

## American Bar Association Section of International Law 2019 Annual Conference

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Washington, DC

Michael Satin will present at the American Bar Association Section of International Law 2019 Annual Conference in Washington, DC, on April 10, 2019. Satin will moderate the panel, "Corporate Requirement or Getting Thrown Under the Bus? The Prosecution of Individuals in the Anti-Corruption Boom." Miller & Chevalier attorneys Marc Alain Bohn\* and Ann Sultan are co-chairs of this panel.

Corporate anti-corruption settlements make headlines with their large dollar amounts, but what about individual employees who are targeted by enforcement bodies? Recent corporate enforcement actions have resulted in the prosecution of hundreds of people for corruption-related offenses. For instance, Brazil alone has criminally indicted more than 280 individuals to date in the long-running Operation Car Wash scandal. In the U.S., where authorities prioritize the prosecution of individuals, the DOJ has policies in place requiring cooperating corporations to identify all individuals "substantially involved" in or responsible for corporate misconduct. And in the last two years alone, the DOJ has charged more than 30 individuals and secured 19 convictions in connection with FCPA-related offenses. Do these prosecutions signal a new level of anti-corruption enforcement against individuals? What obligations, if any, do companies have to personnel implicated in corporate investigations? How should lawyers go about representing individuals targeted or charged with corruption-related offenses, particularly in the context of parallel corporate investigations in which an individual's company might be cooperating with enforcement authorities? Few individuals in the U.S. contest the charges against them, why not? And what does anti-corruption enforcement against individuals look like in other jurisdictions abroad?

*\*Former Miller & Chevalier attorney*