Reviewer: 1

Comments to the Author
Interesting article. I encourage you to seek means by which you can measure and test your arguments. My comments are provided with support and guidance. Best of luck with your studies.

I reviewed the above-noted article and found it to be an interesting compilation of existing works, from which a proposition regarding sentencing is offered by the author. The article is well organized and well written... She or he appears to be well-versed in the research literature.

Unfortunately, I cannot recommend publication of the manuscript given that it does little to advance the field. The author provides no empirical evaluation, and instead relies on existing works to base his or her argument. It's largely a think piece based on existing research. Journal articles should be/are more focused on advancing the field through empirical evaluation. She or he should consider means by which the effectiveness of different sanctions could be measured, in efforts to justify his/her stance.

Along these lines, I’m not convinced that suggestions regarding punishment can be made based on findings from existing studies that focus on various types of white collar crime. As we’re all aware, the term “white collar crime” encompasses many different behaviors. Similarly, sanctions impact individuals differently. To consider and propose specific sanctions for the many types of white collar crimes covered in this article seems a bit of a stretch. In other words, the author generalizes in making his/her arguments.

As mentioned, the paper is well written. My only substantive comment in this area is to better contextualize (and provide a citation/reference for) the content in the first full paragraph on page 2 (it begins: “The offences that are normally associated…”). It seems to be simply thrown in there.

I do believe this work would be a suitable book chapter in some outlet, should the author limit the scope of the study to one area or a specific type of white collar crime. The lack of empirical research ultimately leads me to believe it is not suitable in a journal that emphasizes advancing the study of the field.

Reviewer: 2

Comments to the Author
Thank you for the opportunity to review this manuscript, which as stated by the authors is a "theoretical study" examining "the implications of achieving the goals of penalization...for white collar criminals." While this topic is generally engaging, I believe the current manuscript to be unsuitable for publication.

One of the primary concerns that I have relates to inconsistencies in the framing of white collar offenders and white collar crime. For example, at about line 47 on page 1, the author(s) state that "no single definition of white-collar crime exists, nor is there a consensus regarding its interpretation (Ragatz & Fremouw, 2010)." While this concern is well known within the field, most studies of white collar crime and white collar offenders attempt to draw some type of conceptual boundaries around the individuals and acts they are discussing. The authors do not do this, but rather give a range of definitions for this group of offenders, even mentioning a litany of crimes that "are normally associated with white collar crime." The problem the authors have created for themselves is that throughout the rest of the article they seem to state, both implicitly and explicitly, discuss white collar offenders using Sutherland's original conceptualization. In the authors' view, white collar offenders have positions of high status within legitimate businesses, have social standing, access to large networks of financial and social capital, and commit their crimes for personal monetary gain. However, many of the crimes the authors discuss as white collar offenses do not require these elements to be present. This disconnect is vitally important because the authors' statements regarding deterrence, the value of punishment and white collar offenders' advantageous positions when it comes to dealing with the criminal justice system (e.g., the ability to hire high-priced external counsel, pay large fines in lieu of prison time, etc.).
For example, on page 9, about line 50, the authors state: “The attraction to risks can explain why individuals who have everything (money and respect) are nonetheless avaricious and are willing to risk their fortunes and reputations for the extra profit that can be gained.” Assuming that all white-collar offenders have money, respect, and vast fortunes ignores the reality that most people who commit white-collar crime have none of these things. Consider embezzlement and employee theft. The vast majority of these thefts occur within small and medium enterprises by individuals in mid-level positions. These positions garner them neither vast fortunes nor wide respect from larger society in the ways similar to a Bernie Madoff. If most white-collar offenders do not have these things to lose, the authors’ later arguments about the value of financial punishments and status degradation fall flat.

The authors make statements that are neither supported by the literature nor reflective of practical reality, but rather seem to come from stereotypical notions about white-collar offenders and white-collar crime. For example:
-       On page 2, about line 17, the authors state that “victims of [white-collar] crime are faceless, unlike those in the case of blue collar offences, since the victim and perpetrator are separated by an invisible barrier (Soltes, 2016).” Irrespective of the fact that the authors have credited this statement to another author, it is however confusing and quite likely incorrect. It is not clear what is meant by the victims of white-collar crime being “faceless”? I took this to mean that the authors are stating that society generally does not see the victims of white-collar crime in the same ways as we do the victims of “blue collar” crime. I wholly disagree. The victims are present and it is an understanding of the impact of victimization that, as the authors highlight, has led to such increased scrutiny on the punishments white-collar offenders receive.
-       Additionally on page 2, the authors state that white-collar crimes “involve a host of anonymous collaborators.” Are the authors stating that every white-collar crime is a conspiracy (in the legal sense of conspirators)? If these collaborators are anonymous, what evidence exists that they are part of these crimes? Furthermore, the authors state that “hiding evidence is easy”, yet they do not discuss what they mean by “easy”? Is it easy for the perpetrators because they have specialized skills and inside knowledge? If so, does this mean that all white-collar offenders use such skills and knowledge in the commission of their crimes? Additionally, making this statement seems to contradict their heavy reliance upon a study conducted by Marriott (2018) that suggests a lack of governmental resources and oversight are driving problems with discovery of the crime.
-       Finally, the authors state that a unique feature of white-collar crimes is “the difficulty in tracing the actions taken in committing them and in pinpointing the persons involved.” However, a brief discussion with any CPA or CFE, or a review of the ACFE’s Report to the Nations will inform the authors that in many types of occupational crimes a bit of forensic investigation will quickly identify who is committing a crime, how they are doing it, and the specific steps they took to engage in the crime. This is particularly true for individuals with high-level positions that have large amounts of power and authority within large corporations that themselves are defined by sophisticated data/information tracking and recordation polices and practices. This data/information may not be used in official investigations or openly shared with law enforcement or the public but it is used internally and during the initial stages of discovery within the firm.

I am left wondering how the sections fit together and how they combine into a cohesive argument that meets the authors’ goals for this paper. After reading most of the sections of this manuscript I cannot help but to ask myself the question “So What?” The information may be interesting, yet at times it is contradictory and appears in an ad hoc fashion. For example, the last paragraph of the section “Psychological Traits of White Collar Offenders” does not seem to fit with the rest of the section, and I struggle to understand what contribution this information brings to the paper.

Ultimately, the paper fails to build a foundation for the recommendations described in the Discussion and Conclusion section. Beyond this, there is nothing new or nuanced in these recommendations. We have trod each of these paths before and I cannot draw out a coherent argument for how these recommendations reflect something novel or unique, or how some missed understanding of white-collar offenders should force a reconsideration of these tactics. Revisions in line with these major issues - and a host of minor ones which I have omitted - would lead to an entirely new paper that, without data or the identification and closure of some substantially theoretical gap, would still be only mildly interesting at best.