



Access Denied: Studying Up in the Criminological Encounter

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ABSTRACT

Criminology, like other social sciences, tends to focus on vulnerable populations. Criminologists know a great deal about the crimes of the poor, prisoners, and young people, but little about the offences of those possessing education, wealth, and power. This is unfortunate, as in terms of both financial and physical harm, the crimes of the powerful dwarf those committed by the vulnerable. Criminologists know so little about the crimes of the powerful, partly because research access is denied, and this disparate research access reproduces particular forms of knowledge within criminology. For example, although self-report survey items about petty offences reveal a negative relationship between IQ and prevalence rates – a finding that is consistent with most IQ-crime research – survey items about white-collar offences reveal a positive relationship between IQ and prevalence. Yet because white-collar crimes are not typically included in self-report research, this relationship goes unreported. These correlates of petty and white-collar offences suggest that the self-report methodology, if employed with new populations, has the potential to reveal new features within the dark figure of crime.

KEYWORDS

access, dark figure, self-report, white-collar crime, street crime, epistemology, IQ

1 Introduction

Criminology gazes down. It is not the only social science to do so (Gusterson, 1997; Nader, 1972), but the discipline is blinkered by it. In most cases, social research is conducted within a power relationship where the scientist (by virtue of education, wealth, and status) is afforded a dominant role and the research “subject” is subordinated (Wax, 1980). Within criminology, conducting research is straightforward when researchers study prisoners and institutionalized delinquents, but it can be extraordinarily difficult – sometimes impossible – when criminologists seek to study up, examining corporations and/or individuals who possess real wealth and power. Although the collective damage wrought by white-collar crime dwarfs all aggregated street crime, in terms of physical injuries and wrongful deaths as well as financial harm (Coleman, 2006), relevant research access in this arena is frequently blocked. Consequently, criminologists know even less about the dark figure (Skogan, 1977) – crimes unknown to the police – of white-collar crime than they do about the dark figure of street crime (Burdis & Tombs, 2012).

Criminology’s focus on the crimes of delinquents, prisoners, and the poor reproduces particular forms of knowledge. For example, familiar correlates of crime such as age (e.g. Farrington, 1986), class (e.g. Parker & Mowen, 2015), and ethnicity (e.g. Tonry, 1997) are associated with crime because relationships between these characteristics and offending have long been observed over time. But this body of research draws – disproportionately – upon vulnerable populations and it generally overlooks those who possess the power to

obstruct research. In light of criminology's focus on street crime, this article makes four related claims. First, it suggests that disparate levels of research access have produced a wealth of information about petty offending and street crime, and a relative paucity of information about white-collar, organizational, and state crime. Second, this article notes that self-report research can, as a unique form of the criminological encounter, reveal the contours of the dark figure of crime in a way that official statistics and victim surveys cannot, although self-report's reliance on juvenile delinquents as subjects and petty offending as subject matter has reified knowledge about a particular form of crime. Third, this article suggests that administering a self-report instrument to a different population (e.g. adults who possess education, wealth, and power) and asking different kinds of questions (e.g. about white-collar offences) might produce a very different understanding of the relationship between crime and its correlates. Fourth, the article examines the relationship between offence prevalence and intelligence quotient (IQ) for six petty offences and six white-collar offences, comparing them across a range of IQ scores. Although prevalence goes down as IQ goes up when petty offending is measured (as predicted by much of the existing literature), the opposite is true when white-collar offences are measured, raising provocative implications about dark figure offending.

2 Criminology and Research Access

The crimes of the poor, of ethnic minorities, and the powerless have been studied for more than a century, at least since the publication of Lombroso's pioneering book, *Criminal Man* (1876/2006). On the other hand, the concept of white-collar crime, a "crime committed by a person of respectability and high social status in the course of his occupation" (Sutherland, 1983, p. 7), is of relatively recent vintage, first described in Sutherland's 1939 American Sociological Association address (Sutherland, 1940). Although many legislators, policymakers, and criminologists continue to treat white-collar crime as less serious and less important than street crime (Benson & Simpson, 2009), today it is recognized that the aggregate harm of white-collar crime dwarfs that of street crime (Coleman, 2006). The savings and loan scandal of the late 1980s alone imposed a \$153 billion price tag (Curry & Shibut, 2000). Curiously, even after the global financial crisis of 2008 (Sorkin, 2009), little attention was paid to the criminal behaviour of Wall Street firms or financial services executives (Pontell & Black, 2012; Taibbi, 2014). When McGurrin and her colleagues analysed criminology and criminal justice articles published between 2001 and 2010, they found that a mere 6.3% of them focused on white-collar crime. Moreover, the number of pages dedicated to white-collar crime in leading textbooks was even lower: just 5.7% (McGurrin, Jarrell, Jahn, & Cochrane, 2013). There are numerous reasons why financial crimes have not been studied more carefully: the belief that financial fraud is not truly crime (or, if it is, that it is neither serious nor as worthy of criminological study as street crime), its lack of obvious victims, its lack of systematic data collection, the relative infrequency of criminal punishments imposed for its commission, and the sheer complexity of many financial offences. But another explanation is the lack of scholarship on white-collar crime: the absence of meaningful research access (Cipollone & Stich, 2012).

Many criminologists would indeed be interested in studying white-collar crime within Wall Street firms (cf. Ho, 2012), but the gatekeepers for these companies tend to minimize institutional exposure and risk – very prudentially – by denying access. As Broadhead and Rist explain, many researchers want to study the "dark side" of bureaucracies, but "in negotiating for entry, these interests are more than likely to be at odds with the gatekeeper. The common result, therefore, is for the gatekeeper either to reject the investigator's bid to do research, or for the researcher to reformulate the research problem within boundaries that are acceptable" (1976, p. 328). Organizations, increasingly managerialist and protectionist in their orientations (Palys & Lowman, 2010; Roesch-Marsh, Gadda, & Smith, 2012), often react to requests for access in the manner of an immune response (Wolff, 2004), shutting down the threat. Individuals possessing wealth, power, and influence can block research overtures as well (Moysier, 1988). Writing about America's ultra-rich, Fussell states, "[T]op-out-of-sights are removed from scrutiny. Their very class tends to escape the down-to-earth calculations of sociologists and poll-takers and consumer researchers. It's not studied because it's literally out of sight, and a questionnaire proffered to a top-out-of-sight person will very likely be hurled to the floor with disdain" (1983, p. 20).

Criminologists know a great deal about the offences of vulnerable groups: young people (e.g. Burt, 1944), the poor (e.g. Nader, 1972; Wacquant, 2009), and those ensnared within the criminal justice system (e.g. Feeley, 1979; Sykes, 1958). These are all convenient objects of study for the curious criminologist. Unfortunately, the individuals who are positioned to engage in the most egregious of crimes (e.g. serious fraud, espionage, safety violations, and war crimes), offences that can incur millions – or billions – of dollars in damages and/or cause hundreds – or thousands – of injuries or deaths, are the very same individuals who possess the ability to obstruct research. Accordingly, the dark figure of serious crime remains dark: undetected, unreported, and unresolved. The criminologists who study white-collar crime often attempt to overcome the barriers of research access by studying solved cases, but in so doing they exclude the overwhelming majority of offending. Indeed, Shapiro

(1985) reported that out of every 100 suspects investigated by the Securities and Exchange Commission, 93 committed violations carrying criminal penalties; but only 11 were selected for criminal treatment; only six were indicted; and only five were convicted. Ultimately, the net effect of disparate research access between rich and poor, powerful and powerless, means that most of what is known about crime has been gleaned from the study of vulnerable populations.

3 Self-Report Research in Criminology

Criminologists, in attempting to understand the aetiology and distribution of crime, are confronted with a profound methodological challenge: how to observe a phenomenon that invites moral opprobrium and can be punished by fine, incarceration, or death (Hart, 1968). In the past, the mere possession of knowledge about an unreported crime created criminal liability (Oleson, 1999). Although ethnographic fieldwork *is* conducted within criminology (Ferrell & Hamm, 1998; Parnell & Kane, 2003; Worley, Worley, & Wood, 2016), participant observation in ongoing criminal behaviour requires the researcher to negotiate unusual forms of access and raises serious moral and legal challenges. Ethnographers of crime have been subpoenaed, arrested, and jailed for contempt of court (Leo, 1995; Scarce, 1994, 1995, 1999, 2005; Sonenschein, 2001). Although many criminologists demur from doing research of this kind, either because they are afraid of danger (Lee, 1995) or because of moral qualms (Yablonsky, 1965), there is an uncomfortable kernel of truth in Polsky's admonition that "[u]ntil the criminologist learns to suspend his personal distaste for the values and lifestyles of [criminals], he will be only a jailhouse or courthouse sociologist, unable to produce anything like a genuinely scientific picture of crime" (1967, p. 147). Ethical compromises might be unavoidable when researchers embrace the direct criminological encounter in the field (Klockars, 1979).

Yet to understand crime, the social researcher *must* engage in some form of criminological encounter, and the nature of that encounter will likely shape, and be shaped by, the researcher's epistemological position. For example, an ethnographer of crime will likely possess a visceral, particularized, and phenomenological understanding of it (Katz, 1988), while the criminologist who studies official crime statistics will likely possess an abstract, desiccated, and mediated understanding of the subject.

Many criminologists do rely upon official crime statistics for their research. Although annual reports like the Uniform Crime Reports or Crimes Detected in England and Wales provide useful measures of crime, they might reveal more about police priorities and the exercise of discretion than about the actual volume or distribution of crime (Kitsuse & Cicourel, 1963). Many crimes go unreported (Skogan, 1977), and when offences *are* reported, 20% to 33% are omitted from the final statistics (Hough & Mayhew, 1985). Victimization reports like the National Crime Victimization Survey, the Crime Survey for England and Wales, and the International Crime Victim Survey provide useful alternatives to official statistics. Such reports reveal that crime is far more common than is suggested by official statistics – NCVS rates range between 60% and 500% greater than UCR rates (McDowall & Loftin, 2007). Yet victimization reports still have serious limitations: sexual and domestic violence crimes still go underreported, "victimless" crimes go unmeasured, and, for many white-collar crimes, victims do not realize they have been victimized (Coleman, 2006).

Self-report studies provide another means of measuring crime. Self-reporting is the most commonly employed methodology in criminology (Hagan, 1993; Junger-Tas & Marshall, 1999). Like victimization reports, self-report research indicates that crime is far more common than official statistics would suggest. But self-report studies also suffer from limitations of their own. Most employ adolescents – often boys – as subjects and they often focus on petty crime and status offences (behaviours that are not illegal when committed by an adult) (Wolfgang, 1976). Short and Nye's (1957) self-report questionnaire on delinquency consisted of seven final items: (1) driven a car without a driver's licence or permit; (2) skipped school without a legitimate excuse; (3) defied parents' authority (to their face); (4) taken little things (worth less than \$2.00); (5) bought or drank beer, wine, or spirits; (6) purposely damaged or destroyed public or private property; and (7) had sexual relations with a person of the opposite sex. While there is value in comparing self-reported prevalence rates against official delinquency figures, and while childhood delinquency may in fact predict adult criminality (e.g. Farrington, 1989), these seven offences are so minor that that they scarcely constitute "offending".

Fortunately, the self-report methodology is not limited to adolescent boys and petty crime. Wallerstein and Wyle (1947) surveyed 1,698 anonymous adults about their involvement with 49 offences, including larceny, automobile theft, burglary, robbery, perjury, conspiracy, and fraud, and found that 99% reported at least one listed offence. Men averaged 18 offences each, and women averaged 11. Almost two-thirds (64%) of the 1,020 men reported at least one felony, an offence that was grounds for the loss of citizenship rights under New York law; and almost one-third (29%) of the 678 women reported a felony. Wallerstein and Wyle characterized the

“principal conclusion to be drawn from this study... [as] the revelation of the prevalence of lawlessness among respectable people” (1947, p. 118).

Porterfield (1946) compared 200 male and 137 female university students to a group of 2,049 delinquents processed by a local juvenile court, measuring 55 offences ranging in seriousness from creating a disturbance in church or shooting staples to negligent homicide and murder. Porterfield even reported one homicide among the university sample, although his finding was rejected as straining credulity. Hindelang, Hirschi, and Weis wrote, “Subsequent self-report researchers have excluded the homicide item and have uncovered no murderers in their samples” (1979, p. 996). Their statement, however, is an inversion of Binet’s wry quip, “Tell me what you are looking for, and I will tell you what you will find” (in Wolf, 1973, p. 347). When Wolfgang, Figlio, and Sellin (1972) included a homicide item – “killed someone not accidentally” – in their self-report study of 10,000 boys between the ages of 10 and 18 who lived in Philadelphia, four of the participants in their study reported a criminal homicide. Oleson and Chappell (2012) also identified 13 homicides in their self-report study of high-IQ respondents: one of these respondents claimed to have committed 15 homicides (Oleson, 2004).

When Smithyman (1979) interviewed 50 men from the Los Angeles region who had committed rape (i.e. non-consensual penetration of the vagina, anus, or mouth) but had never been arrested, his findings painted a portrait of rapists that was very different to that painted by official statistics. Smithyman’s self-report subjects were better educated, more often and better employed, and far fewer of them were Black. The implications of his research, and the other self-report studies that have been conducted with adult populations, are clear: in the criminological encounter, who we ask, and what we ask them, shapes what we learn.

4 Methodology

Even though self-report research has generally studied down, employing young people as subjects and focusing upon status crimes and petty offending (i.e. forms of crime that young people would typically possess the means to carry out), the self-report methodology is also surprisingly well suited to studying up (Nader, 1972). Indeed, it is curious that self-reporting has not been employed more frequently to examine the crimes of the powerful. Box (1981) writes:

[T]he obsession with juvenile self-reported delinquency and the limited number of items in the one adult self-reported crime study have resulted in rendering invisible the massive contribution to crime by government and corporate officials: this is ironic, considering that one purpose of such studies was to make good the deficiencies of the official statistics (p. 87).

In the current research, a postal self-report questionnaire was administered to 465 adult index respondents and 756 adult controls, making it possible to examine a much greater range of offences than when self-reported surveys of delinquency are circulated to adolescents. The 465 index respondents were selected on the basis of above-average IQ scores, and were recruited from three samples: (1) an international high-IQ society with an IQ admission threshold of 150 (99.9%), (2) undergraduate and postgraduate students from prestigious universities around the world, and (3) prisoners from US and UK correctional facilities with IQ scores of 130 (98%) or more. The index group had a mean score of 148.7 (3.2 standard deviations above the population mean of 100), which represents extraordinary intelligence: at an IQ of 100, 50% of the population has a lower IQ score; at an IQ of 115, 84% does; and at an IQ of 130, approximately 98% does (Hunt, 2011). Not all members of the index group were elites as such – neither the incarcerated group nor the students in the university sample, for example, would represent “the incumbents of top positions in both the public and private sector” (Dronkers & Schijf, 2007, p. 1362). However, IQ scores *do* correlate positively with education, income, and occupational status (Hunt, 2011; Jensen, 1980; Neisser et al., 1996). Consequently, many elites from business, the professions, and politics also possess above-average IQ scores (cf. Landrum, 1993, 1994), suggesting that a high IQ is a necessary but not sufficient quality for membership in the elite class. Accordingly, Herrnstein and Murray (1994) describe individuals with IQ scores of 125+ as “cognitive elites” – individuals who tend to be well educated, well employed, and socially respectable. The high-IQ index group was compared against a control group of 756 people (itself with a mean IQ of 115.4, or approximately one standard deviation above the population mean). Additional information about the samples is reported elsewhere (e.g. Oleson, 2002) and a methodological appendix is included in *Criminal Genius: A Portrait of High-IQ Offenders* (Oleson, 2016a).

Because the self-report questionnaire was administered to adults, including those with education, wealth, and status, a broad spectrum of 72 offences was included, ranging in seriousness from the abuse of work privileges up to homicide. The instrument tapped into nine different offence types: sex, violence, drug, property, white-collar, vehicular, justice system, miscellaneous, and professional misconduct. Each offence item was accompanied by five empty blocks. If respondents had never committed the listed offence, they were asked to

mark the left-most NVR block to so indicate. In the second to the fifth columns, they were asked to record (1) LYR, the number of times they had committed the offence in the last year, (2) EVR, the number of times they had ever committed the offence, including those from the last year, (3) ARR, the number of times they had been arrested for the offence, and (4) CON, the number of times they had been convicted for the offence. This made it possible to calculate rates of prevalence (the percentage that reported committing the offence at any time), incidence (the total number of reported offences), recency (the percentage of total offences that were committed in the previous year), arrest, and conviction. For example, in Table 1, below, a section of the questionnaire is reproduced (Oleson, 2002).

		Nvr.	Lyr.	Evr.	Arr.	Con.
1	Gambled where it is illegal to do so.	<input type="checkbox"/>				
2	Made sexual comments or advances toward someone that you knew were unwanted.	<input type="checkbox"/>				
3	Had sexual relations in a public place.	<input type="checkbox"/>				
4	Been drunk in a public place.	<input type="checkbox"/>				
5	Driven a car at unsafe speeds or in a reckless manner.	<input type="checkbox"/>				
6	Been loud, rowdy, or unruly in a public place (disorderly conduct).	<input type="checkbox"/>				

Table 1: Self-report instrument to measure petty crimes. Adapted from Oleson (2002).

These six questions assess high-frequency forms of petty offending: illegal gambling, sexual harassment, public indecency, public intoxication, speeding/reckless driving, and disorderly conduct. These are the types of offences that appear most frequently on self-report questionnaires regarding delinquency.

Because this self-report questionnaire was distributed to adults with socio-economic status, however, a number of offence items that are rarely – if ever – included in self-report instruments were incorporated. Table 2, below, identifies six of the white-collar and professional misconduct offences from the survey: tax fraud, accounting fraud, insider trading, forgery, research fraud, and computer trespass.

		Nvr.	Lyr.	Evr.	Arr.	Con.
1	Intentionally misreported income information on your tax forms.	<input type="checkbox"/>				
2	Manipulated financial accounts in an illegal manner.	<input type="checkbox"/>				
3	Used privileged information in making investment decisions.	<input type="checkbox"/>				
4	Forged another person’s signature on an official document, prescription, or bank cheque.	<input type="checkbox"/>				
5	Invented or altered research data.	<input type="checkbox"/>				
6	Broken into another computer (hacked).	<input type="checkbox"/>				

Table 2: Self-report instrument to measure white-collar crimes. Adapted from Oleson (2002).

Comparing the prevalence and incidence rates for the two different offence types – petty crime versus white-collar crime – has the potential to reveal unexplored measurement biases. For example, many researchers focus upon poverty as a causal explanation for crime (Ellis, Beaver, & Wright, 2009). Certainly, as Barnes and Teeters note, “we seldom arrest and convict criminals except the poor, inept, and friendless” (1959, p. 7). But, with an innovative series of experiments, Piff and his colleagues defied stereotypes and showed that the rich are more

likely to cheat and steal than the poor (Piff, Stancato, Côté, Mendoza-Denton, & Keltner, 2012). By comparing prevalence rates for petty and white-collar offences, it might be possible, similarly, to challenge assumptions about the relationship between IQ and the prevalence of crime. While a substantial body of work indicates that delinquency and crime are inversely correlated with IQ, decreasing as IQ goes up (Ellis & Walsh, 2003; Herrnstein & Murray, 1994; Hirschi & Hindelang, 1977; Wilson & Herrnstein, 1985), much of this work is based upon self-reporting with young people and prison populations. If self-report research was conducted with non-incarcerated adults who possess education, wealth, and status, it might reveal a different relationship between IQ and crime.

Accordingly, the prevalence and incidence rates for the 12 offences were calculated, and are reported below. Recency values, as well as arrest and conviction rates, were calculated but are not reported here, as the current analysis seeks only to explore the possibility that the questions posed by criminologists (which are, in turn, a function of their research access) determine their findings. The prevalence rates for the six petty offences and the six white-collar offences were also examined against IQ scores using linear regression (Berry, 1993).

5 Results

Participants from both the index and the control group committed both petty offences and white-collar offences. Table 1, below, describes their self-reported rates of prevalence and incidence.

	Index (n = 465)	Control (n = 756)
Petty Offences		
1. Gambled where it is illegal to do so.	87 (18.8)	111 (14.9)
2. Made sexual comments or advances toward someone that you knew were unwanted.	73 (15.7)	71 (9.4)
3. Had sexual relations in a public place.	201 (43.2)	403 (53.7)
4. Been drunk in a public place.	299 (64.4)	472 (63.1)
5. Driven a car at unsafe speeds or in a reckless manner.	267 (57.4)	456 (61.2)
6. Been loud, rowdy, or unruly in a public place (disorderly conduct)	138 (29.8)	328 (44.2)
White-Collar Offences		
1. Intentionally misreported income information on your tax forms.	113 (24.4)	79 (10.5)
2. Manipulated financial accounts in an illegal manner.	38 (8.2)	19 (2.6)
3. Used privileged information in making investment decisions.	25 (5.4)	18 (2.4)
4. Forged another person's signature on an official document, prescription, or bank cheque.	110 (23.8)	139 (18.7)
5. Invented or altered research data.	41 (8.9)	33 (4.4)
6. Broken into another computer (hacked).	41 (8.9)	35 (4.7)

Table 3. Prevalence and incidence rates for petty and white-collar offences by index and control groups

Note. The value outside parentheses indicates the prevalence rate (number of sample that reported an offence) and the value within parentheses indicates the incidence rate (mean number of offences reported per offender).

Table 1 shows that 87 of the 465 (18.7%) index respondents reported committing one or more acts of illegal gambling, averaging 18.8 offences each, whereas 111 (14.7%) of the 756 control respondents reported illegal gambling, averaging 14.9 offences each. The high-IQ index group also reported higher prevalence rates than the control group for sexual harassment (15.7% versus 9.4%) and public intoxication (64.3% versus 62.4%). It also reported higher incidence rates for these three offences. On the other hand, the control group reported a higher prevalence rate than the index group for public indecency (53.5% versus 43.2%), speeding/reckless driving (60.3% versus 57.4%), and disorderly conduct (43.4% versus 29.7%). The control group also reported higher incidence rates for these three offences. Thus, for the six petty offences, the prevalence and incidence rates are mixed.

For all six of the white-collar offences, however, the prevalence rates were higher in the index group than in the control group: tax fraud (24.3% versus 10.4%), accounting fraud (8.2% versus 2.5%), insider trading (5.4% versus 2.4%), forgery (23.4% versus 18.4%), research fraud (8.8% versus 4.4%), and computer trespass (8.8% versus 4.6%). Incidence rates were also higher in the index group across all six white-collar crimes.

The examination of prevalence rates against IQ score makes plain what is implicit in Table 1. For each of the six petty offences and each of the six white-collar offences, a straight line can be drawn across the right side of the IQ distribution (i.e. IQ scores of 100+). If the slope of that straight line is negative, then the relationship between prevalence rates and IQ is inverse: prevalence decreases as IQ increases. This pattern is consistent with the inverse relationship between IQ and offending theorized by many criminologists (e.g. Bower, 1995; Herrnstein & Murray, 1994; Hirschi & Hindelang, 1977). On the other hand, if the slope is positive, then the relationship is positive: prevalence rates increase as IQ increases. The value of the y -intercept – the point at which the straight line crosses the y -axis – describes the percentage of the sample expected to report an offence at an IQ of 100, and the value of the slope describes the rate of change (positive or negative) in prevalence rates per unit of IQ. These values are reported in Table 2, below.

Petty Offences		
1.	Gambled where it is illegal to do so.	$y = -0.0012x + 0.1573$
2.	Made sexual comments or advances toward someone that you knew were unwanted.	$y = -0.0207x + 0.3165$
3.	Had sexual relations in a public place.	$y = -0.0251x + 0.6059$
4.	Been drunk in a public place.	$y = -0.0024x + 0.6191$
5.	Driven a car at unsafe speeds or in a reckless manner.	$y = -0.0059x + 0.5853$
6.	Been loud, rowdy, or unruly in a public place (disorderly conduct).	$y = -0.0349x + 0.5053$
White-Collar Offences		
1.	Intentionally misreported income information on your tax forms.	$y = +0.0188x + 0.0914$
2.	Manipulated financial accounts in an illegal manner.	$y = +0.0052x + 0.0395$
3.	Used privileged information in making investment decisions.	$y = +0.0004x + 0.0379$
4.	Forged another person's signature on an official document, prescription, or bank cheque.	$y = +0.0029x + 0.1899$
5.	Invented or altered research data.	$y = +0.0042x + 0.0371$
6.	Broken into another computer (hacked).	$y = +0.0005x + 0.0565$

Table 4. Slope and y -intercept values of petty and white-collar offences

Note. Y -intercept indicates the percentage of the sample predicted to report an offence at an IQ of 100.

Table 4 indicates that, under a model that optimizes the data in a straight line, at an IQ of 100 (the y -axis), approximately 15.73% of the sample would report illegal gambling, and that for each 10-point unit of IQ increase, the percentage of subjects reporting illegal gambling would be expected to decrease by .12%. This is an almost flat slope, but the rate of decrease is greater for other petty offences. For example, for disorderly conduct, prevalence rates fall from 50.53% at an IQ of 100 by 3.49% per 10-point IQ increase. All six of the petty offences are described by an inverse relationship, as would be predicted by low-IQ models of crime.

For the white-collar offences, however, all of the slopes are positive: as IQ increases, so do prevalence rates. Some of these relationships are very weak – insider trading and hacking are almost flat lines (prevalence increases by only .04% and .05% per 10-point IQ gain, respectively). For tax fraud, however, the relationship between IQ and prevalence is more robust: for each 10-point gain in IQ, prevalence increases by 1.88%.

6 Discussion

The data are noteworthy in their own right. It is remarkable, for example, that prevalence and incidence rates are higher for high-IQ index respondents for half of the petty offences and all of the white-collar offences. It is intriguing that a negative relationship exists between IQ and prevalence rates for all six petty offences, and that a positive relationship exists for all six white-collar offences. The data, however, are also epistemologically important, as they reveal the fundamental importance of research access. If, for example, criminologists cannot negotiate research access to individuals who possess the opportunity, ability, and means to engage in white-collar offending, they might settle for measuring the self-reported offending of delinquents (e.g. Short & Nye, 1957). Working with such a population, these criminologists might (very reasonably) choose to measure petty offences. After all, most adolescents do not have the opportunity to engage in tax fraud and insider trading. Accordingly, these criminologists might, as in the current study, identify an inverse relationship between IQ and prevalence rates. However, if those same criminologists were able to negotiate research access to adults who enjoy wealth, power, and privilege, they might ask about different types of offending. They might, as in the current study, uncover a positive relationship between IQ and prevalence rates, drawing different conclusions about the linkages between intelligence and crime.

Even the most enthusiastic supporters of a link between crime and low IQ will agree that some offenders will be found to have high IQ scores. This is likely to be the case when we move away from street crimes to organized crime and corporate crime, both of which require considerable skills, of the kind likely to be associated with high verbal scores. Unfortunately, there appear to be no studies of intelligence within these two crime categories; as usual, research is largely confined to young offenders apprehended for street crimes (Feldman, 1993, p. 156).

Although the index participants from the current study were members of the cognitive elite, not all of them were genuine elites, in the sense that the word is often used. True, they were very educated (nearly 75% had a college degree and approximately 50% had one or more graduate degrees), they earned more money than controls, and they had more prestigious work than controls (Oleson, 2016a), but only a handful could be understood as belonging to the circles of the “power elite” (Mills, 1956). Many of the index participants were students (who, despite studying at selective universities, had not yet embarked upon their careers) or retired persons (who had often performed high-status work, but had concluded their careers). “[T]he study did not include a sample of high-IQ professionals who were not part of high-IQ societies. Thus, the study might reveal more about people who join high-IQ societies rather than provide a representative sample of all people with genius-level IQs” (Oleson, 2016a, p. 234). Therefore, it must be acknowledged that the study employed cognitive elites in lieu of true elites, and that the self-report data therefore likely diverge from what those with real wealth, power, status (and opportunity) might report.

The current study is also subject to other serious limitations. For example, even though self-report research, as a methodology, enjoys robust measures of validity and reliability (Junger-Tas & Marshall, 1999), even in terms of corroborating self-reported arrests (Pollock, Menard, Elliott, & Huizinga, 2015), the current research relied *entirely* upon self-reporting, without reference to an external criterion such as arrest records and without assessment of test-retest or split-half reliabilities. This means that offences were self-reported, but so were IQ and other demographic variables. The data must be understood in this light.

The study also relied, in part, upon imputed IQ scores. “[B]ecause many participants did not know their IQ, scores were imputed (on the basis of *g*-loaded achievement test scores, educational achievement, or occupation). Imputed scores were founded upon reliable data, but they operate only as estimates” (Oleson, 2016a, p. 235, citations omitted). There were a number of other weaknesses or limitations associated with the current research: 12 different methodological limitations are enumerated in Oleson (2016a).

But the core finding stands: in order to understand the crimes of the powerful (Simon, 2011), criminologists must study the powerful. They must forego their myopic focus on delinquency and street crime. They must study up (Nader, 1972). Although criminologists can learn about white-collar crime from the study of secondary data on prosecuted cases, they should – when and where they can – attempt to negotiate access into rarefied social circles that most people will never see. Participant observation, interviews, and survey research with elite offenders are criminological encounters that will confer an extraordinary perspective to the successful researcher.

Of course, studying individuals with power and privilege can be challenging (Ostrander, 1995). In research involving elites, researchers lack the advantages of education, wealth, class, and influence that they typically enjoy. The research setting is more likely to be a meeting of relative equals, or even one in which the researcher is cast in the role of subordinate. Trying to research elites is difficult, and trying to study criminal behaviour is difficult, but trying to study the criminal behaviour of elites presents an immense challenge. After all, there is little advantage for such individuals in participating in criminological research, and – potentially – much to be lost. Research of this kind, however, is tremendously important. Although self-report questionnaires administered to individuals are unlikely to capture all forms of corporate and state crime, they have the potential to further problematize the dark figure of crime. For example, many criminologists treat the IQ-crime relationship as if it is simple, linear, and inverse, yet the reality appears to be much more complicated. First, the relationship appears to be curvilinear, with sharp declines in crime at both ends of the IQ distribution (Mears & Cochran, 2013; Schwartz et al., 2015). Second, the often-noted 8-to-10 point IQ deficit of offenders obfuscates important IQ differences among offenders, where offenders differ from non-offenders by only about one IQ point, while serious persistent offenders differ from non-offenders by 17 points (Moffitt, Caspi, Silva, & Stouthamer-Loeber, 1995). And third, as noted in this study, the IQ-crime relationship varies by offence type. For petty crimes, the inverse relationship described in the criminological literature was replicated, but for white-collar crimes, the relationship between IQ and prevalence rates was positive.

7 Conclusion

Criminologists, like most other social scientists, study vulnerable populations: young people, prisoners, and the poor. Consequently, most of what criminologists know about crime has been derived from their knowledge of adolescents, the failures of the criminal world, and those who lack sufficient resources to effectively block the scientist's gaze. But it is possible for criminologists to engage in a different kind of criminological encounter. Instead of studying down, the criminologist can attempt to "study up" (Nader, 1972), employing people with education, wealth, and power as the focus of study. Admittedly, it can be difficult – perhaps even impossible – for researchers to negotiate research access to these rarefied populations (Gagné, 2004). After all, even if the powerful can be contacted as a preliminary step, there is little incentive for them to participate in social research – especially in research on a topic that involves behaviour that, by definition, is against the law and subject to criminal prosecution; rather, for individuals with a stake in conventional behaviour, there is much to be lost. Furthermore, even if the researcher can persuade these individuals of the merits of the research, he/she must also persuade them that he/she can be trusted:

If one is effectively to study law-breaking deviants as they engage in their deviance in its natural setting, i.e. outside of jail, he must make the moral decision that in some ways he will break the law himself. He need not be a 'participant observer' and commit the deviant acts under study, yet he has to witness such acts or be taken into confidence about them and not blow the whistle. That is, the investigator has to decide that when necessary he will 'obstruct justice' or be an 'accessory' before or after the fact, in the full legal sense of those terms. He will not be enabled to discern some vital aspects of criminally deviant behavior and the structure of law-breaking subcultures unless he makes such a moral decision, makes the deviants believe him, and moreover convinces them of his ability to act in accord with his decision. The last-mentioned point can perhaps be neglected with juvenile delinquents, for they know that a professional studying them is almost always exempt from police pressure to inform; but adult criminals have no such assurance, and hence are concerned not only with the investigator's intentions but with his sheer ability to remain a 'stand-up guy' under police questioning (Polsky, 1967, p. 138).

The negotiation of research access can be difficult within criminology, and researchers who pursue this form of criminological encounter must think about the danger of fieldwork (Lee, 1995), about ethical dilemmas (Israel & Hay, 2011; Worley et al., 2016), and about legal liability (Oleson, 1999; Teitelbaum, 1983). For a variety of reasons, many criminologists will decide against this approach, but for criminologists who are motivated to study the crimes of the powerful and who can negotiate research access, it is possible to glimpse dimensions of the dark figure of crime that are normally invisible. The current study used a self-report instrument, administered to cognitive elites and controls, in order to examine whether an IQ deficit in offenders persists when white-collar crimes – rather than petty offences – are measured. Although these findings are provisional, the study replicated the low IQ-crime relationship when it examined petty crimes, but found the opposite – a positive association between IQ and offence prevalence – when it examined white-collar crimes.

These findings have the potential to challenge stereotypes and assumptions about "the criminal type" (Sarbin, 1969). The criminal is all too often understood to be synonymous with the prisoner, which – at least in the United States – translates to signify, male, Black, and poor (Oleson, 2016b; Wacquant, 2009). The criminal also has a below-average IQ (Herrnstein & Murray, 1994; Wilson & Herrnstein, 1985). However, if offenders are understood to be a heterogeneous class, consisting of white-collar offenders as well as property offenders, sex offenders, and violent offenders, then the qualities associated with "the criminal" might expand correspondingly, and "the criminal" might be recognized as potentially having an above-average IQ; as enjoying the socio-economic status of education, income, and occupation; and as being white. They might look like bankers, politicians, and corporate elites. The findings from the current research underscore the acute need for criminological scholarship that studies up, with new questions and new populations, seeking to shed additional light on the dark figure of crime.

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