

## CHAPTER FOURTEEN: WHITE-COLLAR CRIME

### OVERVIEW OF WHITE COLLAR CRIME LAWS IN ILLINOIS

In 1949, sociologist Edwin H. Sutherland published his pioneering study, *White Collar Crime*. This volume called attention to the largely overlooked criminal behavior of business managers and executives and professional groups that Sutherland labelled white collar crime. Sutherland defined white collar crime as an offense committed by a “person of respectability and high social status in the course of his [or her] occupation.” This definition stresses the social background of offenders and focuses on non-violent offenses committed in the course of employment. Sutherland’s central thesis is that theories that explain crime based on poverty, low social class and a lack of education fail to account for “crimes in the suites.” The focus on the poor and disenfranchised diverts our attention from the fact that the financial cost of white collar crime is several times greater than the economic consequences of common crimes. A second point raised by Sutherland is that despite the social harm caused by the crimes of the powerful that these offenses typically are punished by fines and less severe penalties than the offenses committed by average individuals.

The United States Justice Department’s definition of white collar crime focuses on the nature of the criminal activity as well as on the job of the offender. This definition also does not limit white collar crime to employment-related offenses. White collar crime is defined as:

- Illegal acts that employ deceit and concealment rather than the application of force;
- To obtain money, property, or service;
- To avoid the payment or loss of money or to secure a business or professional advantage.
- White collar criminals occupy positions of responsibility and trust in government, industry, the professions and civil organizations.

A third approach defines white collar crime in terms of the type of criminal activity involved. This has the advantage of drawing attention to the fact that tax and consumer fraud and other offenses characteristic of white collar crime are committed by individuals of various socio-economic backgrounds.

FBI Chicago is comprised of 36 squads which investigate counterintelligence, terrorism, organized crime, drug violations, violent crime, and white collar crime. The FBI Chicago White Collar Crime program is divided into the following investigative areas:

**Economic Crime:** Investigations, which involve telemarketing fraud, securities and commodities fraud, and investment fraud.

**Financial Institution Fraud:** Investigations, which involve federal crimes against financial institutions and money laundering. These types of fraud include check kiting schemes, bank embezzlement, counterfeit check schemes, wire transfer frauds, loan frauds, and the bribery of bank officials.

**Governmental Fraud:** Investigations, which involve cases of fraud against the government, environmental crime, bankruptcy fraud, and antitrust matters.

**Healthcare Fraud:** Investigations, which involve fraud perpetrated against Medicare, Medicaid, and private insurance companies. These types of fraud include illegal kickbacks, billing for services not rendered, and filing false claims.

**ILLINOIS STATE STATUTE FOR WHITE COLLAR CRIME  
(720) Criminal Code of 1961  
Article 33. Official Misconduct**

(720 ILCS 5/33-1) (from Ch. 38, par. 33-1)

Sec. 33-1. Bribery.) A person commits bribery when:

(a) With intent to influence the performance of any act related to the employment or function of any public officer, public employee, juror or witness, he promises or tenders to that person any property or personal advantage which he is not authorized by law to accept; or

(b) With intent to influence the performance of any act related to the employment or function of any public officer, public employee, juror or witness, he promises or tenders to one whom he believes to be a public officer, public employee, juror or witness, any property or personal advantage which a public officer, public employee, juror or witness would not be authorized by law to accept; or

(c) With intent to cause any person to influence the performance of any act related to the employment or function of any public officer, public employee, juror or witness, he promises or tenders to that person any property or personal advantage which he is not authorized by law to accept; or

(d) He receives, retains or agrees to accept any property or personal advantage which he is not authorized by law to accept knowing that such property or personal advantage was promised or tendered with intent to cause him to influence the performance of any act related to the employment or function of any public officer, public employee, juror or witness; or

(e) He solicits, receives, retains, or agrees to accept any property or personal advantage pursuant to an understanding that he shall improperly influence or attempt to influence the performance of any act related to the employment or function of any public officer, public employee, juror or witness.

(f) Sentence.

Bribery is a Class 2 felony.

(Source: P.A. 84-761.)

(720 ILCS 5/33-2) (from Ch. 38, par. 33-2)

Sec. 33-2. Failure to report a bribe. Any public officer, public employee or juror who fails to report forthwith to the local State's Attorney, or in the case of a State employee to the Department of State Police, any offer made to him in violation of Section 33-1 commits a Class A misdemeanor.

In the case of a State employee, the making of such report to the Department of State Police shall discharge such employee from any further duty under this Section. Upon receiving any such report, the Department of State Police shall forthwith transmit a copy thereof to the appropriate State's Attorney.

(Source: P.A. 84-25.)

(720 ILCS 5/33-3) (from Ch. 38, par. 33-3)

Sec. 33-3. Official Misconduct.) A public officer or employee or special government agent commits misconduct when, in his official capacity or capacity as a special government agent, he commits any of the following acts:

- (a) Intentionally or recklessly fails to perform any mandatory duty as required by law; or
- (b) Knowingly performs an act which he knows he is forbidden by law to perform; or
- (c) With intent to obtain a personal advantage for himself or another, he performs an act in excess of his lawful authority; or
- (d) Solicits or knowingly accepts for the performance of any act a fee or reward which he knows is not authorized by law.

A public officer or employee or special government agent convicted of violating any provision of this Section forfeits his office or employment or position as a special government agent. In addition, he commits a Class 3 felony.

For purposes of this Section, "special government agent" has the meaning ascribed to it in subsection (l) of Section 4A-101 of the Illinois Governmental Ethics Act. (Source: P.A. 94-338, eff. 1-1-06.)

(720 ILCS 5/33-3.1)

Sec. 33-3.1. Solicitation misconduct (State government).

(a) An employee of an executive branch constitutional officer commits solicitation misconduct (State government) when, at any time, he or she knowingly solicits or receives contributions, as that term is defined in Section 9-1.4 of the Election Code, from a person engaged in a business or activity over which the person has regulatory authority.

(b) For the purpose of this Section, "employee of an executive branch constitutional officer" means a full-time or part-time salaried employee, full-time or part-time salaried appointee, or any contractual employee of any office, board, commission, agency, department, authority, administrative unit, or corporate outgrowth under the jurisdiction of an executive branch constitutional officer; and "regulatory authority" means having the responsibility to investigate, inspect, license, or enforce regulatory measures necessary to the requirements of any State or federal statute or regulation relating to the business or activity.

(c) An employee of an executive branch constitutional officer, including one who does not have regulatory authority, commits a violation of this Section if that employee knowingly acts in concert with an employee of an executive branch constitutional officer who does have regulatory authority to solicit or receive contributions in violation of this Section.

(d) Solicitation misconduct (State government) is a Class A misdemeanor. An employee of an executive branch constitutional officer convicted of committing solicitation misconduct (State government) forfeits his or her employment.

(e) An employee of an executive branch constitutional officer who is discharged, demoted, suspended, threatened, harassed, or in any other manner discriminated against in the terms and conditions of employment because of lawful acts done by the employee or on behalf of the employee or others in furtherance of the enforcement of this Section shall be entitled to all relief necessary to make the employee whole.

(f) Any person who knowingly makes a false report of solicitation misconduct (State government) to the State Police, the Attorney General, a State's Attorney, or any law enforcement official is guilty of a Class C misdemeanor.  
(Source: P.A. 92-853, eff. 8-28-02.)

(720 ILCS 5/33-3.2)

Sec. 33-3.2. Solicitation misconduct (local government).

(a) An employee of a chief executive officer of a local government commits solicitation misconduct (local government) when, at any time, he or she knowingly solicits or receives contributions, as that term is defined in Section 9-1.4 of the Election Code, from a person engaged in a business or activity over which the person has regulatory authority.

(b) For the purpose of this Section, "chief executive officer of a local government" means an executive officer of a county, township or municipal government or any administrative subdivision under jurisdiction of the county, township, or municipal government including but not limited to: chairman or president of a county board or commission, mayor or village president, township supervisor, county executive, municipal manager, assessor, auditor, clerk, coroner, recorder, sheriff or State's Attorney; "employee of a chief executive officer of a local government" means a full-time or part-time salaried employee, full-time or part-time salaried appointee, or any contractual employee of any office, board, commission, agency, department, authority, administrative unit, or corporate outgrowth under the jurisdiction of a chief executive officer of a local government; and "regulatory authority" means having the responsibility to investigate, inspect, license, or enforce regulatory measures necessary to the requirements of any State, local, or federal statute or regulation relating to the business or activity.

(c) An employee of a chief executive officer of a local government, including one who does not have regulatory authority, commits a violation of this Section if that employee knowingly acts in concert with an employee of a chief executive officer of a local government who does have regulatory authority to solicit or receive contributions in violation of this Section.

(d) Solicitation misconduct (local government) is a Class A misdemeanor. An employee of a chief executive officer of a local government convicted of committing solicitation misconduct (local government) forfeits his or her employment.

(e) An employee of a chief executive officer of a local government who is discharged, demoted, suspended, threatened, harassed, or in any other manner discriminated against in the terms and conditions of employment because of lawful acts done by the employee or on behalf of the employee or others in furtherance of the enforcement of this Section shall be entitled to all relief necessary to make the employee whole.

(f) Any person who knowingly makes a false report of solicitation misconduct (local government) to the State Police, the Attorney General, a State's Attorney, or any law enforcement official is guilty of a Class C misdemeanor.  
(Source: P.A. 92-853, eff. 8-28-02.)

(720 ILCS 5/33-5)

Sec. 33-5. Preservation of evidence.

(a) It is unlawful for a law enforcement agency or an agent acting on behalf of the law enforcement agency to intentionally fail to comply with the provisions of subsection (a) of Section 116-4 of the Code of Criminal Procedure of 1963.

(b) Sentence. A person who violates this Section is guilty of a Class 4 felony.

(c) For purposes of this Section, "law enforcement agency" has the meaning ascribed to it in subsection (e) of Section 116-4 of the Code of Criminal Procedure of 1963.

(Source: P.A. 91-871, eff. 1-1-01; 92-459, eff. 8-22-01.)

(720 ILCS 5/33-6)

Sec. 33-6. Bribery to obtain driving privileges.

(a) A person commits the offense of bribery to obtain driving privileges when:

(1) with intent to influence any act related to the issuance of any driver's license or permit by an employee of the Illinois Secretary of State's Office, or the owner or employee of any commercial driver training school licensed by the Illinois Secretary of State, or any other individual authorized by the laws of this State to give driving instructions or administer all or part of a driver's license examination, he or she promises or tenders to that person any property or personal advantage which that person is not authorized by law to accept; or

(2) with intent to cause any person to influence any act related to the issuance of any driver's license or permit by an employee of the Illinois Secretary of State's Office, or the owner or employee of any commercial driver training school licensed by the Illinois Secretary of State, or any other individual authorized by the laws of this State to give driving instructions or administer all or part of a driver's license examination, he or she promises or tenders to that person any property or personal advantage which that person is not authorized by law to accept; or

(3) as an employee of the Illinois Secretary of State's Office, or the owner or employee of any commercial driver training school licensed by the Illinois Secretary of State, or any other individual authorized by the laws of this State to give driving instructions or administer all or part of a driver's license examination, solicits, receives, retains, or agrees to accept any property or personal advantage that he or she is not authorized by law to accept knowing that such property or personal advantage was promised or tendered with intent to influence the performance of any act related to the issuance of any driver's license or permit; or

(4) as an employee of the Illinois Secretary of State's Office, or the owner or employee of any commercial driver training school licensed by the Illinois Secretary of State, or any other individual authorized by the laws of this State to give driving instructions or administer all or part of a driver's license examination, solicits, receives, retains, or agrees to accept any property or personal advantage pursuant to an understanding that he or she shall improperly influence or attempt to influence the performance of any act related to the issuance of any driver's license or permit.

(b) Sentence. Bribery to obtain driving privileges is a

Class 2 felony.

(Source: P.A. 93-783, eff. 1-1-05.)

(720 ILCS 5/33-7)

Sec. 33-7. Public contractor misconduct.

(a) A public contractor; a person seeking a public contract on behalf of himself, herself, or another; an employee of a public contractor; or a person seeking a public contract on behalf of himself, herself, or another commits public contractor misconduct when, in the performance of, or in connection with, a contract with the State, a unit of local government, or a school district or in obtaining or seeking to obtain such a contract he or she commits any of the following acts:

(1) intentionally or knowingly makes, uses, or causes to be made or used a false record or statement to conceal, avoid, or decrease an obligation to pay or transmit money or property;

(2) knowingly performs an act that he or she knows he or she is forbidden by law to perform;

(3) with intent to obtain a personal advantage for himself, herself, or another, he or she performs an act in excess of his or her contractual responsibility; or

(4) solicits or knowingly accepts for the performance of any act a fee or reward that he or she knows is not authorized by law.

(b) Sentence. Any person who violates this Section commits a Class 3 felony.

(Source: P.A. 94-338, eff. 1-1-06.)

## **WHITE COLLAR CRIME CASES IN ILLINOIS**

**Attempt to apply the statute/s to the following cases:**

### ***United States of America v. Adam Stillo, Sr. and Joseph Stillo Nos. 94-2678 and 94-2679***

Defense attorney Robert Cooley first met Judge Stillo at a party in 1976. Cooley asked the judge whom he should see to fix a criminal case assigned to Judge Stillo. Judge Stillo, knowing that Cooley was a frequent supplier of bribes to other judges and public officials, told Cooley that he would deal with him directly. Not long after the party, Judge Stillo accepted a bribe from Cooley to fix a misdemeanor case. Judge Stillo met with Cooley before trial and agreed to find Cooley's client not guilty. After the trial Cooley met with Judge Stillo in his chambers. Cooley asked the judge whether \$100 was an appropriate payment. Judge Stillo responded: "Whatever you think" and accepted the \$100 in cash. Between 1977 and 1983, Cooley bribed Stillo in five or six cases. Cooley would meet with the judge before trial and after a favorable disposition, Cooley would visit the judge in his chambers and pay him \$100 - \$200 for fixing a misdemeanor and \$1000 - \$2000 for fixing a felony. After the federal investigation into corruption among Chicago public officials became known in 1983, Cooley ceased paying bribes to Judge Stillo.

On August 4, 1986, Cooley, now working with the FBI, inquired of Judge Stillo if he was still accepting bribes for favorable rulings. The judge said yes and that the system was the same as before. In order to catch Judge Stillo in the act, the FBI filed the fictitious case of *People v. Hess* on August 20, 1986. According to the fictional court papers, James Hess--played by an undercover FBI agent--had been stopped for speeding and an illegal lane change by an Illinois state trooper. Noticing open beer cans, the trooper had searched the car and discovered marijuana.

The Hess trial was set for October 21, 1986, before Judge Stillo. On October 6, Cooley visited the judge in his chambers and asked whether he would suppress the marijuana in exchange for a bribe to which Judge Stillo agreed. Judge Stillo told Cooley that to "make it look better" he should file a memorandum of law in support of his motion to suppress. Judge Stillo told Cooley not to worry

and to speak to his nephew attorney Joseph Stillo. Thereafter, Cooley telephoned Joseph Stillo and arranged a meeting. On October 10, 1986, the two met. Joseph Stillo told Cooley that he had spoken to his uncle, Judge Stillo. Joseph Stillo and Cooley then went to lunch to arrange to fix the Hess case.

Over lunch, Cooley explained the "facts" of the Hess case to Joseph Stillo and that he wanted to have the marijuana suppressed. Joseph Stillo agreed. Cooley also told Joseph Stillo that he would pay any amount the Stillos deemed fair, to which Joseph Stillo also agreed. Cooley and Joseph Stillo arranged for Cooley to call Joseph Stillo the day before Hess was to go to trial and say "The party is tomorrow night. Are you gonna go?" to alert Joseph Stillo that Hess would be tried the following day and to confirm the fix. As they parted following lunch, Stillo reassured Cooley, saying, "I'll make the call. . . . Don't worry about it."

Cooley called Joseph Stillo the day before Hess was scheduled to go to trial to verify that the "benefit" was still on for the following day. Joseph Stillo answered affirmatively but the Hess trial was postponed.

Hess was finally tried to the court on November 5, 1986. A few days before, Cooley visited Judge Stillo to confirm that the bribe scheme was in place. Contrary to the agreement, however, Judge Stillo denied Cooley's motion to suppress the marijuana, found Hess guilty, and sentenced him to six months' supervision.

That afternoon Cooley visited Joseph Stillo's law office and was told that Judge Stillo had found Hess guilty because he looked like an undercover FBI agent. Joseph Stillo agreed to ask his uncle whether Cooley could seek a reduced sentence for Hess. On November 7, Cooley spoke directly with Judge Stillo who reiterated that he found Hess guilty because he looked like an FBI "plant."

On December 16, Cooley again spoke with Joseph Stillo, who told Cooley not to drop his attempt to seek favorable treatment for Hess because at the end of six months Judge Stillo could expunge Hess's conviction from his record. Six months thereafter, Cooley asked Judge Stillo to expunge Hess's supervision, and the judge issued an order to that effect.

On October 2, 1991, Adam and Joseph Stillo were charged in a two-count indictment. Count I charged Judge Adam Stillo with conducting and participating in the conduct of the affairs of an enterprise (the Circuit Court of Cook County) through a pattern of racketeering activity, in violation of 18 U.S.C. sec. 1962(c) and 18 U.S.C. sec. 2. The first three predicate acts of racketeering activity charged Judge Stillo with accepting cash bribes from criminal defense attorneys for favorable rulings in violation of Illinois bribery laws (Ill. Rev. Stat. Ch. 38, paras. 33-1(d) and (e)) and official misconduct (Ill. Rev. Stat. Ch. 38, para. 33-3). The fourth racketeering predicate act involved the Hess case and included four subpredicate acts the proof of any of which would suffice to establish the fourth predicate act. The four subpredicate acts were: (1) conspiring with his nephew, Joseph Stillo, to commit state bribery; (2) conspiring with Joseph Stillo to commit official misconduct; (3) state law bribery; and (4) conspiring with Joseph Stillo to commit extortion in violation of 18 U.S.C. sec. 1951.

Count II, also related to the Hess episode, charged both Stillos with conspiring from August 8, 1986 to April 1987 to commit extortion in violation of 18 U.S.C. sec. 1951.



On July 29, 1993, a jury found Judge Stillo guilty on both counts and Joseph Stillo guilty on Count II. Judge Stillo was sentenced to four years' imprisonment and his nephew to two years' imprisonment and a \$10,000 fine. According to our information both Stillos are serving their sentences.

## **THE GEORGE RYAN INDICTMENT- 2006**

### **RACKETEERING**

One count alleging that while he was secretary of state and governor, he defrauded Illinois and its residents of money, property and the right to the honest services of Ryan in his capacity as a state official.

Ryan allegedly steered state contracts to help his friends in return for bribes and gave others insider information that they could profit from. He also is charged with using secretary of state employees and the office's resources to benefit himself, his colleagues and the Citizens for Ryan campaign.

Ryan, with the help of his former chief of staff, Scott Fawell, and Fawell's aide Richard Juliano, allegedly split more than \$32,000 in consulting payments from the 1995-1996 presidential primary campaign of Texas Sen. Phil Gramm. Prosecutors say the money was funneled through a company owned by political mail consultant Alan Drazek. Ryan allegedly authorized the transfer or firing of most of the investigators in the inspector general's office who were looking into the bribes-for-licenses scheme in his secretary of state's office. The racketeering count is punishable by up to 20 years in prison and a \$250,000 fine.

### **MAIL FRAUD**

Nine counts alleging Ryan received benefits from several associates.

Ryan directed and approved the allocation and distribution to some of his colleagues including more than \$300,000 in payments to Donald Udstuen, an Illinois Republican strategist. Ryan and his family members also received cash, gifts, loans and personal services. Among those was a \$145,000 investment in Comguard, a private company partly owned by one of his family members.

There also allegedly was a \$5,000 no-interest loan to a relative, the payment of significant expenses relating to a relative's wedding and \$7,000 in non-compensated professional services to a family member. Ryan also is accused of receiving financial benefits given to the Citizens for Ryan campaign that were used for his personal use. Each count is punishable by up to five years in prison and a \$250,000 fine.

### **FALSE STATEMENTS**

Three counts alleging he lied to FBI officials who talked to him as part of the grand jury investigation.

Ryan is accused of telling the FBI he paid for trips to Jamaica and his lodging there each year from 1994 to 1998. He also allegedly said an inspector general official never informed him that

campaign fund-raising tickets had been found at a secretary of state's office in Libertyville and that those tickets were linked to improper licensing. According to the indictment, Ryan also lied when he told the FBI he appointed Larry Warner to a board that governs the McCormick Place only because he followed a former board member's recommendation. Each count is punishable up to five years in prison and a \$250,000 fine.

### **TAX FRAUD**

One count alleging he kept the Internal Revenue Service from making a correct determination of his income and collecting taxes and penalties due to the government.

The indictment alleges Ryan used the Citizens for Ryan campaign to pay his and certain family members' personal expenses and provide personal gifts. The indictment says he didn't tell campaign officials so that they could fill out the proper campaign report forms to be filed with the state. Ryan allegedly caused campaign checks totaling \$55,000 to be issued to one of his relatives even though that person did not work for the campaign. The tax fraud count is punishable by up to three years in prison and a \$250,000 fine.

### **FILING FALSE INCOME TAX RETURNS**

Four counts of filing a false federal tax returns for 1995-1998 in which Ryan listed his gross income as much lower than the true amount.

Ryan listed his adjusted gross income as being \$120,542 in 1995, \$137,908 in 1996, \$106,486 in 1997 and \$102,640 in 1998. The indictment alleges Ryan knew his adjusted gross income was substantially more than those amounts. He amended the tax returns for 1995 and 1996 after he announced he was a candidate for governor, but he only increased the amount of his adjusted gross income on personal spending of campaign funds. The indictment says he still left out substantial income he had received and given to family members and others. Each count is punishable by up to three years in prison and a \$250,000 fine.

### **OVERVIEW OF ENVIRONMENTAL CRIMES**

Typically, the most common crimes against the environment are those which pollute the air, land or water.

- Burning Tires Hazardous Waste
- Agricultural Waste Chemical Run-off
- Chemical Release Yard Waste
- Tire Piles Factory Exhaust
- Construction and Demolition Debris
- Abandoned Household Garbage

Under the Illinois Open Dumping laws, the landowner is responsible for all open dumping that occurs on his/her property— even if the landowner is neither the dumper nor has any knowledge of the dump site. The dumper can also be held responsible and subject to enforcement action as can the generator of any waste that is illegally dumped.

## ILLINOIS STATUTE FOR ENVIRONMENTAL CRIMES

Section 5. The Illinois Procurement Code is amended by changing and renumbering Section 50-12 as added by P.A. 93-575 as follows:

(30 ILCS 500/50-14)

Sec. 50-14 Environmental Protection Act violations.

(a) Unless otherwise provided, no person or business found by a court or the Pollution Control Board to have committed a willful or knowing violation of the Environmental Protection Act shall do business with the State of Illinois or any State agency from the date of the order containing the finding of violation until 5 years after that date, unless the person or business can show that no person involved in the violation continues to have any involvement with the business.

(b) A person or business otherwise barred from doing business with the State of Illinois or any State agency under subsection (a) may be allowed to do business with the State of Illinois or any State agency if it is shown that there is no practicable alternative to the State to contracting with that person or business.

(c) Every bid submitted to and contract executed by the State shall contain a certification by the bidder or contractor that the bidder or contractor is not barred from being awarded a contract under this Section and that the contractor acknowledges that the contracting State agency may declare the contract void if the certification completed pursuant to this subsection (c) is false.

(Source: P.A. 93-575, eff. 1-1-04; revised 9-24-03.)

Section 99. Effective date. This Act takes effect upon becoming law.

**Effective Date:** 7/28/2004

## ENVIRONMENTAL CRIME CASES IN ILLINOIS

**Attempt to apply the statute/s to the following cases:**

*Illinois Environmental Protection Agency v. Illinois Pollution Control Board No. PCB 94-23*  
ESG Watts, Inc. (Watts) appeals the Illinois Pollution Control Board's (Board) decision affirming the Illinois Environmental Protection Agency's (Agency) denial of seven waste stream permit

applications. The Agency appeals a Board sanction requiring that it pay Watts' attorney \$1,250 for fees incurred because the Agency failed to meet the Board's briefing deadline. We hold that the Board's decision affirming the Agency's denial of the waste permits was not against the manifest weight of the evidence. We therefore affirm the ruling. (3-96-0533). However, we hold that the Board lacked the authority to order the Agency to pay Watts' attorney fees, and we thus reverse that ruling. (3-96-0562).

Watts owned three landfills in Illinois. Its site known as Taylor Ridge was located in Rock Island County. The other two sites, known as the Viola Landfill and the Sangamon Valley Landfill, were located in Viola and Springfield respectively. Only Taylor Ridge was operating at the time of this appeal. Beginning in May 1994 Watts started sending permit applications for its Taylor Ridge site to the Agency. Renewal applications for the acceptance of "generic" waste streams, wastewater treatment sludge from ink, button dust, calcium sulfite cake, and buffing dust waste were all denied. Additionally, the Agency denied two new applications for Taylor Ridge to receive waste sulfur cement and paint sludge. In all, seven applications were denied for the Taylor Ridge site.

The Agency based its denials on section 39(i)(1) of the Illinois Environmental Protection Act (Act). 415 ILCS 5/39(i) (West 1994).

Section 39(i)(1) provides:

- (i) Before issuing any RCRA permit for the conduct of any waste-transportation or waste-disposal operation, the Agency shall conduct an evaluation of the prospective operator's prior experience in waste management operations. The Agency may deny such a permit if the prospective operator or any employee or officer of the prospective operator has a history of:
  - (1) repeated violations of federal, State, or local laws, regulations, standards, or ordinances in the operation of refuse disposal facilities or sites;

## QUESTIONS FOR REVIEW

1. \_\_\_\_\_ pioneered the study of white collar crime.
  - A. Sutherland
  - B. Ryan
  - C. Stillo
  - D. Lippman

Answer: A

2. Which of the following does the Chicago White Collar Crime Program investigate?
  - A. Government Fraud
  - B. Financial Institution Crime
  - C. Economic Fraud
  - D. All of the above

Answer: D

3. \_\_\_\_\_ is the department of the FBI Chicago White Collar Crime Program that conducts investigations, which involve cases of fraud against the government, environmental crime, bankruptcy fraud, and antitrust matters.

- A. Government Fraud
- B. Financial Institution Crime
- C. Economic Fraud
- D. All of the above

Answer: A

4. In Illinois, who is responsible for dumping that occurs on an individual's property?
- A. The dumper
  - B. The owner of the property
  - C. The government
  - D. Both A and B, but not C

Answer: B

5. Typically, the most common crimes against the environment are those which pollute the \_\_\_\_\_.
- A. Air
  - B. Land
  - C. Water
  - D. All of the above

Answer: D

## WEB RESOURCES

- <http://www.ilga.gov/legislation/publicacts/fulltext.asp?Name=093-0826> Act Concerning Environmental Protection
- [www.ag.state.il.us/consumers/brochures/enviro0704.pdf](http://www.ag.state.il.us/consumers/brochures/enviro0704.pdf)
- <http://www.state.il.us/court/Opinions/AppellateCourt/1997/3rdDistrict/February/HTML/3960533.txt> *Illinois Environmental Protection Agency v. Illinois Pollution Control*
- <http://laws.lp.findlaw.com/7th/942678.html> *United States of America v. Adam Stillo, Sr. and Joseph Stillo*
- <http://www.suntimes.com/output/ryan/cst-nws-ryan183.html> The George Ryan Indictment