White-Collar Crime

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 White-Collar crimes have become prevalent in several sectors including the healthcare sector. This paper analyzes the case of Lisa Doe who was a victim of white-collar crime in the course of her treatment for a vehicular accident. The healthcare providers at the local hospital where Lisa Doe went to seek the first treatment issued her a prescription for oxycodone to alleviate pain. The fact that oxycodone is an opioid substance paved the way for Lisa to engage in various crimes because she became addicted to the substance. Lisa’s addiction made her vulnerable to the healthcare providers who took the opportunity to commit white-collar crimes, whose key motive was personal gain. Therefore, Lisa’s case reveals to what extent the healthcare providers engage in various white-collar crimes. In particular, the paper outlines the crimes committed in the narrative and narrates how the illegal conduct was uncovered. Furthermore, the paper looks at how the crime was investigated. Finally, the paper narrates the process that the case will follow in the judicial system.

**Crimes Committed in the Scenario**

 Sincerely, there were several crimes committed in the narrative and by different people. Firstly, the driver that caused the vehicular accident after colliding with Lisa committed a crime of driving under the influence of alcohol. The federal traffic rules prohibit drivers from driving while drunk. Indeed, the driver moved into Lisa’s lane because of falling asleep due to consumption of excess alcohol. The healthcare providers at the local hospital where Lisa sought the first treatment were also involved in the white-collar crime. The act of prescribing oxycodone to Lisa is a crime. Oxycodone is an opioid substance that causes addiction if consumed for a long time. The healthcare providers had to obtain consent from the relevant healthcare authorities before giving Lisa the prescription.

 Lisa’s friend also committed a crime of selling his prescription of Percocet to Lisa Doe. The federal laws prohibit people from selling drugs to other people without carrying out a proper examination of the patient. For that reason, Lisa was also involved in a crime of purchasing Percocet from a friend who in this case may be referred to as a quack doctor. Moreover, the use of heroin by Lisa to quench her cravings is a crime according to the federal laws. Lisa Doe also committed some other crimes including causing a vehicular accident with an oncoming vehicle and driving under the influence of a controlled substance.

 After Lisa was arrested for causing a vehicular accident, the court ordered her to receive rehabilitation services under the court’s supervision. The treatment of Lisa’s addiction paved way for more white-collar crimes at the clinic owned by Dr. Jones. Firstly, Dr. Jones committed a crime of failing to examine Lisa Doe or ask her about the addiction history prior to giving prescriptions. Secondly, Dr. Jones committed a crime of soliciting $125 fee in cash for the first-day service and $30 fee for every appointment. Lisa Doe was already eligible for Medicaid services and required not to pay even a single penny to receive rehabilitation services. Moreover, Dr. Jones did not adhere to the 12-step recovery program as required by the law. Instead, Dr. Jones used shortcuts and abused the power of his office. As with abusing the office, Dr. Jones committed a crime of forcing a program coordinator, Ann, to perform illicit duties at the clinic. Dr. Jones’ action of hiring unlicensed physician is another criminal offence. Ann was not a certified physician but Dr. Jones pressurized her to perform the duties of a physician including issuing prescriptions to Lisa Doe.

 Eventually, the relationship between Dr. Jones and Bob became soar after detectives revealed more white-collar crimes fuelled by their relationship. Specifically, Dr. Jones committed a crime of issuing kickbacks to Bob for giving his patients accommodation at the sober house and bringing patients to his clinic. In fact, the majority of Dr. Jones’ patients were residents of Bob’s sober house. Dr. Jones committed a crime of colluding with Bob to submit fraudulent insurance claims. According to the first program coordinator, Ann, the majority of the insurance claims submitted for urinalyses were obtain from elsewhere because she never experienced screens coming from Bob’s sober house. Therefore, Dr. Jones and Bob were committed to defraud the Medicaid program.

**Uncovering the Illegal Conduct**

 This section narrates how the white-collar crime was uncovered. In the scenario, the whistleblower, Ann, played a significant role in uncovering the illegal conduct at the clinic. In fact, the illegal conduct could remain concealed if it were not for Ann who blew the whistle. The first program coordinator, Ann, reported to the Attorney General’s Fraud unit that the clinic was involved in illegal conduct. Ann’s concern was that Dr. Jones forced her to perform illicit duties at the clinic. Ann also revealed to the Attorney General’s Fraud unit that Dr. Jones had been issuing kickbacks to Bob so that the Medicaid patients at his sober house can receive treatment at Dr. Jones clinic.

 Ann also revealed that she was forced to perform the duties of a physician without a license such as issuing prescriptions that were pre-signed by Dr. Jones. According to Ann, Dr. Jones threatened to fire Ann from the job if she disagreed with his directives. Moreover, Ann revealed how Dr. Jones solicited a service fee of $125 on the first appointment and $30 on each subsequent appointment. Lastly, Ann indicated that Dr. Jones used to defraud the Medicaid insurance program by submitting results of urinalyses obtained from elsewhere apart from the sober house. Consequently, the Attorney General’s Fraud unit utilized the information surrendered by Ann to conduct investigations. Therefore, Ann was the first person to uncover the illegal conduct.

**Crime Investigation**

 After Ann blew the whistle to the Attorney General’s Fraud unit, Special Agent Bowman commenced the investigation. The first thing that Special Agent Bowman did was to contact Lisa Doe requesting her to cooperate with the investigation. The investigation commenced with asking Lisa to explain about her appointments at Dr. Jones’ clinic. Lisa explained that Bob, the owner of the sober house, referred her to Dr. Jones and received an appointment the same day. Fascinatingly, Lisa also explained how she paid out $125 on the first appointment and $30 for every subsequent dosing appointment. Moreover, Lisa narrated how she wondered for not being examined or asked about her addiction history. In particular, Lisa stated that the program coordinator, Ann, told her that Dr. Jones had taught them how to issue prescriptions and measuring the appropriate dosage for every situation. The investigation also required some evidence from the clinic because the DEA agents entered the clinic and seized computers, numerous boxes and files. Lisa saw the DEA agents taking those things because she was at the clinic receiving her dosing appointment at that time.

 However, the investigation did not end there. Agent Bowman continued to interrogate other patients and program coordinators of Dr. Jones. The investigation uncovered that Bob and Dr. Jones were roommates at college before advancing their relationship to their occupations. These two people also used to have fun together at the country club. As the investigation proceeded, the program coordinators confessed that Bob referred all Medicaid patients to Dr. Jones in exchange for some kickbacks. Lastly, the program coordinators ascertained that Dr. Jones used to train them how to write prescriptions on the pre-signed prescription slips. The DEA agents were to utilize the gathered information as evidence to indict Dr. Jones and anyone involved in the crime.

**Judicial System Process**

 Most cases of white-collar crimes are usually complicated because the defendants do not involve violence that could leave the traces of evidence. However, the case of Dr. Jones would follow a specific judicial process because the DEA agents have conducted their preliminary investigation and obtained evidence. The first process would require the detectives to seek a warrant of arrest from the court to arrest Dr. Jones. Additionally, the detectives would seek a warrant of seizure from the court to seize the computers and files that would be used as evidence. Gottschalk argues that the essence of obtaining a warrant of arrest is to ensure that the defendant is legally placed in custody as the investigation progresses (58). On the other hand, the essence of obtaining a warrant of seizure from the court is to ensure that nobody alters the evidence contained in the computer and files. Illegal seizure of properties is discouraged by the court and might lead to disregard of all the evidence collected from those properties.

 The next process includes booking the defendant. Dr. Jones would be booked after being arrested by the detectives. This step involves gathering the defendant’s identity data, fingerprints and photograph. The aim of this step is to ensure an official arrest. The next step involves arraigning the defendant before the court. The importance of arraigning the defendant before the court is to hear the charges imposed against him as they are read by the judge. The defendant is required to either plead guilty or reject the charges raised against him. Subsequently, the defendant is availed at the court for the preliminary hearing. The preliminary hearing serves to determine if there is indeed a probable cause for prosecuting the defendant (Payne, 367). According to Payne, the witnesses of both sides are required to produce evidence before the court during the preliminary hearing (367). The last step is the trial process where the judge determine whether the defendant is guilty or not by looking at the existence of a probable cause (Payne, 368). In the case of Dr. Jones, the judge might also rule him to pay out a restitution to the victim, Lisa Doe.

**Defendant’s Defense Option**

 Dr. Jones might defend himself by quoting some mistakes of facts involved in the crime. For example, the defendant might state that the program coordinator, Ann, must have presented to him a fake license to persuade him employ to her as the physician assistant. The defendant might also indicate that he was assigning Ann the physician duties because he believed she was qualified for the job as she demonstrated on her fake license and other recommendations when seeking a job at the clinic. Additionally, the defendant might negate that he used not to give Bob some kickbacks as the program coordinators indicated in the interview with the DEA agents. Dr. Jones might state that Bob was his friends and they have the right to help each other financially, indicating that the money he gave Bob was not meant for a kickback.

**Evidence for Conviction**

 Certainly, there is enough evidence to convict Dr. Jones. Indeed, the evidence collected from the whistleblower, Ann, matched the evidence dispensed by other patients, program coordinators and Lisa Doe. Secondly, the seized computers, several boxes and files would provide detailed evidence against the defendant. The judge would find a probable cause of prosecuting and convicting the defendant after hearing the evidence obtained from Lisa Doe, Ann, other patients and program coordinators.

**Conclusion**

 Most white-collar criminal cases are difficult to process in the court because of the challenges encountered in collecting the evidence and presenting it to the court (Jesilow, Pontell & Geis, 24). However, proper collection of evidence associated with white-collar crime assists the court in convicting the defendant. This paper focused on various crimes committed in the scenario and discussed how the illegal conduct was uncovered and investigated. The paper recommends workers to blow their whistles just like Ann did to prevent the spread of white-collar crimes in businesses and institutions. The paper reveals that white-collar crimes are concealed, unlike the other crimes whose evidence is conspicuous. For that reason, the government and the general public might not know that institutions are committing white-collar crimes unless the workmates blow the whistle to inform the relevant authorities what is happening. Hence, workers should not wait for detectives to uncover these heinous crimes themselves but should be detectives at their workplaces.

References

Gottschalk, P. (2017). *Investigating white-collar crime: Evaluation of fraud examinations*. Cham: Springer International Publishing.

Jesilow, P., Pontell, H. N., & Geis, G. (1993). *Prescription for profit: How doctors defraud Medicaid*. Berkeley: University of California Press.

Payne, B. K. (2013). *White-collar crime: The essentials*. Charlesbourg, Québec: Braille Jymico Inc.