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COMPLAINT AND REFERRAL HANDLING



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OPERATIONAL GUIDE TO WHITE-COLLAR CRIME ENFORCEMENT

THE NATIONAL CENTER ON WHITE-COLLAR CRIME

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COMPLAINT AND REFERRAL HANDLING

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FOREWORD AND ACKNOWLEDGMENTS

This Operational Guide is one of a series developed by the National Center on White-Collar Crime as part of the Center's program of support services to agencies engaged in the prevention, detection, investigation, and prosecution of white-collar crime and related abuses. These Operational Guides are intended for use in actual law enforcement operations, as well as training, on the theory that the best training materials are those which most respond to the day-to-day needs of users who regularly practice their skills. This series evolved parallel with, and as a part of, the Center's preparation of a curriculum for training in the field of white-collar crime enforcement. Its authors are encouraged to express their own views and, as might be expected, different and even conflicting perceptions and approaches will be found among the National Center's Operational Guides and other publications.

This Operational Guide addresses an issue central to the mission of all agencies engaged in white-collar enforcement. Proper analysis of complaints and effective interaction with complainants and referring agencies will ultimately determine the quality of agency priority setting, allocation of investigative resources, budget justifications, and responsive service to the public.

Special mention should be made of the support and encouragement of James O. Golden, Director, and Stephen Cooley, Deputy Director, of the Criminal Conspiracies Division of the Office of Criminal Justice Programs, Law Enforcement Assistance Administration, and of Mr. Jay Marshall who is our LEAA Project Monitor. Last, we gratefully acknowledge the invaluable support of members of the Battelle Law and Justice Study Center

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There is no way for a law enforcement agency to avoid complaint handling. Indeed complaints of all sizes, shapes, and weights are the lifeblood of investigative units, vital to its growth and activity. Unfortunately this aspect of agency work in white-collar crime detection and prosecution is often ignored. If an agency fails to recognize their importance, complaints and referrals are handled in an unorganized manner and the full potential of their positive contributions to the mission of the unit are never realized.

I. SOURCES OF INVESTIGATIONS

A. Proactive Investigative Information

The favorite approach of many white-collar units is the proactive investigation. Reviewing ads, observing practices, or stimulated by hints or innuendo, the unit's curiosity is aroused and the investigation is opened. Set-ups and undercover activities may follow. Often investigation requires following the paper or computer trail. Everyone feels a sense of satisfaction if a case is developed. If not, the files are closed, at least for the interim. There is no one who must receive a letter of explanation, a close-out form, or other notification. Many investigators consider proactive investigative information gathering an ideal working environment.

B. Agency Referrals

Next on the list of favorite sources to trigger investigations are those which come to the unit from other law

enforcement agencies or from other government agencies. They may come in an advanced state of completion, thus requiring little or no investigative follow up by the receiving agency. The statements are neatly typed, interviews completed, and positive identifications documented with analysis and conclusions finalized. Sometimes all that is required is a review and filing decision. It should be pointed out that the amount of weight these pre-packaged investigations carry is very much a function of the credibility of the agency which prepared the case.

More often, agency referrals are of the bare-bones variety. The agency may have received a complaint over which it has no jurisdiction, or one which does not fit its powers of enforcement, or one which, due to resource allocation, it chooses not to pursue. These complaints require varying degrees of work by the receiving investigative unit. Regardless of the way in which these complaints reach the investigator's office, his or her reputation with other offices will depend very much on how well he or she follows up on these referrals.

C. Citizen Complaint

The third, and least favorite source, is the citizen-initiated complaint. This is, for most investigators, the most difficult type of complaint to handle. It is hard work and frequently unrewarding. Because of increasing publicity about white-collar crime and efforts to thwart such activity, the public is sensitized to the problem, albeit not always correctly. The complaints in the field of white-collar crime may come from the businessman who feels he has been victimized; from an attorney, accountant, or security officer who believes there is a law against his or her client losing money; or from a consumer who is apt to see any loss as a crime.

Much of the following discussion will devote itself to this third area of complaint handling. The complaint is merely the

beginning, and only time and considerable effort will determine if, in fact, a provable violation exists and a case can be developed. Patience and perseverance are required and if a full-blown case results, usually everyone is pleased. The difficulties come when the facts do not support the allegations and the complainant must be told that no formal action will result. Investigators may, themselves, have to justify their labors to their supervisors. The credibility of the individual unit, as well as the system as a whole, is at stake and care must be taken with closure procedures.

Not every agency reacts in the same manner to the same complaint. The forces that shape the response involve the current and emergent environmental pressures, the philosophy of the parent agency or elected official who heads the immediate agency, and the amount of resources available.

The environment, in this case, refers to the existence of other offices and bureaus within the jurisdiction whose powers overlap or supercede those of the agency in question. If there is someone else who can do the job quicker and better, it is unlikely that another agency will compete. However if there is no one agency with a clear mission to respond, the void will always be filled in some way: at times poorly and at other times well. An example is the prosecutor's office which handles routine consumer complaints because no civilian consumer agency exists at the state or county level.

Particularly in white-collar crime work, there is a tendency to become involved in complaints simply because no one else wishes to cope with the problem. This is an area in a state of flux. There are new pressures on agencies to get involved and handle cases which traditionally were referred to private counsel as civil disputes or handled administratively by other agencies.

New policies shaped by publicity and awareness plus the need to establish a record for action in the field are filtering down through organizations and causing staff to react in

new ways to complaints. Today, an elected official finds his office expected to respond to complaints alleging white-collar crime activity and it is politically expedient for that response to be as broad as possible. Thus, investigators who never dreamed of handling contractor complaints, business opportunity fraud, or computer cases are having to learn new techniques and skills.

As always, complaint handling is dictated by the level of resources made available for this purpose. Even though an office is committed philosophically to giving attention and review to all the varieties of complaints, it may be unrealistic to attempt this. The amount of budget dollars available to hire and train staff, to process complaints, and to maintain record-keeping mechanisms will limit the investigative activity. "Prioritization" has become a bureaucratic catchword and makes a convenient excuse for avoiding inconvenient complaints.

II. COMPLAINT AND REFERRAL HANDLING

How does one process complaints and referrals? Proactive information gathering and agency referrals are seldom a major problem. Citizen complaints are a problem, if only because of their sheer volume. It is a problem that must be handled and handled well, because it is also the greatest single source of information available to an agency.

The human element causes most problems in complaint handling. Each flesh-and-blood complainant and/or their professional representatives (attorneys, bankers, accountants, or elected representatives) present special problems which require special solutions. Finding these solutions will tax the skills of law enforcement personnel.

Much has been written about the desirability of receiving a wide variety of citizen-initiated complaints. The theory runs along these lines:

- Citizens are encouraged to file complaints about a wide variety of problems which may or may not on the surface seem to represent economic crime.
- In a sorting procedure those which indicate violations on the face of the complaint are referred for investigation.
- Others are monitored for a developing pattern of deceptive practices.
- The rest (usually the bulk) are given some sort of processing which, it is hoped, will encourage further reporting.

The white-collar crime enforcement office, oriented to civil or criminal cases, thus spreads its net far and wide. It uses complaints as an early warning system for possible fraudulent practices. The idea is, of course, not to let the net sink the boat in the process! Promising relief and failing to deliver can pose a real problem, undermining credibility and discouraging citizens from reporting future complaints. Raising false hopes for the complainant can cause problems. To indicate an ability to provide relief to each and every problem can pose a real dilemma because an office must then be able to provide at least some mediation services to complainants. The situation where too much is promised and too little is delivered will defeat the entire goal and destroy public faith in the agency.

A. Handling Incoming Complaints

The first hurdle is handling the incoming complaints. Many offices opt for a depersonalized intake procedure. The rationale is that written complaints will be documented and organized, as opposed to the face-to-face or telephone complaint which may not be. In theory, written complaints are more easily handled. However, there are legitimate arguments in favor of warm voices versus cold, tape-recorded messages. The human touch is missing all too much in government at all levels and citizens are adverse to being processed as forms.

1. Who Should Handle Incoming Complaints? Some units choose to have interns or volunteers with some training handle this chore. The reasons are understandable: the salary costs are minimal and the turnover in personnel eliminates the problems of early "burn-out" due to dealing directly with complainants. Other units opt for paralegals who have more training and are salaried staff and more permanent. Still others utilize investigators or attorneys to handle intake, on the theory that the training and experience needed to differentiate between a problem of substance and a mere complaint or inquiry justifies the use of such resources.

If a volunteer or student intern intake staff is utilized for budgetary reasons, it is mandatory that a full-time experienced staff supervisor oversee their training and day-to-day operations. The cost of the supervisor's salary is far outweighed by the savings in time, effort, and assurance that the intake procedures are being handled competently.

No matter who is designated to handle intake, the psychological factors may take their toll on persons doing this work. There is a "burn-out" factor, and even the most sympathetic listener may soon become jaded and callous. Some mechanism to rotate personnel and to offer variety in job assignments and responsibilities should alleviate this problem.

2. Sorting Complaints. Once complaints have been received, the sorting mechanisms become most important. Any such sorting will at best be rough, but it is very important that it be done competently and carefully. Too rigid an approach can result in potentially good cases being turned away, while too loose a screening will swamp the legal and investigative sections in a deluge of complaints that would almost make good cases.

a. Categorization. At the onset the intake section must be able to categorize the complaints by some rational system that acts as an alerting mechanism. "Type of transaction" and "practice" are two useful summary mechanisms. The attorney

or other reviewer can then quickly understand the gist of the complaint and look for the basic indications within the presumed violation. Some categories (e.g., non-delivery, prepaid services) may be automatically referred for further investigation. However, care must be taken that reliance on fixed categories does not cause intake personnel to reject complaints too quickly. While intake personnel must edit the complaints, if too much is edited out, the review personnel may not have enough information upon which to base a decision.

b. Flexibility. Strict reliance on predesignated categories may, however, present additional problems. For example, an office may have a general policy that it will not get involved in a case where the complainant has stopped payment on a check for services already rendered. Policy may dictate a direct referral to private legal counsel because the complainant could well be the defendant in a civil suit. Too hasty a decision by intake personnel based on this general policy may cause other relevant factors affecting the transaction to be ignored. There well may be a practice or violation which caused the complainant to act to protect himself immediately in the only way he could think of. It may not be fair to tell a victim he must sustain a financial loss in order to have his complaint reviewed; it may also be that the practice is part of the scheme to defraud and a key part of a good case.

Some basic guidelines need to be established and adhered to by the unit. For instance, sorting may be based on the amount of loss involved, on the number of victims, or on the complexity or uniqueness of the complaint. In practice combinations of the above are often used as guidelines.

Flexibility may also have significant internal advantages. The hard-and-fast policy that "we don't do that kind of case" may be a mistake. If work loads lighten, if special help is available, or if other conditions permit, taking on a unique or unusual case as a learning experience may boost the morale of the staff. It may also enhance the reputation of the office,

and serve as a deterrent to other potential violators. For example, while absolute dollar loss may be an intake criteria, pursuing a case where hundreds of complainants have lost minimal amounts to a magazine subscription solicitor may serve several important purposes. It may satisfy the bilked subscribers, penalize or deter the perpetrator, and may, with appropriate publicity, alert the community to the dangers of door-to-door, advance-payment sales schemes. For the same reasons, stringent intake prohibitions against serving a particular class of complainants such as small businesses may be relaxed when these citizens are in fact consumers in their business role. The rationale is often stated that the business person can afford legal counsel and does not need protection in the sense that a private consumer does. This is often untrue and the small, independent business is frequently the target of the phony or crooked salesperson masquerading as a printing broker, charitable solicitor, advertising promotor, or office supplies contractor.

c. Expediting. The sorting procedures, usually under the guidance of attorneys, need to be effected as quickly as possible. A "tickler" system or other mechanism to assure movement of complaints is necessary to help expedite the decision-making process. A complaint can always be reopened if new facts come to light, but allowing complaints to languish rarely satisfies anyone. A response that is prompt and humane is readily accepted by most citizens; it is the office which is never heard from again that destroys public trust and confidence.

3. Processing Complaints. Citizens and referring agencies will normally be much more patient and cooperative if they know that their complaints have become part of an ongoing investigation. Similarly, if a unit refers a citizen-initiated complaint to another office or unit, this fact should be reported to the citizen. The report should explain the reasons for the

referral and who the citizen can expect to hear from in the future about the status of the complaint or investigation.

a. Keeping complainants informed. It is difficult to deal with the problem of informing complainants about the status of investigations based on their complaints. Some agencies have taken the tack that "no news is bad news" and warn complainants that if they do not hear from the agency the matter has been closed without action. This is clearly a bad approach to the problem. Some send form lists of other possible avenues of relief. While this is an inexpensive escape for the agency, it is like a slammed door to the citizen who complains, and is not conducive to building credibility. Another method is to attempt to give self-help advice but to do it in a personal manner. The most ambitious method is to try to resolve all residual complaints by mediation. This method raises all of the problems of unsuccessful results, and involves the expenditure of added time, energy, and money, but most citizens will understand and appreciate the additional effort made on their behalf.

4. Handling Referrals. There are a variety of potential problems associated with referrals by one agency to another for enforcement action. The referring agency must have a good rapport with the offices to which it is apt to send complaints. Maintaining such relations is not an easy task and may require almost continual effort. The referring agency must know what offices at local, state, and federal levels exist in its area, it must know what their powers are, what their policies are, and what resources they have available. There is nothing more destructive to cooperation between agencies than the referral of a matter completely outside the scope of the agency receiving the referral. The first inclination is to feel "dumped on" and the second reaction is hostility toward the referring agency. It is worth remembering that referrals are a two-way street. The Golden Rule of "do unto others" is not without application here. Regarding referrals being made by your

agency to other agencies, the following guidelines may help build good working relationships.

- Do you have a clear understanding of what the receiving agency needs and wants in a referral package? Just as important, do you know what pre-referral work will be considered more a liability than a benefit?
- Do you have the resources and expertise on staff to perform the work needed to assist the receiving agency in its handling of the case? Have you made your willingness to assist clearly known?
- Are mechanisms established to refer complaints quickly when they are clearly outside your jurisdiction or capabilities? This is important both for the freshness of the case and the perceptions of the complainant, who may feel he or she is getting the bureaucratic shuffle.
- Have you made it clear that feedback would be appreciated and who should be contacted for reports on disposition?

While everyone likes a gift-wrapped referral where little work remains to be done, each agency has its own procedures and format. Sometimes referral efforts, while well-intended, will not be useful or appreciated. Make sure the contents are worthy of the wrapping! Bare-bones referrals are sometimes easier to deal with than those which are cluttered with well-meant, but useless efforts. When your agency is the recipient of referrals, there are some procedures which you can initiate to make it a smoother process.

- Explain early-on exactly what you are authorized and equipped to handle. Going in over your head is no way to build credibility with a referring agency.
- If you can accept the case, but need additional help from the referring agency, spell out clearly what your needs will be, e.g., investigative time, accountant's analysis, use of specialized equipment, affidavits, expert testimony.

- Many times a copy of your final report or filing document can be transmitted to the referring agency as an illustrative guide for future referrals.

a. Facilitating referral. The mechanisms of effecting referrals need some consideration. Keeping in touch with other offices is a major factor in smoothing the referral process. Personal visits help overcome bureaucratic distance, foster understanding of common problems, and develop a commitment to individuals with whom the office must deal. Keeping in touch takes much more effort than one might imagine because nearly all law enforcement personnel are busy and involved in coping with heavy workloads. It takes time to keep abreast of staff changes in other offices and to track the progress of referred complaints. There are several possible approaches to the problem of maintaining contact with other agencies. Some units have relied on monthly roundtable meetings, others use the informal newsletter method, while still others prefer individual visitations.

1) Roundtables. The roundtable concept involves regular meetings, usually on a monthly basis, of representatives from agencies involved in white-collar crime prosecution. The problems associated with it include getting everyone to attend the meetings regularly, and insuring that information exchanges are circulated once the roundtable representative gets back to his or her office.

2) Newsletters. The newsletter has the advantage of being sent to various levels within each agency. It must be timely and of interest in order to compete for the attention of paper-weary personnel. The job of collecting the data, writing, and distributing the newsletter is no small task, and should not be undertaken unless backed up with dedication.

3) Personal visitations. The advantage of individual visits is obvious--an investigator or attorney builds his or her own personal set of contacts. The

disadvantage lies in the nontransferability of such a personal network. Others on a staff may not automatically share in the benefits.

b. Follow up and feedback. In nearly every case there is a need for follow up and feedback about the status of a complaint or the progress of an investigation. The process, however, is not a one-way street. If an office receives an improper or incorrect referral, it should immediately inform the referring agency of the reasons why the referral cannot be accepted. Similarly, if the referral is acceptable, let the referring agency know the progress and disposition of the matter. Likewise, inquiries from referring agencies should not be resented. Oversensitivity is a trait that coordinating agencies cannot afford.

An additional benefit of increased interaction with agencies lies in the area of awareness of potential cases that may be of interest to those agencies. For instance, when the regional Inspector General of the U.S. Department of Housing and Urban Development realized that there was a local prosecutor's economic crime unit, he was better able to deal with a mobile home axle-buying scheme that was claiming HUD affiliation, among other misrepresentations. Once the Inspector General referred the matter, the local agency initiated an investigation and a civil settlement was effected that ended all the misrepresentations and protected the citizens who were selling their axles. The local agency was able to recoup its investigative costs, and beyond signing an affidavit the federal agency had no further work investment in the matter. It was a win/win situation all around. Now that the two agencies are aware of each other's existence, roles, and powers, referrals from the local agency back to the federal level may occur. Program fraud containment and enforcement, the major missions of federal Inspectors General, may first be indicated through other complaints to local agencies. By

developing lines of communication, these indicators can be relayed to the appropriate state or federal agencies.

III. FORMS AND TRACKING MECHANISMS

To this point the discussion has illustrated some major concerns about the flow of complaints and referrals through a typical unit (the charts in the Appendix show theoretical models for the handling of complaints and referrals). The goal of any such procedure is obviously to secure the greatest amount of information with the quickest retrieval system for the least cost. There is just no simple answer as to the forms and tracking mechanisms necessary to achieve this goal. There are, however, several suggestions which may aid in this effort.

A. Simplification

One of the first tasks is to develop a record-keeping system which will respond to the organization and its procedures and, at the same time, contribute to the simplification of the organization and its procedures. Many offices separate inquiries and simple complaints from those which give promise of selection for more intensive attention and investigation. Most offices want to keep a record of the first category, even if there is only one contact with the complainant and the matter does not proceed further. Some merely do an informal hashmark count. Others take names, addresses, category of complaint, and outcome; i.e., whether referred, given self-help information, or otherwise closed.

When complaints of a more serious nature are received by the hundreds each month and flow through numerous hands, an adequate tracking mechanism is a must. Work sheets, numbering systems, cross-indices by name of complainant and cause of complaint may need to be maintained. A comprehensive monthly review of status of complaints or referrals by each

unit--intake, mediation, and/or investigation--should be a routine part of the agency operations.

There is no perfect filing system, but to be of any use at all a system must at least supply certain minimum information. For example, when trying to make a go/no-go decision, a crucial datum may be the number of similar complaints already on file.

It may also be important to cross-file, not just by business names but also by principals' names. Some repeat offenders seem to change business names on a bi-weekly basis. To catch the real pro who may not use his or her own name, it may also be necessary to cross-file by modus operandi.

These record-keeping mechanisms are justified when one realizes how important patterns of deception are, and the numbers of victims needed to illustrate such patterns, in many white-collar cases. Additionally an office will be better equipped to assist other law enforcement agencies when it is recognized that the office's record-keeping system is easily accessed to supply missing pieces to a given puzzle. All too often the white-collar criminal operates secure in the knowledge that many agencies may receive only single complaints about his or her activities and that no action may be taken. The white-collar criminal has had the security that, given the current state of the art, he or she can always move on to new territories. However, with good retrieval systems within agencies and habits of checking among agencies, this freedom of movement can be significantly reduced.*

B. Example

The following is an example of how one office manages to record over 1,200 complaints or referrals each month:

*Herbert Edelhertz, Ezra Stotland, Marilyn Walsh, and Milton Weinberg, The Investigation of White-Collar Crime: A Manual for Law Enforcement Agencies (Washington, D.C.: U.S. Government Printing Office, 1977).

First, inquiries and "one-shot" contacts are recorded on simplified forms which hold up to 20 entries. These entries are alphabetized by the name of the person or business against whom the complaint is lodged. These forms are maintained in a master log book. Each month a tally is made of the number of contacts and how each contact was handled (sent self-help information, referred to a more appropriate agency, given verbal assistance, and so on). This accounts for 70 percent of the calls, but allows a method of retracing complaints which is reasonably cost effective.

Second, those complaints which merit review because they seem to fall within the bounds of the office's jurisdiction are written up on special record forms. These forms separate into a working copy, three small file slips so that the complaint can be cross-indexed by name of complainant, name of person or firm complained about, and type of complaint. Each form receives a master identification number reflecting the year, month, and sequence. As the complaint flows through the system it is reviewed on a monthly basis and, if a complaint is assigned for investigation, another control number is given to the complaint or series of complaints.

Third, each month the new complaints are tallied. Those closed in the month are counted by category of disposition, and those still pending are reviewed for change of status. These jobs are shared by several staff persons

to lessen the drudgery, with one person responsible for the final compilation of entries on forms. Although detailed and thorough, with perseverance this is not a burdensome task for the staff.

At the metropolitan Denver economic crime unit from which the example is drawn, the record-keeping problem is compounded by the fact that five jurisdictions are involved and every report must be traced by county of complaint. Cases filed in four of the jurisdictions are handled by the respective legal staffs of those jurisdictions, not the in-house staff attorneys. Tracking the case progress is more of a challenge. There is no computer system; all must be done manually. Even so, a tracking system that is manageable and workable has been developed. It is not the insurmountable hurdle that many enforcement personnel seem to think.

The Battelle Law and Justice Study Center, as part of its contractual services to the National District Attorneys Association Economic Crime Project, has developed two monthly report forms which have been used by the 72 prosecutors' offices which make up the Project. These forms, which have been used by the units since early 1979, enable each unit to keep track of case status and provide the discipline for making the process routine. (See Appendix.)

It is anticipated that such a data base will allow individual offices to compare their activities with similar units and follow trends in categories of cases filed, sentencing, and other methods of disposition.

Keeping an accurate count of complaints and referrals is essential for good management within the office, for setting and revising priorities and policies, and for budget justification and communicating information as to overall service to one's community.

IV. A LOOK AHEAD

While it may seem impractical because of proverbial "turf" problems, there is a strong argument to be made for formal or informal organization of white-collar units along metropolitan or regional lines. The federal agencies and states attorneys general operate on a nationwide, regional, or statewide basis, and there is an increasing trend for Medicaid fraud and organized crime units to have statewide jurisdiction. Connecticut's economic crime unit is statewide in jurisdiction; Montana has a unit that covers two judicial districts; and Denver has an economic crime office which has metropolitan jurisdiction. It should be noted, however, that this office is theoretically limited to consumer fraud enforcement and does not cover the more complex varieties of white-collar crime where businesses are the victims.

The benefits of coordination and centralization are immediate and may outweigh the difficulties of convincing fragmented agencies to release some powers and resources in order to create a multi-jurisdictional body. Agencies operate side by side with artificial boundaries that do not stop the white-collar criminal. It is difficult to keep a total information flow in effect between co-existing agencies even with the best of intentions and all of the mechanical aids that technology and budget allow. This is a concept which may merit further exploration by those trying to stem the tide of white-collar crime.

V. PERSONNEL ATTITUDES

The idea of interagency cooperation must be built into an office from the ground up. Individual staff members should work toward the end result of enforcement, not simply the enhancement of the reputation of their own office. As long as efforts remain fragmented, and each office works only to its

own ends, law enforcement will remain on the losing side of the battle against white-collar crime.

Individual attitudes of employees can best be changed by example. Supervisors who do not allow interagency differences to distract them from the task at hand best serve this end.

A. Communication

"Communication" is also an overworked word, but it accurately describes a function which will make or break white-collar containment and enforcement efforts. An extra effort to look beyond the short-term solution may avoid or defuse a potentially divisive or explosive situation.

Early efforts at cooperation may meet with wariness or outright suspicion, particularly where there has been no meaningful communication before. This can be overcome only by a determined effort, and it is crucial that such an effort be made. Failures in these early, critical stages may be magnified and later used as an excuse to avoid cooperation. There is always someone only too glad for the opportunity to say "I told you so!" Supervisors should be alert to such problems, ready to smooth out real or imagined slights before they can be blown out of proportion.

B. Coordination

If communication was the watchword of the seventies, coordination may well become the keyword for the eighties. Nowhere may this be more true than in white-collar crime enforcement. Coordination and communication are both crucial to the efficient and effective operation of law enforcement efforts to combat white-collar crime.

C. Professional Relationships

Sharing the praise for success, as well as the responsibility for failure, is particularly important. This is most important, especially where a referring agency has been alert

to violations, has done a good job in preparing a referral report, and/or has been supportive during the investigative or trial stages. Graciousness may seem to be an old-fashioned virtue, out of place among hardened law enforcement personnel, but it may go a long way toward mending fences or building bridges. Publicity is a scarce commodity and it is important that credit be given to all agencies that were involved in a project. As in many other aspects of human endeavor, generosity in these matters is often paid back many times over.

D. Benefits

One of the rewards of carefully considering the role of referring agencies can be a sense of satisfaction which is shared by all participating agencies. Frustrations abound in white-collar investigations and successes are not easily realized. An antidote to such frustration is the sense of accomplishment which may come from contributing to another agency's successful efforts. The boost to morale may carry law enforcement personnel through a dry period in their own efforts.

Another potential benefit that may be realized by giving other agencies due credit is that it is often reciprocated. When a request for assistance or referral from another agency is given quick and thorough action, a similar response may be anticipated when a similar request is sent out. Nothing succeeds like an earned reputation for a quick and efficient follow through.

There is a growing realization that we are facing an age of increasingly scarce resources, and it may be that no single agency can afford to go it alone. There are other agencies, and these may represent resources that no one can afford to ignore. Efforts, such as the National Strategy on White-Collar Crime initiated in 1979 by the National District Attorneys Association Economic Crime Project and funded by a Law Enforcement Assistance Administration grant, have begun to address the

general need for coordination at all levels. It will be up to individual agencies to realize the full potential of this effort.

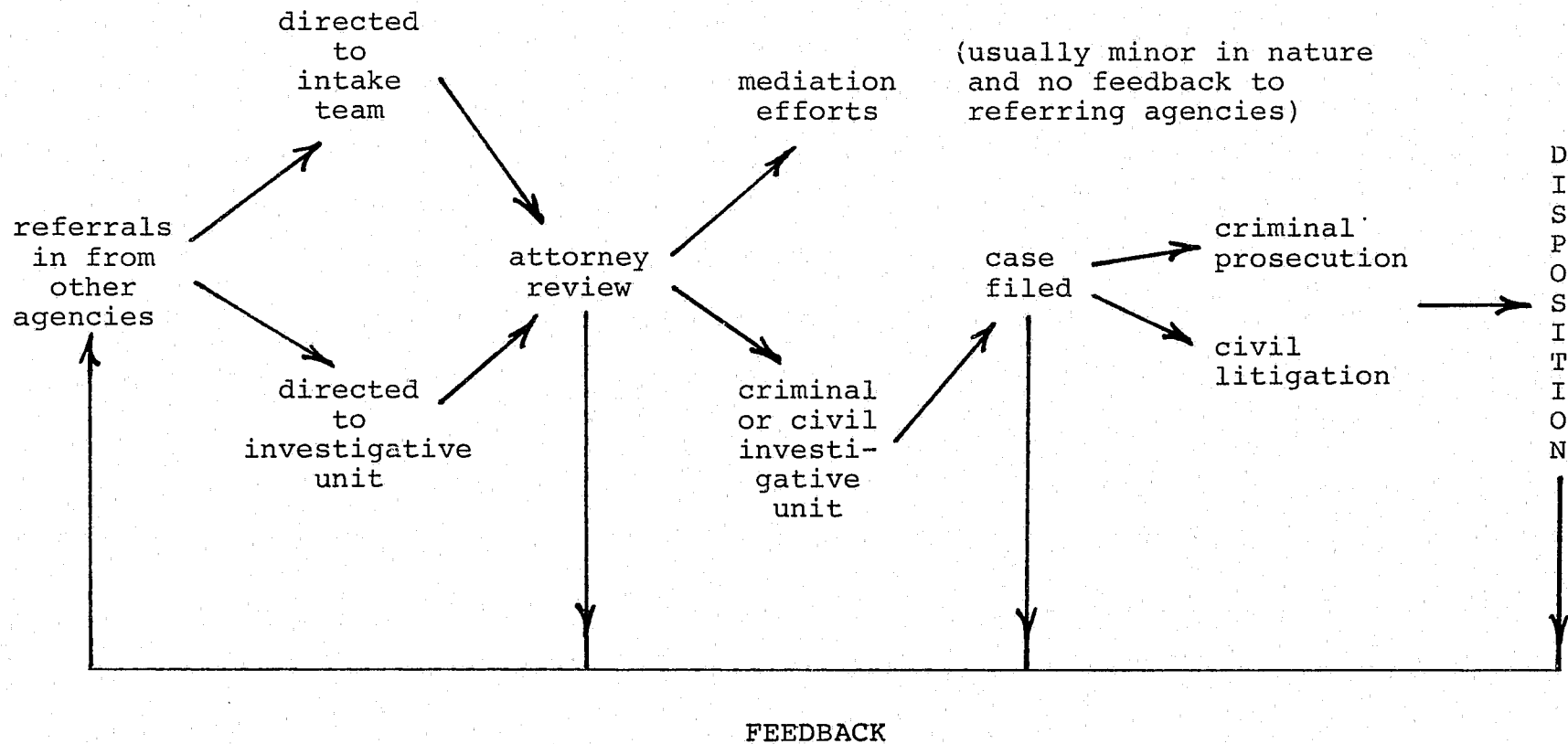
SUMMARY REMINDER LISTDo

- a. Develop a working relationship with office complaint takers; their job is a frustrating and difficult one; they are your antennae.
- b. Get out and contact civilian consumer offices, especially Better Business Bureaus, community agencies, and business groups--it is amazing how unaware people in your own area can be about your office and its functions.
- c. Admit a foul up or a dropped ball; every other investigator has done the same and will be likely to respond humanely and helpfully.

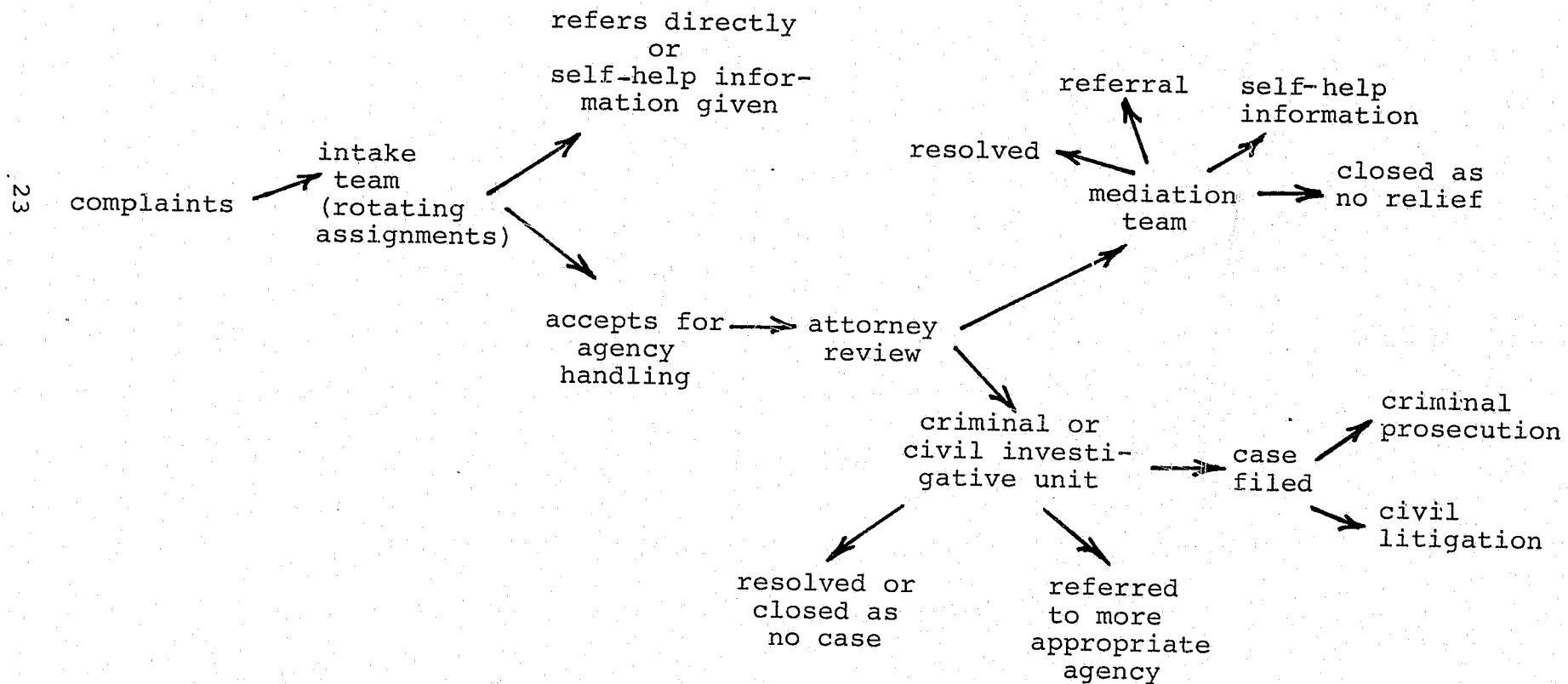
Don't

- a. Refer a complaint to another office just to get rid of a cranky person or complicated problem--it inevitably comes back, usually in spades.
- b. Magnify slights or contribute to perpetuation of myths about other agency attitudes.
- c. Allow old prejudices or past failures to limit your imagination in attempts to enhance interagency cooperation.

THEORETICAL REFERRAL FLOW



THEORETICAL COMPLAINT FLOW



APPENDIX C

ECONOMIC CRIME PROJECT REPORTING SYSTEM

Complaints, Inquiries, and Complaint Resolution
Procedures Reporting Form

Form S-1
1/29/79
Page 1 of 1

ECP Unit: _____

Period Covered: _____

Date Filled Out: _____

Filled Out by: _____

Complaints and Inquiries

Number of Complaints, Inquiries, or
Other Initial Contacts with officeNumber: _____

Office Complaint Resolution Procedures

Number of Matters Involving
Complaint Resolution Procedures begun this monthNumber: _____

Number of Voluntary *Restitutions*Number: _____

Restitution Amount In Dollars\$ _____

Number of *Referrals* to Other AgenciesNumber: _____

INVESTIGATION AND CASE INFORMATION
REPORTING FORM

ECP Unit : _____
 Period Covered: _____
 Date Filled Out: _____
 Filled Out by: _____

CASE INFORMATION

[illegible]

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Law Enforcement Assistance
Administration

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Penalty for Private Use \$300

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Washington, D.C. 20531

COMPLAINT AND REFERRAL HANDLING

END