(Continued)

Despite this awareness, General Motors did not recall 2.6 million affected vehicles for nearly two years.

These cases illustrate that a corporation may be held liable for **corporate murder** in those cases in which conduct is performed or approved by corporate managers or officials. Of course, individual managers and executives may also be held criminally responsible. The extension of criminal responsibility to corporations is based on an interpretation of the term *person* in homicide statutes to encompass both natural persons and corporate entities. Other states have homicide statutes that extend liability for murder to corporations. In Illinois, a corporation is criminally responsible for offenses "authorized, requested, commanded, or performed by the board of directors or by a high managerial agent acting within the scope of his employment." A corporation "is responsible whenever any of its high managerial agents possess the requisite mental state and is responsible for a criminal offense while acting within the scope of its employment."

A corporation clearly cannot be incarcerated and, instead, is punished by the imposition of a fine. It is reasoned that the threat of a fine will motivate corporate officials and individuals owning stock in the firm to ensure that the corporation follows the law. On the other hand, some would argue that criminal responsibility is properly limited to the individuals who commit the crimes. A fine on a business hurts only the workers and stockholders who depend on strong corporate profits and creates a poor business climate that leads corporations to move their factories to other countries.

Ask yourself whether it serves any purpose to hold the corporation liable or whether responsibility should be limited to corporate officials.