

**REDUCTION OF THE WHITE-COLLAR CRIMINALITY
IN ISRAEL AND MOLDOVA: PECULIARITIES OF CRIMINAL
MISBEHAVIOR AND ITS LEGAL ASPECTS**

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The interest in this study stems from the desire and need to deal with the widespread and grave phenomenon of white-collar criminality, from a behavioral-criminological and legal aspects standpoint, for the best way of reduction the white-collar criminality offenses in Israel and Moldova, which robbing the treasury of a states like fraud and tax offences. In the present study, we have identified for the first time a few findings that were carried out effective that will help to deal effectively with the isolated problem of white collar crime. This study was solved the scientific problem, through the creation of new ways and methods for creation a new findings by identifying the relationship between how intuitive decision and personal characteristics of the offender – is constitute factors for implement of white-collar crime. It was found in the study that Non-Rational choice theory to commit a crime is the main Criminological theory to understand white collar crime and to provide scholars with a new lens to studying corruption. For the first time we have built a formulation of the “*Jacob Rub Scale*” – for hiring of employees and managers to positions of trust in organizations, according to the formula of

probability of perpetration of white-collar offence, conditional to compatibility with the definitions of personality characteristics. It has been found, after performing a pilot in companies, that this scale as a test for performance in position of trust is applicable. We have to mention that, for the first time was proposed targeting and creating upgrade legislation in Israel and the Republic of Moldova like the tender obligation Law, money Laundering Law, criminal record law and Recurring Regulations, etc. In the realm of this research there was found the most optimal solution for creative and deterring strategy of reduction and deterring white-collar criminality in the public organizations.

The study combines a qualitative and a quantitative approach, and has been focused on the practical and effective question of how an understanding of behavioral criminological aspects and psychological-economic aspects would contribute to the reduction of white-collar criminality in Israel and Moldova.

The *theoretical model* of the study allows for viewing and handling these aspects as a whole, with the subject of personality characters and intuitive decision making which is probably the “closest” criminality than any other, to the model of intuitive decision and influence the choosing of perpetrating a crime.

White-Collar Criminality (WCC) constitutes an isolated phenomenon and therefore, it is not perceived as a fertile field of research and does not supply the required information on the conduct of a heterogeneous white-collar criminals population, with the different personality characteristics. Only in recent years the relation between personality and WCC has been studied [1, p.17-32; 3, p.3-65; 4, p.231-278; 5, p.67-86].

Main findings which will contribute to Moldova and Israel are expressed in the following:

□ Non-Rational Choice Theory to commit a crime is the main Criminological theory to understand white collar crime and to provide scholars with a new lens to studying corruption. White collar crime comes alive when an intuitive decision is taken, and such a decision is not complex, and unconscious. Indeed WCC is not a complicated decision that depends upon environmental and personal factors. As a result we have applied *Theory of intuitive decision* of Kahneman and Tversky (1979) so called “*The Prospect Theory*” [2, p.263-292]. In current study, in which the examined subjects have been requested to choose from two alternatives: to receive 25,000\$ with certainty, or to receive 50,000\$ with a probability of 80%, most white collar criminals have chosen the second option with the risk.

□ There have been demonstrated that there is no significant difference between the relation of criminals and male and female non-criminals to the possibility a WCC considers prior to the perpetration of an offence in

deterrence of any reason (punishment, disgrace and fear of being apprehended). *“It would not happen to me”*, this is the perception of a potential WCC being perceived. The prominent datum is that the severity of punishment is not perceived as deterring, at all and the fact of the amount of assets accumulated during life, is a criterion for perpetration of an offence. In any case, the decision to perpetrate WCC is intuitive with no analytical considerations of cost-benefit and this characterizes making of a complicated decision for perpetration of WCC.

□ There has been found that managers graded high in personality characteristics of conscientiousness and agreeableness would tend less to improper and criminal behavior.

□ Also, there have been found that the criminals, tend to take higher risk than non-criminal men and women. There is a relation in white-collar criminals, between the personality characteristic of “extroversion” and taking of risks.

□ At the same time, it have been found that the higher is extroversion, the lower would be the value of agreeableness, and vice versa, the higher is the value of agreeableness the higher conscientiousness would be and vice versa, the higher is agreeableness, the higher openness would be in them, and vice versa.

□ It have been demonstrated that there exist some dangerous combinations of personality characteristics which have a serious influence upon the commission of a White-Collar Crime. The characteristic of low conscientiousness comes with a low position on the scale of characteristic of agreeableness. Neuroticism and low conscientiousness can predict internalizing disorders.

□ A formulation of the “Jacob Rub Scale” was elaborated – for hiring of employees and managers to positions of trust in organizations, according to the formula of probability of perpetration of white-collar offence, conditional to compatibility with the definitions of personality characteristics. It has been found, after performing a pilot in companies, that this scale as a test for performance in position of trust is applicable.

□ There was proven that 5 factors of improper behavior (Extroversion, Agreeableness, Neuroticism, Conscientiousness and Openness) are considered to be favorable for WCC crime commission, and it has been decided that in formulation of the model a larger importance shall be given to the characteristics of Conscientiousness, Agreeableness and Neuroticism.

□ It has been confirmed that several new steps on constitutional level will reduce the possibility of White-collar Criminality in Moldova are: 1) upgrade of Criminal Record law and Repented regulation; 2) Upgrade of Tender Obligation Law; 3) upgrade of Money Laundering Law. In Israel we

recommend the same and also creating of a Bill for reinforcing ethics in public organizations' tenders (2015), upgrading the Corruptions Exposers Protection Law and upgrade of Internal Audit Law (1992).

□ The following block of the model is creation of a national campaign, for the first time – „city without corruption” as a „change block” of coping with corrupt, anti-social activity. Such legislative amendments/upgrades that are focused directly to several issues in the Law of Moldova, and related to activity and results of white-collar criminals would assist in reducing white-collar offences in Moldova. It means: Upgrade of Criminal Record law and Repented regulation; Upgrade of Tender Obligation Law and Upgrade of Money Laundering Law.

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