A trend has arisen over the last few years towards the criminalization of business and of certain business activity. Primarily as a result of well publicized cases such as Bernard Madoff, Enron, and Peregrine, more businesses, as well as businessmen and women, are now facing serious criminal charges with devastating personal consequences.

Most people think of white collar crime as large corporate scandals, such as Madoff, Enron, Peregrine, and other such prosecutions. However, almost any non-violent crime committed for financial gain may fall under the heading of white collar crime. At the Law Offices of Jack L. Moser, Jr., our criminal defense lawyers and criminal law attorneys are committed to defending individuals charged with white collar criminal offenses; and we provide aggressive and knowledgeable defenses for clients who have been accused of white collar crimes. The term “White Collar” crime was coined around 1939 and originally referred to crimes committed by people in the course of their profession or business occupation. Today, the term white collar crime has broadened to include:

- Embezzlement
- Banking Fraud
- Mail Fraud
- Credit Card Fraud
- Computer Fraud
- Consumer Fraud
- Internet Fraud and E-bay Fraud
- Investment Fraud
- Medicaid and Medicare Fraud
- Insurance Fraud
- Identity Fraud
- Ponzi Schemes

Ponzi or pyramid schemes involve a group of investors who have been convinced to invest in a scheme for a first-rate product which ultimately is never delivered. On paper, the business itself appears as a successful business, but in reality the money received from a second group or latest group of investors is used to pay off the first group of investors. Eventually, the scheme runs out of new investors and the enterprise crumbles. Usually the investors who got into the

scheme early on made money. Meanwhile those who got into the scheme when the enterprise was “hot” or when everyone else was trying to buy into the scheme usually lost everything.

When a white collar crime is under investigation, it is common for the people involved in the investigated activity to know they are under investigation for a white collar crime before charges are filed. The best time to seek legal counsel is before an arrest. It may be possible, in some cases, to prevent the state from filing criminal charges. In other cases, it may be possible to work out a solution with the state that prevents prosecution. In any event, it is unwise in all such cases to speak with police or private investigators without having your attorney present.

PENALTIES

White collar crime offenses include a broad variety of activities prohibited by state or federal statutes. White collar crime offenses also include attempts to commit such acts, as well as conspiracies to commit any of the white collar crime offenses. Penalties for a white collar crimes conviction depend on many factors, but the foremost factor is the level of felony or misdemeanor the state has charged. Under Ohio laws, the lower the felony or misdemeanor number, the higher the penalty that an offender may face.

Classification	Confinement	Maximum Fine	Organizational Fine
Felony 1 (F1)	3 to 10 years	$20,000	$25,000
Felony 2 (F2)	2 to 8 years	$15,000	$20,000
Felony 3 (F3)	1 to 5 years	$10,000	$15,000
Felony 4 (F4)	6 to 18 months	$5,000	$10,000
Felony 5 (F5)	6 to 12 months	$2,500	$7,500

As the occasional white collar crime case may involve the use of firearms, in addition to the theft

and property crime offense itself, supplemental penalties may be assessed for the use of a firearm (ORC 2929.14(D)(1)(a)):

- Possession of an automatic or muffled firearm – 6 additional years.
- Displaying, brandishing, or using firearm – 3 additional years.
- Firearm not a factor in committing the crime – 1 additional year.
- Drive-by shooting – 5 additional years, plus a separate penalty for use or possession of gun as above.
- Discharging a firearm at police officer – 7 additional years.li>

Under Ohio law there are also supplemental penalties for repeat violent offenders (ORC 2929.14(D)(2) that may be assessed in addition to the white collar crime offense. Accordingly, when addressing confinement or incarceration as a white collar crime case the potential penalties depend on the nature of the white collar crime at issue, the defendant's prior criminal record, if any, and other factors that may lead to an enhanced sentence.

A knowledgeable and experienced criminal defense lawyer or criminal law attorney knows how to work with the state’s attorneys so that first-time theft offenders may be granted probation, more often than not, rather than spend time in prison.

Those who have extensive criminal records, or prior theft or property crime convictions, or those who commit white collar crimes involving large sums of money, on the other hand, may be looking at a long prison sentence, unless they find the right criminal defense lawyer or criminal law attorney who knows the system, knows the laws, and knows the defenses to white collar crimes.

The criminal defense lawyers and criminal law attorneys at the **Law Offices of Jack L. Moser, Jr.** , defend white collar clients in both state and federal criminal matters. We have experience with countless criminal cases and trials, and we will seriously and aggressively fight for your rights. It is our common practice to prepare every white collar case for trial. Prosecutors know we aggressively defend our clients

and that we make sure that our clients get the high quality representation they deserve.

If you have been charged with a white collar criminal offense, contact the **Law Offices of Jack L. Moser, Jr.** , immediately. We represent clients at every stage of a white collar criminal prosecution. When our criminal defense lawyers and criminal law attorneys cannot convince the state to drop or reduce the criminal charges, we work aggressively to obtain an acquittal or minimize the consequences of a guilty plea or conviction.

We represent clients charged with white collar criminal crimes in Columbus and Surrounding Counties in Central Ohio: Franklin County, Delaware County, Fairfield County, Licking County, Pickaway County, Madison County, Union County, as well as through out the rest of Ohio.

SERIOUS REPRESENTATION FOR A REASONABLE FEE. Our legal fees are affordable, and we accept all major credit cards.

Call Jack L. Moser, Jr. at (614) 478-8005.

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