
DOJ Criminal Division Updates Guidance on Evaluating Corporate Compliance Programs

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On April 30, 2019, the Criminal Division of the United States Department of Justice (the “Criminal Division”) released updated guidance, entitled “The Evaluation of Corporate Compliance Programs,” for federal prosecutors to use when evaluating corporate compliance programs “for purposes of determining the appropriate (i) form of any resolution or prosecution; (ii) monetary penalty, if any; and (iii) compliance obligations contained in any corporate criminal resolution (e.g., monitorship or reporting obligations).” The guidance, which updates the Criminal Division’s Fraud Section guidance issued in February 2017, attempts to better harmonize the Criminal Division’s guidance with the DOJ’s other guidelines and standards. The updated guidance was compiled with input from across the Criminal Division, including the Office of the Assistant Attorney General, the Fraud Section, and the Money Laundering and Asset Recovery Section.

Attached is the memorandum discussing the updated guidance.

Attorneys

- Helene R. Banks
- Brockton B. Bosson
- Charles A. Gilman
- Geoffrey E. Liebmann
- Peter Mazzone