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Department of Justice enhances policy on voluntary self-disclosure

By Jeffrey M. Kaplan, JD

On February 22, 2023, the U.S. Department of Justice (DOJ) issued a policy to incentivize voluntary self-disclosures.^[1]

Under this policy, for a company to receive credit for a voluntary self-disclosure, the disclosure must:

- Be truly voluntary.
- Be timely.
- Be complete.

Absent the presence of an aggravating factor, U.S. Attorneys' Offices (USAO) will not seek a guilty plea where a company has (a) voluntarily self-disclosed in accordance with the criteria set forth above, (b) fully cooperated, and (c) timely and appropriately remediated the criminal conduct.

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