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## Prosecutorial Discretion and White Collar Crime



Prosecutorial discretion is the power prosecutors have to decide whether to bring criminal charges, who to charge, what crimes to charge, and how to resolve the case. There are limited resources available to investigate alleged crimes and pursue criminal charges. Essentially, prosecutors decide which cases are worth pursuing.

At the national level, decisions are made about how to best use the finite prosecutorial resources. As

leadership changes, the priorities on what types of crimes to most vehemently pursue shift. When one area, such as terrorism, is prioritized, then another area, such as health care fraud, may not receive as much attention from the justice department.

***Prosecutorial discretion is particularly important when it comes to white collar crime.***

At the local level, it is up to the prosecutors to decide whether or not to pursue criminal charges. Prosecutorial discretion is particularly important when it comes to white collar crime because such crimes are not as clearly defined in the laws as other types of crimes. For example, what constitutes homicide is clearly defined by law. When police find a victim who has been shot, and they can identify who did it, that person will very likely be charged with homicide. On the other hand, what activity constitutes fraud is not always so black and white.

White collar crime statutes are purposely written broadly by the legislature. This means prosecutorial discretion is particularly important, because the prosecutors often must determine what activity is a crime and then decide if it should be prosecuted.

Consider this: if a hedge fund, known to be a risky investment, fails and the investors who lost their money claimed they were misled about the investment, did fraud occur? Did the fund manager use aggressive sales tactics and then mismanage the funds, or did she commit fraud?

If you have been charged with fraud, or any other white collar crime, we strongly urge you to seek the assistance of an attorney experienced in white collar criminal defense. Mounting a strong defense is critical to obtaining the best possible outcome in your case.

### ***Hire A Former Prosecutor to Defend You***

[Ashley D. Adams](#) is a former fraud prosecutor with the United States Attorney's Office. She understands how prosecutors operate, and the best tactics to use to get white collar criminal charges dropped or dropped to lesser charges. Given her prior work, she also has a longstanding and positive relationship with the U.S. Attorney's Office, the Attorney General's Office, and the Department of Justice. Put Ashley D. Adam's experience to work for you.

[Contact](#) Ashley D. Adams, PLC for a case evaluation. Have your questions answered and obtain the peace of mind that comes from having a [former Assistant U.S. Attorney](#) on your side.

## **Crush's Corner**



Crush is one of our pets, and is an African Sulcata. His lifespan could be anywhere from 50-125 years, and he could grow to be over 100 pounds. He is very social, and sometimes acts naughty, and sneaks in the house. He loves any type of vegetable, especially squash, and likes football a lot. We sometimes paint him our favorite team colors during football season. Crush got lost one time, and we were able to find him at the Herpetological Society because his feet were still painted.

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