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Looking Back at Other People's Money: A Qualitative Test of Cressey's Classic Hypothesis of Trust Violating Behavior

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ABSTRACT

Cressey's study of trust violators has had a tremendous impact on how criminologists understand white collar offenders. Despite this, few have sought to replicate or validate his findings. The aim of this study is to replicate Cressey's classic work to determine if it still has practical theoretical value today. To do this, we relied on data collected from 25 male federally incarcerated occupational offenders using semi-structured interviews. The results indicate that there is moderate empirical support for Cressey's hypothesis when collectively examining all three components of his hypothesis. We found only minimal support for the importance of "non-shareable problems" because about half of the participants did not mention such issues. We did find strong evidence supporting the importance of verbalizations (i.e., neutralizations) in allowing for these crimes to occur. Overall, these findings suggest that more research needs to be conducted in order to determine why non-shareable problems do not seem to be as important now as they once were for the commission of occupational crimes such as embezzlement.

Introduction

To advance knowledge of social science issues, researchers praise the notion of replication. Despite the theoretical and methodological importance of replication, few scholars engage in such pursuits. This is especially true of qualitative research. We believe this is a serious shortcoming. While replication is important for all research, we contend that it is especially important for qualitative research. As a result of small, non-random sample sizes of most qualitative research, authors are unable to generalize their findings to other populations. Replication is a step toward increasing the generalizability of ethnographic research. For instance, Nee and Taylor (2000) examined the similarities and differences in burglary research that used qualitative methods conducted in various English speaking countries. After comparing research conducted in the United Kingdom with similar research in the United States, they concluded that despite the location of the study and differences in sampling strategies (prison based samples versus active samples), the research projects were complementary. They concluded that the generalizability and validity of each study was bolstered due to similar findings appearing in each study. These findings suggest the importance of replicating qualitative research using different populations.

Toward this end, we sought to add to the generalizability of one of the classic qualitative studies in criminology, Donald Cressey's (1953) hypothesis of trust violating behavior. This work, published over half a century ago, has become a mainstay in white-collar crime research. Based on interviews with convicted trust violators, Cressey argued that their illegal behaviors were the result of individuals in trust violations having a self-defined nonshareable problem, the opportunity and skill to commit the crime, and the ability to make sense of or interpret their actions in way that did not cause damage to

their self-image. Despite the importance and insights from this work, few have sought to test his hypotheses (but see Nettler, 1974; Zeitz, 1981). Here we relied on interviews with males convicted of trust violations to determine whether Cressey's findings still hold true about the role that opportunity, non-shareable problems, and linguistic verbalizations play in instigating these crimes. We believe that by replicating qualitative research, we can add to the validity and generalizability of research on trust violators.

Cressey in context

Donald R. Cressey's (1953) classic work on trust violators provided a much-needed look into the world of white collar crime in the workplace. The primary goal of his study was to account for the differences in behavior between those people who violate a professional trust position and those who do not. Based on interviews with convicted offenders, he identified a number of factors that he believed were necessary and sufficient causal elements for criminal violations of financial trust to occur. Specifically, Cressey (1953, p. 30) argued that:

Trusted persons become trust violators when they conceive of themselves as having a financial problem which is non-shareable, are aware that this problem can be secretly resolved by violation of the position of financial trust, and are able to apply to their own conduct in that situation verbalizations which enable them to adjust their conceptions of themselves as trusted persons with their conceptions of themselves as users of the entrusted funds or property.

The idea of a "non-shareable" financial problem will not always guarantee that the criminal behavior will subsequently follow. In fact, Cressey contended that the entire process outlined in his hypothesis must occur for a trust violation to result. That is, a person who uses his position of financial trust to solve a non-shareable financial problem must also have both the opportunity and skill coupled with the appropriate "situational verbalizations" or "vocabularies of adjustment." Therefore, one can conclude that not all trusted persons who have non-shareable problems become trust violators, but according to Cressey, all trust violators do indeed have a non-shareable issue, which ultimately leads them to violate the law.

According to Cressey, a non-shareable problem is any issue of concern that the individual directly affected believes cannot be shared with another person due to feelings of shame or guilt. The person with such problems then seeks to remedy the situation by committing a deviant act. Cressey reports that indicators of nonshareable problems were language that mimicked phrases such as "I was ashamed" or "I had too much false pride" (1953, p. 75). He believed that most of his participants would use one or more of these nonshareable problems to justify their illicit behavior. Furthermore, Cressey (1973) hypothesized that the most salient non-shareable problems appeared to be rooted in financial concerns, but later acknowledged that these problems could also be non-financial in nature, such as

how to secure a divorce or how to seek revenge against an unfair employer. Consequently, Cressey opted to use the term “non-shareable” problem to refer to a stressful situation in which financial concerns were the central underlying causal element.

While Cressey stressed the importance of non-shareable problems for the initiation into trust violations, he concluded some thirty years after his original study that while the non-shareable problem was important, it was not “critical,” and that it was the “neutralization of the criminal behavior” that was his most significant finding (Laub, 1983, p.138). Specifically, in the vast majority of cases he studied at some time prior to the crime, the embezzlers believed there existed certain situations in which trust violations were acceptable. According to Cressey, the verbalization is the criminal’s motive. These “verbalizations” or what he refers to as “vocabularies of adjustment” are the principle agents that permit an individual to soften their moral integrity to cross over temporarily into the realm of deviance, committing acts that they normally would abhor and condemn (Cressey, 1953, p. 93).

These situational verbalizations allow individuals the ethical freedom or the ability to adjust their morals and self-image to engage in deviant acts. A verbalization is an aspect of philosophical logic that can be seen as an “adjustive device” that serves the interests of a conflicting view of morality (Cressey, 1953, p. 95). He argued that these verbalizations come before the crime and make it possible for the offenders to relieve the guilt associated with their acts. This idea of *a priori* verbalizations was the precursor to Sykes and Matza’s (1957) more refined theory of offender justifications prior to actual deviant or criminal acts (see Maruna & Copes, 2005); rationalization or verbalization does not coincide with the traditional use of the word by most psychologists, psychiatrists, or sociologists. The traditional view by most scholars is that rationalizations occur *after* the specific behavior has taken place. Other scholars who have attempted to explain this rationalization process, especially C. Wright Mills (1940) and Sykes and Matza (1957), state that the term rationalization can be used to refer to a process of locating a logical or socially acceptable excuse for questionable behavior and, in particular, thoughts or decisions to perform or engage in that behavior.

Cressey repeatedly found that almost all of the trust violators in his sample defined the relationship between their non-shareable problem and the illegal solution in rational terms that enabled them to view their deviant acts variously as non-criminal in nature, as justified, or as part of a general irresponsibility for which they should not be held legally responsible. In fact, he discovered that most of the individuals he interviewed excused their crimes before the fact as “borrowing the money.” Those trust violators argued that the money entrusted to them “belonged” to them, proclaiming that “everyone else is doing it, why can’t I,” or stating that the money was somehow rightfully “deserved” or “owed” to them (1953, p. 102, 108). Cressey (1953, p. 98-99) explained the verbalization process in which trust violators engage, stating that in a “non-shareable-problem-position-of trust” situation,

employees will objectify their own actions to the extent that they place themselves in the place of another person or group of persons with the status of trustee and then hypothesize their reactions. For example, the employee may hypothesize a reaction as borrowing instead of stealing to remedy a non-shareable problem. Thus, these predetermined hypothesized reactions provide some form of moral and psychological reprieve from feelings of guilt prior to the commission of occupational offense. As a result, an employee could then consciously choose to violate their position of trust to rectify their non-shareable issue. Cressey pointed out that the criminal does not think of himself as playing a specific role, but often reflects upon himself as a special kind of borrower or businessman, and therefore, the trust violator must have come into contact with a culture that has somehow designed these roles as being socially acceptable. If these roles were defined differently in his culture or community, or if he had not been exposed to socially accepted group definitions of this behavior, he may have acted differently in trying to resolve his non-shareable problem. Cressey insisted that the evidence he collected from his sample provided ample proof that verbalizations were always present prior to the commission of the act or at least at the time it took place. Moreover, he also determined that after the act had occurred, and the offender was apprehended, the verbalizations appeared to be abandoned by the offender. The researcher's argument was that the verbalization is the offender's motivation, and it not only makes his behavior intelligible to others prior to commission, but more importantly, it makes it intelligible to himself (1953, pp. 94-5).

Overall, Cressey found that all 133 of his trust violators had some form of a non-shareable financial problem that set into motion the process necessary for trust violations (i.e., occupational-related crimes) to take place. He postulated that three necessary and sufficient components must be in place for a violation of trust to occur. To add to the credibility of his generalization, he stated that each of the offenders interviewed had indeed given testimony to the fact that they had (1) the opportunity and skill to commit the offense, (2) presence of a non-shareable financial problem involving some form or feeling of physical or emotional isolation, and (3) had access to vocabularies of adjustment that allowed them to justify their illicit actions as a mere noncriminal remedy to mend their non-shareable problem.

Cressey's study paved the way for future criminological theory and sparked a desire for more empirical investigation into occupational white collar deviance. As a result, he offered a unique perspective regarding why people commit crimes in the workplace. Schuessler, in reference to the importance of Cressey's work, stated that the "theoretical significance" of this study consists of the "light it sheds on criminality" that cannot be attributed to direct contact with criminal influences. In fact, it seems that the root of the problem is cultural in nature and is not a direct consequence of a criminal personality disorder (Schuessler, 1954, p. 604). This argument is offered in contrast to the empirical support that criminal techniques were not directly taught, and as a result, may refute the applicability of differential association to Cressey's study. With minor exceptions, the 133 males in Cressey's research

did not appear to have been exposed to a predominantly criminal environment. On the contrary, they appeared to have been mainly surrounded by persons who were opposed to unlawful conduct. Recent technological and social changes suggest that those non-shareable problems that spurred embezzlement may not be as prevalent today. Thus, it is important to determine the relevance of Cressey's ideas to contemporary offenders.

Prior tests of Cressey's theory

Nettler (1974) attempted the first partial empirical test of Cressey's theory of trust violations. Nettler's test was comprised of an analysis of six cases of embezzlement that occurred in Canada between 1964-1974; she determined that one of her six cases supported Cressey's contention that men must enter into a particular three-part process before they can steal. The remaining five embezzlers did not steal out of any similar set of circumstances, in fact she discovered that "desire and opportunity generate theft more frequently" than does a non-shareable financial problem (Nettler, 1974, p. 74). Regardless of her findings, the major shortcoming of Nettler's research was that she failed to follow the same qualitative methodology Cressey had used when offering his initial empirical test. In addition, the low sample size makes it difficult to effectively assess Cressey's theory.

In another attempted replication of Cressey's study, Zietz (1981) found that many of the generalizations Cressey had made about male trust violators did not apply to female embezzlers and fraudsters. Zietz discovered that compared to Cressey's male offenders, women did not tend to have a particular non-shareable financial problem that caused them to commit their offenses. In most cases, the problems experienced by the females were already known or shared with various friends, family members, or colleagues. Furthermore, Zietz (1981, p. 58) concluded:

The women included in this group were essentially honest women who violated their own value systems. They more or less consciously sacrificed their positions of trust in an effort to meet what they perceived to be their responsibility as a wife or mother, or to preserve for themselves what they considered to be their most important possession—a husband's love.

Therefore, in stark contrast to Cressey's sample, Zietz's participants indicated problems for which they were not responsible and seldom did they invoke the neutralization of borrowing. Instead, female embezzlers were far more likely to justify their offenses in terms of the needs of the family. Moreover, they did not allude to a non-shareable financial problem, a problem that, in Cressey's male offenders, usually resulted as status gaining or greed related present. Furthermore, the criminal behavior of these particular women, unlike that of the men interviewed by Cressey, seemed to focus on their unselfishness and willingness to sacrifice if they deemed it necessary to provide assistance to a family member or relative. Thus, Zietz concluded that there is no empirical evidence that this

generalized idea of a non-shareable problem proffered by Cressey is applicable to female trust violators.

Other research has also tapped into the concepts developed by Cressey without directly seeking to test or replicate his study. Most supportive of his claims are the decades of research that examine the types of language white collar offenders use to minimize the internal and external harm of their potential misdeeds. The literature on white collar offender excuse-making is vast and has led some to conclude that these offenders are more prone to offer excuses than are those from other walks of life (Shover & Hochstetler, 2006). Research (both ethnographic and survey based) on embezzlers, telemarketing fraudsters, identity thieves, Medicaid fraudsters, and general occupational criminals (e.g. nurse, occupational therapists) call forth neutralizations to either save face or ease their conscience prior to the commission of their illicit acts (Benson, 1985; Dabney, 1995; Gauthier, 2001; Jesilow, Pontell, & Geis, 1993; Evans & Porshe, 2005; Klenowski, Copes, & Mullins, 2011; Copes & Vieraitis, 2012; Klenowski, 2012; Schechter & Levi, 2013). Such findings are consistent with Cressey's ideas about the importance of verbalizations for the commission of crime.

Although Cressey's hypothesis has been loosely tested on a few occasions, most of this research has failed to test his theory in its entirety. Thus, to fully test all three components of his classic hypothesis, our research question asks, "Is Cressey's original research hypothesis regarding trust violating behavior applicable to today's occupational white-collar offenders?" Specifically, we relied on interviews with 25 occupational offenders to determine if their crimes were spawned by a non-shareable problem, and if they relied on verbalizations to excuse or justify their crimes. We did not elaborate on the idea of skill and opportunity because all 25 offenders interviewed admitted to committing the crimes during the course of their legitimate occupation, thus verifying that they did have the opportunity to do so.

Methods

To test Cressey's hypothesis, we used data from semi-structured interviews with 25 male inmates who were federally convicted for occupational crimes. To meet the sampling criteria for inclusion, inmates had to have been convicted of an occupational-based white collar offense while in a legitimate position of fiduciary trust within their respective occupations. This was purposely sought so that we could follow Cressey's original methodology as closely as possible. Offense types that made inmates eligible for the study included embezzlement, false corporate reporting, false bank or credit loans, various forms of fraud (e.g. wire, mail), securities and exchange violations, and tax fraud.

We interviewed inmates from various Federal Bureau of Prison (BOP) facilities in the Bureau's Mid-Atlantic and Northeast regions. While the BOP granted permission to conduct research in their facilities, they were unable to provide a list of inmates who had been convicted of occupational

offenses. To recruit participants, we relied on volunteers and snowball sampling within the facilities. We began by asking specific administrators at their facilities if they knew of individuals who met the study's criteria. We also placed recruitment fliers throughout the various prisons that asked interested inmates to indicate their possible willingness to participate by contacting their unit or case manager. Prison officials then generated a list of those who volunteered and passed it along to the institutional contact for each facility who then assisted us with scheduling site visits for interviews. Additionally, some of the inmates interviewed vouched for us to others who fit the sampling criteria. This process was done until we recruited and interviewed 25 male white collar offenders, a sample size consistent with qualitative research in the field (Copes, Brown, & Tewksbury, 2011).

With respect to sampling demographics, the average age of participants at the time of the interview was 45, with ages ranging from 28 to 70; there were 18 white and 7 non-white participants. Five had high school diplomas or GEDs; 7 had completed some college courses; 7 had completed at least a bachelor's degree; 2 had completed some Master's level work; the remaining 4 had earned a graduate degree. Seven participants had never been married, 10 were currently married, and 8 were no longer married (i.e., widowed, divorced, or legally separated). The average yearly income of participants was formerly over \$100,000; however, salaries of the participants ranged from \$40,000 to \$10 million. The median annual income for the sample was close to \$160,000. Thirteen of the participants owned and operated their own companies with multiple employees working for them. The remaining twelve respondents held high ranking positions of fiduciary responsibility within their respective companies. Industries that were represented by the sample include: investment, credit and finance, construction, automobile, environmental assessment, international import/export, real estate and mortgage, travel and tourism, home delivery, military operations, and franchising and marketing. Illegal earnings from the participants' criminal activities ranged from a few thousand dollars to tens of millions of dollars.

Our interviews with participants were semi-structured. This style of interviewing involves outlining a set of issues to be explored with each respondent (Patton, 2002). By using a semi-structured interview guide approach, we were able to word questions spontaneously, establish a personal and friendly rapport with each participant, revisit or ask for more elaboration on a particular topic, and establish an informal interview style that focused on areas of interest. While this style of interviewing allowed participants to guide the conversation, we took care to ensure that all participants were asked questions that pertained to their thoughts and events leading up to the commission of their crimes. The majority of questions in the guide focused on the history and demographics of the offender, a detailed explanation of the offense, the presence of a non-shareable problem as a catalyst, and the use of language (i.e., verbalizations or neutralizations) prior to the commission of the offense. While the specific wording of the questions varied, general questions asked included: Please explain the events leading up to the committing the act; What were you thinking before you committed the act; What were you saying to yourself before and during the act; What caused you to think about committing the

act; Were there any mental barriers (anxiety, fear, guilt) that you encountered; and How did you feel after committing the act. If the offenders mentioned some type of non-shareable problem and used verbalizations prior to commission of their crime, we asked additional follow-up questions to further understand and validate their accounts.

When possible, we recorded the interviews using a standard audio recorder. Only when prison administrators refused our request to use a recorder or when the participants did not consent to the recording, did we not record the interviews. This was the case for 9 of the 25 interviews. Regardless of whether the interviews were recorded or not, we took detailed field notes during all sessions. To ensure confidentiality of participants, we removed identifying elements during the transcription and assigned each participant an alias, which is used in the presentation of quotes here. To aid in analysis, we transcribed all interviews to mirror the spoken words as closely as possible.

To analyze the data, we relied on a thematic content analysis. While the research is qualitative, we relied on a deductive analysis to determine whether or not Cressey's hypothesis of trust violating behavior was supported. Specifically, we read all interviews to determine if they mentioned the core components of Cressey's theory (i.e., presence of a non-shareable problem and verbalizations). We used coding strategies commonly used when constructing grounded theory, including open coding and axial coding (Charmaz, 2006). We began our open coding by reading the transcripts and marking notes indicating the various concepts discussed by Cressey (deductive coding). We also coded passages that reflected motivations and verbalizations not discussed by Cressey (inductive coding). Once all transcripts were coded, we came to agreement on axial codes by organizing codes in ways consistent with Cressey's original findings and our new themes. We then recoded all transcripts using the axial codes we developed, which are reflected in the major themes discussed in the results.

Findings

Presence of non-shareable problems

To describe the results of our analysis, we begin by discussing the presence of non-shareable problems and then elaborate on the use of verbalizations or neutralizations by these offenders. Of the participants, 14 (56%) verbalized that a non-shareable problem had inspired or encouraged them to commit their particular crimes. Of the six categories of non-shareable financial problems proffered by Cressey, only five were mentioned by our participants. Physical isolation as a non-shareable problem (when people in financial trouble are geographically separated from the people who can help them) was never mentioned by those we interviewed. It is important to remember that non-shareable problems, according to Cressey, can be construed as the catalysts for why people commit violations of trust in the workplace. Furthermore, the individuals who committed these acts believed that they could not share with anyone the problems that they had encountered, causing them to seek illicit and

secret means to solve the so-called non-shareable problem. In the pages that follow, we discuss the extent to which participants made reference to the non-shareable problems proffered by Cressey.

Problems Resulting From Personal Failure

Problems resulting from personal failure occur when an individual fears loss of social status and is afraid to admit this to anyone who could alleviate the situation. This was the most commonly reported non-shareable problem among the sample, with 7 individuals (28%) mentioning this motive. Jarod owned and operated a legitimate home delivery company in a major east coast city. He said that his fraud was a means to get back at the federal government and the health care system which wronged both him and his family. Furthermore, he mentioned his own failures in life, and how he wanted to right the wrongs he may have caused others.

My father was dying in one of those elderly care homes and the level of care that they were providing for him was, needless to say, less than adequate, so there was a personal vendetta that I had against the healthcare industry, and that was one of the triggers that caused me to, and the fact that my first wife had left me, my son had got incarcerated, my brother had gotten shot ... When I got out of the military, I opened up an insurance agency that also failed during that period that my father got sick ... There was a series of events that caused me to start smoking and a lot of times ... I started smoking because I couldn't really deal with the person that I was. I had issues and I didn't know who to talk to about it. In fact I was falling and I didn't see it ... My own failures were looking me in the face every day; as far as my wife and kids, I wanted somebody to pay for it and I felt like I was entitled to a better lifestyle than what I had so I just started, I mean at the time it really looked like an opportunity you know, in my mind, I thought it was, it was an opportunity to do something good.

When DeMarcus was apprehended by the federal government, he had been making close to \$500,000 a year illegally selling packets of false identities to those with bad credit, to illegal aliens, and to others who needed such credentials. He was using false identities to live a life of duplicity to avoid his past failures and negative experiences in life. He explained:

I am an African-American college dropout who had bad credit and a suspended license. When you are a childless, middle-aged African American male who watches Formula One racing, reads the Wall Street Journal and plays classic rock, doing what I was doing makes for a paranoid, lonely, depressed life that few could relate to. Who could I confide in? Using multiple assumed names in order to live the American Dream of driving cars and owning property was, ironically, hard on my social life. I would introduce myself, not by my real name. I agonized over what name I would use when I got married and started a family. Seeking financial freedom became a bondage of its own. I unknowingly developed bipolar disorder and tried to treat pathetic chaos with powder cocaine,

champagne, cognac, kind bud, fish-scales, ecstasy, exotic dancers and ironically, helping everybody “get on.” I can still remember the real me: an artist, a writer, a musician, a people-person.

As already indicated, this particular category of non-shareable problem was found with highest frequency in our sample. Thus, it appears that this particular problem may in fact warrant further empirical assessment, possibly through the application of general strain theory, but on an individual level.

Problems resulting from status gaining

Problems related to status gaining is when the individual realizes that he or she does not have the financial means necessary for continued association with persons on a desired status level. The problem becomes non-shareable when the actor believes that he or she can neither renounce high aspirations for membership in the desired group nor obtain the symbols necessary for membership. Four participants (16%) mentioned this problem as the impetus of their crimes. Louis elaborated on his lifestyle and its importance to him:

An example of the racket that I was caught up in, I would buy a house for \$40,000, pay cash for them, appraise them at \$150,000, borrow at \$150,000, the difference would be \$110,000: 20K to fix it up and 40K back for the loan. The very first deal that I orchestrated was for \$550,000 right on the water on the Bay. In all honesty, we thought we were legit. Deep down I guess we knew that it was also somewhat wrong. I did what I did for money and the thrill of it. I was extremely bored, plus I had a lifestyle that I couldn't afford. I like the fast cars, I like the nice houses, I like the trophy wives. Paul, I will tell you that all three of my wives were trophy wives, blonde hair, blue eyes, 5'10" or taller, skinny with the breast implants, the whole nine.

Robert, a director of finance for a major non-profit company in the United States, also alluded to problems related to status gaining. Before his incarceration he had over 75 employees working for him and a base salary of over \$160,000 a year. He openly admitted:

I wanted more for myself, my kids, my family. I spoiled the hell out of my family. I did what I had to do. I dealt with executives from some of the major U.S. television networks and I saw how they lived and I was jealous. They or the trustees of my company would take me on their jets for a conference in Vegas or to such and such and they lived the life that I wanted ... I wanted that lifestyle too. I wanted to be able to spoil people. I wanted my own private jet, my own boat, a summer home. So I started taking from the company. I took that money and started playing the market ... it was so easy to do. I got hooked though and I began losing. And eventually I got my \$140k boat ... I never told [my wife] or anyone else, I couldn't. I made sure nobody knew or found

out. As far as my wife was concerned I would show her that the stocks I was playing were going up and I would just have to be sure to calculate it right. I couldn't share this with anyone.

Although the frequency of this category is not conspicuously significant, it appears that a larger sample of offenders could provide further validation of its significance as a catalyst for these types of occupational offenses. Thus, further replication of this study that utilizes a larger sample of offenders may provide more conclusive results regarding this particular nonshareable category.

Violations of ascribed obligations

Violation of ascribed obligations refers to being unable to pay one's debts and admitting this to one's employer, family, or friends after the fact. These debts typically include gambling, drugs, or credit. Three participants (12%) offered accounts that were consistent with violations of ascribed obligations. Corey, who worked as a pharmacy technician, offered the following description of what led to his crimes:

I just did a tour in Germany, just got back to the States ... and I just got divorced. I had met a girl while I was in Germany and gotten remarried and between paying child support and trying to find a place to live, the money was just tight, so I came up with this offense to try to make a little bit of money to get on my feet.

Louis had a legitimate job and opted to engage in this activity on the side because of the non-shareable financial problems related to debt he incurred. In his words:

My ex-wives drained me. Going back to the money issue, after my second divorce, I was living in my car. She had taken my Lexus, my Cadillac, my furniture, everything. I also had financial responsibility. I had to take care of my mother. I will tell you this, never trust family and friends. I will tell you this, when you come to federal prison you find out who your true family and friends are. The first thing my mother said to me when I came to prison, "Who is going to take care of me now, who is going to pay my bills?" Let's face it, in the real estate business, everybody else is doing it, why couldn't I? People do it in bulk, they just don't get caught. People buy houses for \$2,000, foreclosure from the Federal Government, then they turn around and sell them for \$80,000. That's pure profit that is legitimate. We added a couple twists and turns in the road to make ours illegitimate. Let's face it, Paul; a lot of people are in Federal prison or in prison in general because of family. Everybody hustles. We have to and in my case it was to help my Mother. I also helped my sister. My sister actually wore a wire also for the Government and testified against me. I have two kids who are in college, another one in high school and then I have three step-children. A lot of my problems were due to my financial responsibility. However, I can't say that I did not like the lifestyle as well ... so the motivation would be money however when it came down to it in my thought process, I was doing what I had to for my family.

As with the previous non-shareable problem category regarding personal failure, it appears that this specific category would also benefit from further empirical assessment. In fact, much of the neutralization literature regarding white collar occupational offenses references the “appeal to higher loyalties” as a significant factor discovered when analyzing offender’s qualitative accounts of their own behavior (Dabney, 1995; Maruna & Copes, 2005; Klenowski et al., 2011; Klenowski, 2012). Thus, it does appear that this particular non-shareable category may in fact be linked to this specific neutralization; an idea that could be tested with further empirical replications of this study.

Problems resulting from business reversals

According to Cressey (1953), problems resulting from business reversals include those situations where financial reversals stem from conditions beyond the actors’ control (e.g., inflation, debt, high interest rates, or raising capital). Those expressing these problems tend to do whatever it takes to keep their businesses afloat. Three participants (12%) shared this rationale for why they committed their particular offenses. Alex, whose family owned a large sports equipment distribution company, was indicted for counterfeiting and selling various items. He explained why he and his family did what they did.

Competition was getting extremely tough; we had to protect our name. We did what we had to do. We did our own survey to see what was going on with the market. We had to fill a public demand. This was my job, my life. We had to do something.

Greg also reported a non-shareable problem that could be categorized as a problem resulting from a business reversal. He was a CPA and worked as a controller earning \$125,000 a year for a large jewelry manufacturer and wholesaler that employed over 150 people. The company had been quite successful and was grossing nearly \$75 million a year in sales. The company fell into some financial hardship and was in jeopardy of filing for bankruptcy. He explained what happened and why he and his boss committed their crimes.

As I mentioned before, the company had hit some financial difficulty. We sold to a lot of mom and pop stores throughout the country and we were not collecting receivables and people were not paying their bills. So the CEO of the company came to me and said this is what has to be done, let’s get through this so we can all get some sleep. I wanted to keep my job and I wanted to save the company. The boss said “everybody does it and we have to do it to stay in business.” So I orchestrated a way to keep us in business.

As with the last two non-shareable categories, it does appear that this particular problem may be part of the causal equation that leads one to commit a violation of trust in the workplace. This particular category may in fact be offered at a higher frequency if a sample of more recent offenders would be

queried, especially those who were indicted and subsequently incarcerated during the last five years, during the height of the nation's economic crisis. Again, further empirical analysis is warranted.

Problems resulting from employee-employer relations

Problems resulting from employer-employee relations occur when an employed person resents his or her status within an organization. The resentment can come from perceived economic inequities such as pay or from the feelings of being overworked or underappreciated. Three participants (12%) offered responses that reflect problems resulting from employee-employer relations. After owning his own successful business, Vincent opted to sell it to another company. The selling of his company and the promises he was made prompted him to take illegal action.

I had this company, the Internet credit card company, and I was approached by another company that was interested in buying that company ... Shortly after the acquisition was complete, I discovered ... that their financial condition was actually not at all good even though they led me to believe that it was good initially. As I said, they were supposed to pay using part stock and part cash so I got the stock right away but the cash was delayed. A few months went by and I got kind of worried about the fact that I wasn't receiving the money I was supposed to receive. They were paying my salary because part of the agreement was that I would be their employee for three years but not the cash portion of the acquisition agreement and after a while I began to get anxious about the fact that that wasn't being paid. I went out and visited their corporate headquarters. I learned more about the fact that they weren't paying a lot of their other bills either and I eventually got so anxious; also, situations in my personal life had started to come up. I learned that I had a son on the way, and all these other things that were occurring that I guess conspired to make me feel so anxious that it led me to decide to take the money that was owed to me by force, if you want call it that, so I devised a scheme whereby over a period of several months I would wire portions of the money that was owed to me to myself. That was the criminal decision I made, if you want to call it that.

This category of non-shareable problem yielded a surprisingly small sample of offenders. Further replication of this study would benefit from the inclusion of a larger sample that was stratified by such demographics as gender, race, and age to see if such factors increased the frequency of this category as a motivational catalyst for such offenders to carry out their illicit acts.

Verbalizations

All 25 participants mentioned one or more verbalizations or neutralizations when describing their thoughts prior to the commission of their crimes. In analyzing the verbalizations of the offenders, we used insights gained from the decades of research on neutralizations and accounts that followed Cressey's work. Specifically, we used neutralization theory as developed by Sykes and Matza (1957)

and expanded by others (see Maruna & Copes, 2005 for review). Accordingly, the assumption is that offenders call forth these neutralizations/verbalizations before they commit the crime in an attempt to minimize the guilt of their actions.¹

We found that the most common way that these offenders justified their crimes was by calling forth the provider or bread winner role for their families or as the protector role for their respective companies (i.e., the appeal to higher loyalties). When doing so, they framed their illegal behaviors as a type of sacrifice for others, usually their nuclear or extended families, their organization, or their clients. Nineteen participants (76%) offered this verbalization (usually coupling them with other justifications). Exemplifying this technique, Stuart explained why he committed his crimes:

I guess when I was committing my acts, I believed that maybe I was doing some of this for my family. I wanted to have the time and the financial security to be around my family to make sure I would be there for my children, so I guess family also subconsciously played into why I did what I did. It all boils down to power and greed and decisions you make in life, in my case, my family was part of my decision making for why I did what I did.

Similarly, Victor wanted to help a colleague and to support the larger community. When asked why he was trying to help this particular individual Victor replied, "I honestly believe my underlying motivation was the loyalty and the continued relationship with my clients for future business, not just for the one transaction; I wanted them to become repeat customers."

The second most common way that these offenders framed their illegal actions was by denying that anyone was hurt by their crimes (i.e., arguing that they were "only borrowing the money"). Eleven participants (44%) provided this verbalization when recalling their thoughts prior to their criminal acts. This framing was the most common verbalization offered by Cressey's embezzlers. Fearing bankruptcy and discovery of his crimes by the federal government, Wallace said he "borrowed" against assets from other clients. In justifying his actions he said:

In my mind, as I made money with new clients, I was going to put back the money that had taken from other clients. In my mind, I was only borrowing the money, so it was okay, because I was going to put it back.

Similarly, when asked why he did it, Steve said, "Here's what we came down to in our minds, there was no real financial loss for our clients at the time; if there is no loss, there is no victim. If there is no victim, there is no crime and how could you be accused."

Both Wallace and Steve framed their actions as anything but theft. By using phrases like "there is no real loss" and "I was only borrowing the money" they could claim that they did not cause any real harm to others and at the same time reinforce their roles as providers.

Nine participants (36%) said that they should not be held responsible for their crimes by pointing to their poor upbringing and abusive parents. Kent said that living through poverty was the catalyst for his criminal acts. He made direct references to his upbringing as leading directly to his decision making that ultimately led to his crime and stated:

I always had some guilt in feeling as though that I did not get the proper upbringing at a primary level, that I did not have the proper parental guidance that I know other children had. I always had to try to make more, to work harder. No matter what I did growing up, I wanted to be number one at what I did ... You just have to take a close look at yourself. I see a lot of the inmates here are attention deficit, a lot of them and they need therapy, they need pills, they don't need prison. These are hyper individuals. They were hyper children, out of control. They became hyper adults, out of control. And I know I was ADD as a child and never diagnosed. I could not sit still, I couldn't sit still. I couldn't concentrate but I had a high intellect and it was all over the place. There was no focus. It was a shotgun effect rather than a rifle effect.

Similarly, Neal provided a similar account when discussing the underlying verbalizations behind his crimes:

I was involved in events not of my making and not under my control. I am not a type A real control freak but I like to have control over my environment to the extent possible to rectify things, to try to correct things. I felt a complete loss of control, I was reliant on another person for information, for strategy for everything and we disagreed on strategy and now, look where it got me.

Eight respondents (32%) claimed their crimes were justifiable because others in their respective industries were committing the same types of behaviors with impunity. This neutralization is similar to what others have called the claim of normality (Coleman, 2002). Alex justified his crimes by saying:

We had to stay up with the competition. The competition was doing it, why couldn't we? Why can't we all do it? I've been to conventions where 30 other distributors were doing it ... We had to stay up with competition. They were doing it, why couldn't we?

Echoing this same sentiment, Peter stated, "This whole industry [real estate] is based on lies. Manipulation of buyers is the name of the game. ... Everybody does it." Thus, these offenders could claim that their actions were in line with business expectations of the times.

Eight of the offenders (32%) sought to condemn the condemners by redirecting the focus of their actions (i.e., their frauds) to the hypocrisy of the federal government. James perhaps best illustrated this verbalization when we asked him why he chose to commit his frauds:

The laws are too strict. Federal and state governments force people in this field to be criminal. Let's face it; we have to make money too—to earn a living. I would say 5% of this is my fault, 95% is my partner's fault, but the government acts like it plays no part, when in fact, it motivates us to do what we do. Why should we follow regulations that the government itself does not follow?

Further supporting this verbalization, Martin said that his negative perception of the government facilitated his decisions.

Fuck the Government, if we can do something under the table, let's do it. I mean that was it more so than anything else was the Government, that's how it started, that's what caused this all to start.

Six participants (24%) framed their crimes as excusable based on the deservedness of their victims. Those using this verbalization technique said that they believed themselves to be the real victim and that their victims “had it coming.” Thomas, for example, said that he despised and disagreed with his bosses he worked for because their ineptitude.

I was frustrated because the systems we have are always breaking down, it wouldn't print reports, we couldn't print receipts, we couldn't get information for people and I think the frustration of people yelling in your ear and I think some of that led to it as well, you know, which isn't a good excuse but I just think, “This isn't worth it,” so I think that was part of it as well. I could have just snapped at that point like I've had enough because the city had a lot of problems. They almost considered going to bankruptcy and the first year I was there, property taxes were due in January and July, and they added another tax bill to try and cover the deficit, so that was a rough year trying to collect the third tax bill from everyone, so bomb threats, people saying, “Fuck this, Fuck that,” you know, so I think and then the systems went bad, we had different operators and I think that probably played a factor in me just saying, “Oh, I've had enough they need to learn.”

Five participants (20%) believed that they were entitled to the spoils of their crimes. Each said that their crimes were simply a means of receiving what was justly owed to them. Jason, who served in the U.S. military felt wronged by representatives of the Federal Government. He shared:

Once again, the fact that I had served my country admirably and when I had gotten injured due to a service connected disability, they kind of pushed me out of the military and I was no longer good enough for the Federal Government ... I felt entitled somewhat, you know, giving my life, putting my life on the line every day for the military and then you know, having them treat my Father the way that they did ... I felt like I was entitled to a better lifestyle than what I had so I

just started, I mean at the time it really looked like an opportunity you know, in my mind, I thought it was, it was an opportunity to do something good.

When they were asked what had allowed them to violate the law, those who used this technique said that working hard and following the rules did not allow them to meet their financial expectations. This led to feelings that they were entitled to the extra benefits.

Discussion

The aim of the current research was to replicate Cressey's (1953) inductively generated theory of occupational crime. Our results provide moderate support for Cressey's original hypothesis of trust violating behavior. In reference to his first element regarding the presence of opportunity and skill, it was determined that all 25 participants had both the opportunity and skill necessary to commit their violation of trust. This result was both logical and expected due to the fact that the occupational positions that each of the participants held within their respective companies involved a significant level of trust, fiduciary responsibility, and skill. Thus, we believe that our findings fully support this particular theoretical component of Cressey's original hypothesis.

Cressey's next criterion involving the presence of a non-shareable financial problem as a potential catalyst for one to commit a violation of trust was present for 14 participants (56%). This idea of a non-shareable financial problem was initially proffered by Cressey (1953) as the most significant aspect of his theory on trust violating behavior. However, he later recanted this statement and revised his theoretical stance stating that a non-shareable problem may be present but is not always a necessary and sufficient condition for a trust violating crime to occur (Cressey, 1973). Furthermore, he also acknowledged that a non-shareable problem did not always have to be financial in nature. Thus, it is possible that other non-shareable problems existed among this group. We found that nearly half of the participants did not mention a financial non-shareable problem. In addition, no participants mentioned physical isolation as a catalyst for their crimes. This lack of support for Cressey's original contention about the importance of non-sharable problems is consistent with that found by others. Most notably, Zeitz (1981) reported that female embezzlers typically did not articulate financial, nonshareable problems when discussing their crimes. While she attributed this to gender (i.e., that women were less likely to be driven by non-shareable problems than men), it is possible that the differences among the studies is a cultural change in people's perceptions about sharing.

It is possible that the male inmates were more willing to share their feelings with others than has occurred in the past. This ability to share may reduce the shame or embarrassment of letting others know of emerging problems. As such, trust violators may now be less likely to express their inability to share as a significant motivator for their illicit acts. Also, it is possible that recent technological advances in communications have lessened the empirical significance of physical isolation as a non-

shareable problem. The prevalence of cell phones and internet communication means most of us are in easy contact with friends and family.

Deciphering why non-shareable problems may be less prevalent (and relevant) now than in the past, is beyond the scope of this project, but should be considered in future research regarding occupational offenses. Nevertheless, examining the accounts of trust violators and the changes in their reasons for trust violations may provide a more informed understanding of the mindset of trust violators and the impact of cultural factors that may lead to their decisions to commit such offenses.

Two decades after his groundbreaking study, Cressey admitted that while the non-shareable problem was important for understanding trust violating behavior, it was not “critical,” and that it was the “neutralization of the criminal behavior” that was his most salient finding (Cressey, 1973; Laub, 1983, p. 138). Specifically, Cressey points out that in the vast majority of cases he studied, at some time prior to the crime, the individuals believed there existed certain situations in which trust violation was acceptable given their specific situation or predicament. Referencing his original work years later, Cressey again elucidated the necessity of verbalizations for the process of occupational offenses to occur. Cressey (1970, p. 11) stated, “I am thoroughly convinced that the words and phrases that the potential embezzler uses in conversations with himself are actually the most important elements in the process that gets him into trouble.”

The results of this study further support Cressey's claims about verbalizations or what we refer to here as neutralizations. All 25 participants offered neutralizations to excuse or justify the commission of their crimes. Although our sample was smaller than Cressey's, it can be concluded that the presence of neutralizations played a significant role in the commission of their crimes. This finding validates earlier research regarding occupational-related white collar offenders and their frequent use of neutralizations (Benson, 1985; Jesilow, Pontell, & Geis, 1993; Dabney 1995; Gauthier, 2001; Payne, 2003; Shover, Coffey, & Hobbs, 2003; Evans & Porshe, 2005; Piquero, Tibbetts, & Blankenship, 2005; Copes, Vieraitis, & Jochum, 2007; Copes & Vieraitis, 2009; Klenowski, Copes, & Mullins, 2011; Klenowski, 2012; Schuchter & Levi, 2013). Furthermore, some argue that white collar offenders may invoke these neutralizations more often than regular street offenders, a suggestion that is beyond the scope of this paper (Shover & Hochstetler, 2006). However, at the least, the findings of this study regarding the verbalization criterion of Cressey's study deserve further qualitative assessment to determine more concrete empirical information, especially the significance of the neutralization as it pertains to the commission of trust violating behavior.

Due to the conservative sample size, we cannot make claims about the relative frequency of each non-shareable problem and verbalization. While we can say that the various problems and verbalizations were used by offenders, our claims can go no further. Further replication using a larger sample that is stratified by specific demographic characteristics may yield a more decisive understanding of what

motivates individuals to commit crimes in the workplace. Additionally, the standard cautions on generalizability of qualitative research should be maintained here as well.

Conclusion

Much has been written about white collar crime since Sutherland's first mention of the term some 70 years ago. However, the actual empirical effort and perseverance of criminologists and sociologists to attempt to understand the various forms of white collar crime, especially occupational offenses, continues to be years behind research on conventional street crime (Friedrichs, 2010). The potential reasons for the paucity of research on occupational crime are beyond the scope of this paper; however, it should be noted again that Cressey opened the door to qualitative inquiry with respect to understanding the minds and actions of occupational offenders and continued to champion its overall importance throughout his career. He remarked that "to truly comprehend and explain violations of trust in the workplace, criminologists must learn to refocus and concentrate their efforts on the individual white collar offender." He further stated, that "only individuals can make decisions" and "only individuals can act" (Cressey, 1989, pp. 53-4). Therefore, it is the offender's behavior and their reasons and motivations for crime that needs to be understood.

The importance of each offender's narrative regarding their actions provides unique insights into the thought process behind their illicit behavior (Hamlin, 1988; Presser, 2009; Vaughan, 2007). In particular, posing questions about the motivations and thoughts leading up to such illegal acts may be helpful for unraveling not only the process of accounting for wrongdoing, but more importantly, the selection and application of specific language (i.e., neutralizations) used to pacify one's feelings of guilt or shame prior to the commission of a trust violating behavior (Klenowski, Copes, & Mullins, 2011). We agree with this notion that qualitative research provides a descriptive understanding of the thoughts and actions of occupational white collar offenders and allows for the development of theory. But such inductively driven theories should be tested and replicated to improve generalizability. Additionally, criminologists should seek to follow the advice of David Matza (1969):

The student must suspend his or her moral judgments and get inside the thinking of subjects to understand human behavior, particularly human behavior. One must learn subject's definitions and morality—not accept them, but learn them. This is only accomplished by pulling close to research subjects. Invariably, achieving an understanding of their humanness. They operate with values, sentiments, fears, and aspirations; have intelligence; and are kind and loyal to other people, maybe not all other people, but at least people to whom they are close. In other words, they are much like "us."

Like Matza, we believe that academics should take responsibility in preparing the next generation of qualitative scholars who may continue what others, like Cressey, have so proudly started.

Scholars who choose to follow in the footsteps of Cressey by interviewing offenders will continue to add to the diminutive body of research on occupational crime. Such narrative accounts provide a detailed and humanistic look into the minds of the occupational offender, a determination that is unattainable with a mere survey instrument. More specifically, there should be a more informed understanding of whether the existence of a non-shareable problem coupled with the use of neutralizations is, in fact, a significant component of the trust violating process. By continuing to gather and assess accounts of these offenders, scholars may begin to assemble a more holistic conception of factors (e.g., individual pathology, macro-social economic factors, and organizational culture) that may lead one to commit violations of trust in the workplace.

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Footnotes

1. Not all agree about the temporal order of neutralizations. Some argue that these linguistic devices are more geared toward a social audience and come after the offense when they are questioned about their actions (e.g., Scott & Lyman, 1968). [↩](#)