

White Collar Crime (5310/16953)
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Fall 2026
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Overview

White collar offenses are typically non-violent, economically motivated conduct occurring in the course of business. This course will emphasize federal law and incorporate offenses such as fraud, regulatory offenses, and corruption. We will analyze general issues raised by white collar crime, such as the criminal liability of corporations, managerial liability, and prosecutorial discretion.

Class will meet on Mondays and Wednesdays from 10:30 – 12:00pm.

Textbook

Samuel W. Buell, *Corporate Crime: An Introduction to the Law and Its Enforcement* (2025), fifth edition. This is an open-source casebook available for free download at <https://buelloncorporatecrime.com/>. Physical bound versions of the casebook are available for purchase at the website, but purchase of a physical copy is not required for this class.

Attendance Policy

This is a face-to-face class. You should attend class sessions and arrive on time. If you arrive late, out of respect for the other students and the class environment, please try to minimize the disturbance. The Law Center attendance policy requires attendance of 80% of all scheduled (or makeup) classes or a student risks being dropped from the class.

Please note that you are responsible for managing your absences from class and ensuring that your total number of absences does not exceed the threshold for the class. Even if you have notified me that you will be absent, that absence still uses one of your available absences. An absence is an absence, regardless of the reason, except for absences covered by the University and Law Center religious holiday policy.

Students who exceed six (6) absences will be reported to the Associate Dean. In addition, if a student exceeds the threshold by one absence, the student will take a grade reduction of 1/3 of a letter grade. Each additional absence will result in an additional report to the Associate Dean and an additional 1/3 of a letter grade drop.

Participation

I will call on students both to discuss cases and to comment on the issues we are discussing. Participation in the class discussion helps all of us in the learning process. Professional conduct is expected during class. Such professionalism includes respect for your fellow students in timeliness, preparation, and addressing different points of view. As we are all in the process of learning, the classroom discussion involves some risk-taking in considering new ideas and different arguments. Such possibilities can be combined with respect for the rest of the class. Participation also includes group exercises that will run over the course of the semester.

If you are not prepared for a particular class, be sure to email me before class. You may pass twice without any negative effect to your final grade. If you are on call but are not prepared, you will be marked absent for the class day.

Students with poor class participation will have their final grade dropped by 1/3 of a letter grade. The decision to drop a grade for participation is at my discretion and is non-negotiable. A drop for class participation can result from a combination of unpreparedness, not paying attention in class, and absences (even if you are within the six-absence limit).

In exceptional circumstances, a student may go up a 1/3 of a letter grade for making a substantial contribution to the class. Note that volunteering every class does not constitute a substantial contribution—quality, not quantity matters.

We are committed to ensuring inclusive online and classroom learning spaces, where you'll be treated with respect and dignity, and where everyone is provided the equitable opportunity to participate, to contribute, and to succeed. In this course, all students are welcome regardless of socio-economic status, age, race, ethnicity, disability, religion, national origin, veteran's status, sex, sexual orientation, gender identity, gender expression, political affiliation, marital status and other diverse identities that we each bring to class. Our class is richer for this diversity.

If you feel like your class performance is impacted in any way by your experiences inside or outside of class, please feel free to reach out to me. If you feel more comfortable speaking with someone besides me, Student Services is an excellent resource: 713-743-2182. I also encourage you to bring any issues negatively impacting UHLC's openness to diversity and inclusion to the Law Center's Diversity, Equity, and Inclusion committee. You can contact the committee directly at UHLCD&I@uh.edu.

Learning Outcomes

Upon successful completion of this course, the student will be able to:

1. Be familiar with the most frequently charged federal white collar crimes, including mail and wire fraud, conspiracy, securities fraud, and healthcare fraud.
2. Articulate and evaluate different theories of fraud in both criminal and civil enforcement.
3. Identify and apply the various elements leading to both de jure and de facto liability for individual and corporate defendants.

Assessments

Besides the aforementioned attendance and participation policies, your final grade will be primarily determined by your performance on a final examination administered.

Mental Health & Wellness Resources

The University of Houston has a number of resources to support students' mental health and overall wellness, including CoogsCARE and the UH Go App. UH Counseling and Psychological Services (CAPS) offers 24/7 mental health support for all students, addressing various concerns like stress, college adjustment and sadness. CAPS provides individual and couples counseling, group therapy, workshops and connections to other support services on and off-campus. For assistance visit uh.edu/caps, call 713-743-5454, or visit a Let's Talk location in-person or virtually. Let's Talk are daily, informal confidential consultations with CAPS therapists where no appointment or paperwork is needed.

The Student Health Center offers a Psychiatry Clinic for enrolled UH students. Call 713-743-5149 during clinic hours, Monday through Friday 8 a.m. - 4:30 p.m. to schedule an appointment.

The A.D. Bruce Religion Center offers spiritual support and a variety of programs centered on well-being. Need Support Now? - If you or someone you know is struggling or in crisis, help is available. Call CAPS crisis support 24/7 at 713-743-5454, or the National Suicide and Crisis Lifeline: call or text 988, or chat 988lifeline.org.

The Texas Lawyers' Assistance Program ("TLAP") also supports law students who are dealing with stress, anxiety, depression, substance abuse, and other mental health problems. You can reach TLAP at any time at 1-800-343-8527. TLAP's website includes a page with links to sources about mental health that are of interest to law students: <https://www.tlaphelps.org/law-students>.

Accessibility & Accommodations

UHLC is committed to ensuring that all students enjoy equal access and full participation.

If you anticipate or experience barriers based on a disability (including any chronic or temporary medical or mental health condition), please feel free to reach out so that we may discuss options. If you require any support services, you may contact Ms. Samantha Ary, Academic Records Coordinator. Ms. Ary is in the Office of Student Services suite, and she can be reached at sary@central.uh.edu or 713-743-7466. Requests for accommodation that involve graded assignments must be directed to Ms. Ary and should be made as soon as possible to allow adequate time to document and to process the request.

If you observe religious or cultural holidays that will coincide with class sessions, please let me know as soon as possible, so that we may make arrangements.

Title IX/Sexual Misconduct

Per the UHS Sexual Misconduct Policy, your instructor is a "responsible employee" for reporting purposes under Title IX regulations and state law and must report incidents of sexual misconduct (sexual harassment, non-consensual sexual contact, sexual assault, sexual exploitation, sexual intimidation, intimate partner violence, or stalking) about which they become aware to the Title IX office. Please know there are places on campus where you can make a report in confidence. You can find more information about resources on the Title IX website at <https://uh.edu/equal-opportunity/title-ix-sexual-misconduct/resources/>.

Reasonable Academic Adjustments/Auxiliary Aids

The University of Houston is committed to providing an academic environment and educational programs that are accessible for its students. Any student with a disability who is experiencing barriers to learning, assessment or participation is encouraged to contact the Justin Dart, Jr. Student Accessibility Center (Dart Center) to learn more about academic accommodations and support that may be available

to them. Students seeking academic accommodations will need to register with the Dart Center as soon as possible to ensure timely implementation of approved accommodations. Please contact the Dart Center by visiting the website: <https://uh.edu/accessibility/> calling (713) 743-5400, or emailing jdcenter@Central.UH.EDU.

Recording of Class

Students may not record all or part of class, livestream all or part of class, or make/distribute screen captures, without advanced written consent of the instructor. If you have or think you may have a disability such that you need to record class-related activities, please contact the [Justin Dart, Jr. Student Accessibility Center](#). If you have an accommodation to record class-related activities, those recordings may not be shared with any other student, whether in this course or not, nor with any other person or on any other platform. Classes may be recorded by the instructor. Students may use the instructor's recordings for their own studying and notetaking. Instructor's recordings are not authorized to be shared with anyone without the prior written approval of the instructor. Failure to comply with requirements regarding recordings will result in a disciplinary referral to the Dean of Students Office and may result in disciplinary action.

Honor Code

The UHLC Honor Code applies to all aspects of this course. You are responsible for knowing all Honor Code provisions and for complying with the Honor Code. Please inquire if you have any questions regarding how the Honor Code's provisions apply to specific activities or situations related to this course. Your continuing enrollment in this course is deemed to be a pledge by you under the Honor Code to comply with the Honor Code in relation to this course and to comply with the instructions in the course syllabus.

AI Generated Text and Work Product

The software technology known as artificial intelligence has recently expanded its capability to generate text (AI Generated Text). Examples of the technology include what are known as "generative" large language models (LLMs), and a specific implementation what is well known in the general public is ChatGPT. These systems can generate text in response to prompts and/or input of other text/documents/code/images. The output, the AI Generated Text, appears to have human mimicking "intelligence" and is thus potentially usable as a substitute for written material one might generate themselves. AI Generated Text can include computer code or programs as well as human language content.

Your continuing enrollment in this course obligates you to not knowingly prompt, generate, or use any AI Generated Text in relation to any activity or assessment in this course. This applies to AI Generated Text from yourself or others. This obligation includes that your assessment materials in the course are without any contribution from AI Generated Text. This obligation specifically extends to not plagiarize any writing required of you for assessment in this course: AI Generated Text will be treated as from another/other in applying the plagiarism policy to this course. The term "assessment" means any material generated for this course that is submitted to the instructor or presented in a class session, regardless whether it is graded content or not. Assessments include mid-terms and final exams. AI Generated Text may not be used in the development or drafting of any assessments created by you in a non proctored environment, such as a "take home" final examination.

Syllabus Changes

Please note that the instructor may need to make modifications to the course syllabus and may do so at any time. Such modifications may include changes to the mode(s) of assessment for the course. Notice of such changes will be announced as quickly as possible through email.

Office Hours: TBD. Please email me regarding a visit during office hours so that we can agree beforehand on a method of meeting (Zoom, in-person, etc.).

Initial Assignment Schedule

Aug 24

Corporate Liability
Read: Vol 1, pp. 1-32

Aug 26

Corporate Liability
Read: Vol 1, pp. 32-71

Aug 31

Managerial Liability
Read: Vol 1, pp. 523-51 (chapter 7)

Sept 2

Fraud
Read: Vol 1, pp. 72-97

Sept 9

Mail & Wire Fraud
Read: Vol 1, pp. 97-125

Sept 14

Mail & Wire Fraud
Read: Vol 1, pp. 125-47

Sept 16

Mail & Wire Fraud
Read: Vol 1, pp. 147-73

Sept 21

Securities Fraud
Read: Vol 1, pp. 174-84

Sept 23

Securities Fraud
Read: Vol 1, pp. 184-206

Sept 28

Insider Trading
Read: Vol 1, pp. 270-87

Sept 30

Insider Trading, cont'd
Read: Vol 1, pp. 287-312

Oct 5

Insider Trading, cont'd

Read: Vol 1, pp. 312-340, skim 335-45

A second assignment schedule will be distributed in September. We will cover False Statements and False Claims, Perjury & False Declarations, Obstruction of Justice, Public Corruption, and other topics as time permits.