

## New DOJ FCPA Enforcement Policy Raises Difficult Questions For Companies Considering Voluntary Disclosures

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This *New York Law Journal* article by Jay Holtmeier, Erin Sloane and Jeff Habenicht highlights a few of the uncertainties and potential pitfalls that may await a company deciding whether to take the significant step of voluntarily disclosing criminal conduct to prosecutors.

**Excerpt:** On one hand, the new presumption of declination offers companies hope they can avoid damaging criminal proceedings. On the other hand, the Policy contains ambiguities and pitfalls that create uncertainty about whether the DOJ will actually exercise its discretion and grant a declination under various circumstances. Furthermore, even if a declination is granted under the Policy, a company can still face significant financial consequences and a public airing of its misdeeds. These concerns must be carefully analyzed by FCPA practitioners and their clients. [Read the full article.](#)

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