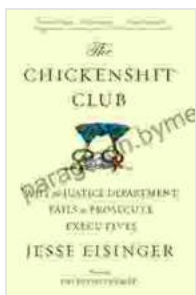


Why The Justice Department Fails To Prosecute Executives

The Justice Department's failure to prosecute corporate executives for white-collar crimes is a systemic problem that has allowed executives to evade accountability for decades. This book examines the reasons for this failure, and proposes concrete reforms to address this critical issue.



The Chickenshit Club: Why the Justice Department Fails to Prosecute Executives by Jesse Eisinger

★★★★☆ 4.4 out of 5

Language : English
File size : 1858 KB
Text-to-Speech : Enabled
Screen Reader : Supported
Enhanced typesetting : Enabled
X-Ray : Enabled
Word Wise : Enabled
Print length : 401 pages



The Causes of the Problem

There are a number of factors that contribute to the Justice Department's failure to prosecute corporate executives for white-collar crimes. These include:

- **Prosecutorial discretion:** Prosecutors have broad discretion in deciding whether to bring charges in a case. This discretion can be

used to shield executives from prosecution, even when there is clear evidence of wrongdoing.

- **Deferred prosecution agreements:** Deferred prosecution agreements (DPAs) are agreements between prosecutors and corporations in which the corporation agrees to admit wrongdoing, pay a fine, and implement compliance measures in exchange for having the charges against it dismissed. DPAs have been criticized for allowing corporations to escape accountability for their crimes, and for giving prosecutors too much power to negotiate settlements that are not in the public interest.
- **Corporate governance:** The way that corporations are governed can make it difficult to hold executives accountable for white-collar crimes. Boards of directors are often dominated by executives, and they may be reluctant to take action against their colleagues.
- **Public opinion:** Public opinion can also play a role in the Justice Department's decision-making. Prosecutors are often reluctant to bring charges against executives who are popular or well-respected, even when there is evidence of wrongdoing.

The Consequences of the Problem

The Justice Department's failure to prosecute corporate executives for white-collar crimes has a number of serious consequences. These include:

- **It undermines the rule of law:** When executives are not held accountable for their crimes, it sends the message that the law does not apply to them. This can lead to a loss of respect for the law, and it can make it more difficult to prosecute other criminals.

- **It allows corporations to externalize the costs of their crimes:** When corporations are not held accountable for their crimes, the costs of those crimes are often passed on to consumers, employees, and taxpayers. This can have a devastating impact on the economy and on the lives of ordinary people.
- **It erodes public trust in the justice system:** When people see that executives are not being held accountable for their crimes, they lose trust in the justice system. This can lead to cynicism and apathy, and it can make it more difficult to solve other problems facing our society.

Reforms to Address the Problem

There are a number of reforms that could be implemented to address the Justice Department's failure to prosecute corporate executives for white-collar crimes. These include:

- **Limiting prosecutorial discretion:** Prosecutors should be required to follow clear guidelines when making charging decisions. These guidelines should ensure that executives are not shielded from prosecution simply because they are wealthy or well-connected.
- **Restricting deferred prosecution agreements:** DPAs should only be used in exceptional circumstances. They should not be used to allow corporations to escape accountability for their crimes.
- **Reforming corporate governance:** Boards of directors should be made more independent. They should also be given more power to hold executives accountable for their actions.
- **Educating the public:** The public needs to be educated about the problem of corporate crime. This education should start in schools, and

it should continue throughout people's lives.

The Justice Department's failure to prosecute corporate executives for white-collar crimes is a serious problem with far-reaching consequences. However, there are a number of reforms that could be implemented to address this problem. By implementing these reforms, we can help to restore the rule of law, protect the public, and ensure that executives are held accountable for their crimes.

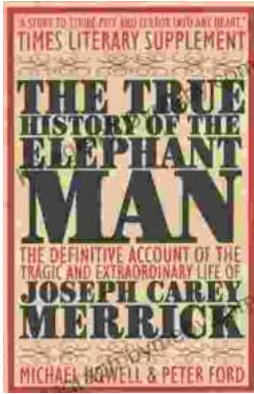


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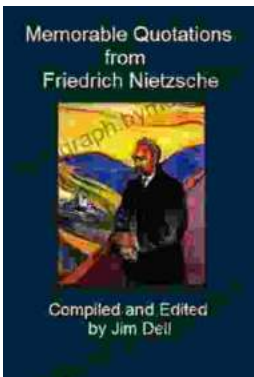
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