



CANDICE FIELDS, WHITE-COLLAR CRIMINAL DEFENSE

In a career that spans more than two decades, Candice Fields has gone from working civil cases for the U.S. Attorney's Office to opening her own firm where she represents high-profile clients, such as the trustees and faculty of a California State University, in criminal defense and business litigation.

What is white-collar crime?

The most common white-collar crimes are various types of fraud, embezzlement, tax evasion and money laundering. The term "white-collar crime" can describe a wide variety of infractions, but they all typically involve financially motivated, nonviolent crimes committed by (often misguided) business and government professionals.

What are some white-collar crimes that stand out?

The Enron collapse, the Bernie Madoff Ponzi scheme, and the Jack Abramoff lobbying scandal all involved white-collar crimes that received national attention. Mortgage fraud, investment fraud, Ponzi schemes, farm subsidy abuse and tax fraud in the agricultural and farming sector are particularly common in our region. Computer hacking and intellectual property investigations will likely be on the rise as well.

It's the perception that people convicted of white-collar crimes do their time in cushy "Club Fed" facilities. Myth or reality?

On the federal side, most white-collar defendants whose sentences include time are housed in Federal Prison Camps. These are minimum-security facilities that have dormitory housing, a relatively low staff-to-inmate ratio and limited or no perimeter fencing. Inmates generally feel safe. However, for people who have otherwise been law-abiding good citizens their entire lives, serving time is no picnic. There is a forced routine, strenuous work, noise and tedium. If convicted of state white-collar crimes, time must be served in either county jail or state prison. That can be a lot worse.

There was a spike in mortgage fraud cases in our region during the recession. Is there a change in this trend?

Our region suffered some of the worst effects of the mortgage-related financial crisis in the country. Mortgage fraud enforcement efforts really took off in 2007 and 2008. Many borrower/lender cases have recently gone or are about to go to trial. More recent "foreclosure rescue" and "loan modification" investigations are still pending. So, while the types of allegations have changed over time, I don't see the effort to prosecute subsiding.