges are brought against a major company in the United States Federal prosecutors benefit from expansive statutes that allow an entire firm to be held liable for a crime by a single employee But when prosecutors target the Goliaths of the corporate world they find themselves at a huge disadvantage The government that bailed out corporations considered too economically important to fail also negotiates settlements permitting giant firms to avoid the consequences of criminal convictions Presenting detailed data from more than a decade of federal cases Brandon Garrett reveals a pattern of negotiation and settlement in which prosecutors demand admissions of wrongdoing impose penalties and require structural reforms However those reforms are usually vaguely defined Many companies pay no criminal fine and even the biggest blockbuster payments are often greatly reduced While companies must cooperate in the investigations high level employees tend to get off scot free The practical reality is that when prosecutors face Hydra headed corporate defendants prepared to spend hundreds of millions on lawyers such agreements may be the only way to get any result at all Too Big to Jail describes concrete ways to improve corporate law enforcement by insisting on more stringent prosecution agreements ongoing judicial review and greater transparency

Prosecuting Corporations for Genocide Michael J. Kelly, 2016-02-17 Prosecuting Corporations for Genocide explains how multinational corporations should be criminally liable for their role in financing or otherwise supporting atrocities like genocide This book demonstrates how international criminal jurisdiction should be extended over corporations for atrocities and makes the case that it should be done promptly

U.S. Attorneys, Political Control, and Career Ambition Banks P. Miller, Brett W. Curry, 2019 Introduction Three case studies in political control Principal agent theory career prospects and United States Attorneys Describing the data and issue areas Political responsiveness and case filings Political responsiveness and sentence length Political responsiveness and career prospects Concluding thoughts and implications

The Handbook of White-Collar Crime Melissa L. Rorie, 2019-09-13 A comprehensive and state of the art overview from internationally recognized experts on white collar crime covering a broad range of topics from many perspectives Law enforcement professionals and criminal justice scholars have debated the most appropriate definition of white collar crime ever since Edwin Sutherland first coined the phrase in his speech to the American Sociological Society in 1939 The conceptual ambiguity surrounding the term has challenged efforts to construct a body of science that meaningfully informs policy and theory The Handbook of White Collar Crime is a unique re framing of traditional discussions that discusses common topics of white collar crime who the offenders are who the victims are how these crimes are punished theoretical explanations while exploring how the choice of one definition over another affects research and scholarship on the subject Providing a one

volume overview of research on white collar crime this book presents diverse perspectives from an international team of both established and newer scholars that review theory policy and empirical work on a broad range of topics Chapters explore the extent and cost of white collar crimes individual as well as organizational and macro level theories of crime law enforcement roles in prevention and intervention crimes in Africa and South America the influence of technology and globalization and more This important resource Explores diverse implications for future theory policy and research on current and emerging issues in the field Clarifies distinct characteristics of specific types of offences within the general archetype of white collar crime Includes chapters written by researchers from countries commonly underrepresented in the field Examines the real world impact of ambiguous definitions of white collar crime on prevention investigation and punishment Offers critical examination of how definitional decisions steer the direction of criminological scholarship Accessible to readers at the undergraduate level yet equally relevant for experienced practitioners academics and researchers The Handbook of White Collar Crime is an innovative substantial contribution to contemporary scholarship in the field

Global Banks on Trial
 Pierre-Hugues Verdier, 2020 Introduction Global Banks Regulators and Prosecutors I Think We Got Away With It Benchmark Manipulation Geneva Is Lovely this Time of Year Offshore Tax Evasion A Hidden War Sanctions Evasion An Extortion and An Act of Piracy Enforcing Sovereign Debt Conclusion The Future of Global Bank Prosecution

On Corruption in America
 Sarah Chayes, 2021-11-16 From the prizewinning journalist and internationally recognized expert on corruption in government networks throughout the world comes a major work that looks homeward to America exploring the insidious dangerous networks of corruption of our past present and precarious future If you want to save America this might just be the most important book to read now Nancy MacLean author of Democracy in Chains Sarah Chayes writes in her new book that the United States is showing signs similar to some of the most corrupt countries in the world Corruption she argues is an operating system of sophisticated networks in which government officials key private sector interests and out and out criminals interweave Their main objective not to serve the public but to maximize returns for network members In this unflinching exploration of corruption in America Chayes exposes how corruption has thrived within our borders from the titans of America's Gilded Age Andrew Carnegie John D Rockefeller J P Morgan et al to the collapse of the stock market in 1929 the Great Depression and FDR's New Deal from Joe Kennedy's years of banking bootlegging machine politics and pursuit of infinite wealth to the deregulation of the Reagan Revolution undermining this nation's proud middle class and union members She then brings us up to the present as she shines a light on the Clinton policies of political favors and personal enrichment and documents Trump's hydra-headed network of corruption which aimed to systematically undo the Constitution and our laws Ultimately and most importantly Chayes reveals how corrupt systems are organized how they enable bad actors to bend the rules so their crimes are covered legally how they overtly determine the shape of our government and how they affect all levels of society especially when the corruption is overlooked and downplayed by the rich

and well educated Legal Certainty in a Contemporary Context Mark Fenwick, Stefan Wrzka, 2016-04-02 This book addresses issues concerning the shifting contemporary meaning of legal certainty The book focuses on exploring the emerging tensions that exist between the demand for legal certainty and the challenges of regulating complex late modern societies The book is divided into two parts the first part focusing on debates around legal certainty at the national level with a primary emphasis on criminal law and the second part focusing on debates at the transnational level with a primary emphasis on the regulation of transnational commercial transactions In the context of legal modernity the principle of legal certainty the idea that the law must be sufficiently clear to provide those subject to legal norms with the means to regulate their own conduct and to protect against the arbitrary use of public power has operated as a foundational rule of law value Even though it has not always been fully realized legal certainty has functioned as a core value and aspiration that has structured normative debates throughout political modernity both at a national and international level In recent decades however legal certainty has come under increasing pressure from a number of competing demands that are made of contemporary law in particular the demand that the law be more flexible and responsive to a social environment characterized by rapid social and technological change The expectation that the law operates in new transnational contexts and regulates every widening sphere of social life has created a new degree of uncertainty and this change raises difficult questions regarding both the possibility and desirability of legal certainty This book compiles in one edited volume research from a range of substantive areas of civil and criminal law that shares a common interest in understanding the multi layered challenges of defining legal certainty in a late modern society The book will be of interest both to lawyers interested in understanding the transformation of core rule of law values in the context of contemporary social change and to political scientists and social theorists Corporate Crime and Punishment John C. Coffee, 2020-08-04 A study and analysis of lack of enforcement against criminal actions in corporate America and what can be done to fix it In the early 2000s federal enforcement efforts sent white collar criminals at Enron and WorldCom to prison But since the 2008 financial collapse this famously hasn't happened Corporations have been permitted to enter into deferred prosecution agreements and avoid criminal convictions in part due to a mistaken assumption that leniency would encourage cooperation and because enforcement agencies don't have the funding or staff to pursue lengthy prosecutions says distinguished Columbia Law Professor John C Coffee We are moving from a system of justice for organizational crime that mixed carrots and sticks to one that is all carrots and no sticks he says He offers a series of bold proposals for ensuring that corporate malfeasance can once again be punished For example he describes incentives that could be offered to both corporate executives to turn in their corporations and to corporations to turn in their executives allowing prosecutors to play them off against each other Whistleblowers should be offered cash bounties to come forward because Coffee writes it is easier and cheaper to buy information than seek to discover it in adversarial proceedings All federal enforcement agencies should be able to hire

outside counsel on a contingency fee basis which would cost the public nothing and provide access to discovery and litigation expertise the agencies don't have Through these and other equally controversial ideas Coffee intends to rebalance the scales of justice Professor Coffee's compelling new approach to holding fraudsters to account is indispensable reading for any lawmaker serious about deterring corporate crime Robert Jackson professor of Law New York University and former commissioner Securities and Exchange Commission A great book that more than any other recent volume deftly explains why effective prosecution of corporate senior executives largely collapsed in the post 2007 2009 stock market crash period and why this creates a crisis of underenforcement No one is Professor Coffee's equal in tying together causes for the crisis Joel Seligman author historian former law school dean and president emeritus University of Rochester **Negotiated**

Settlements in Bribery Cases Tina Søreide, Abiola Makinwa, 2020-04-24 This thought provoking book examines the scope benefits and challenges of negotiated settlements as an enforcement mechanism in bribery cases and demonstrates the need for a more harmonized and principled approach to deterring corporate bribery Written by a global team of experts with backgrounds in legal practice policy work and academia it offers a truly international perspective considering negotiated settlements in view of a variety of different legal systems and traditions [The Cambridge Handbook of Compliance](#)

Benjamin van Rooij, D. Daniel Sokol, 2021-05-20 Compliance has become key to our contemporary markets societies and modes of governance across a variety of public and private domains While this has stimulated a rich body of empirical and practical expertise on compliance thus far there has been no comprehensive understanding of what compliance is or how it influences various fields and sectors The academic knowledge of compliance has remained siloed along different disciplinary domains regulatory and legal spheres and mechanisms and interventions This handbook bridges these divides to provide the first one stop overview of what compliance is how we can best study it and the core mechanisms that shape it Written by leading experts chapters offer perspectives from across law regulatory studies management science criminology economics sociology and psychology This volume is the definitive and comprehensive account of compliance

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