

John Davis Comments on the Array of Tools Used in Proactive Investigations in Anti-Corruption Report

"2021 Year in Review: Proactive Investigations"

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John Davis commented on the variety of resources – not necessarily available for public scrutiny – used by the U.S. Department of Justice (DOJ) and the U.S. Securities and Exchange Commission (SEC), among other agencies, to proactively investigate companies. "The DOJ uses multiple sources of information to conduct investigations into potential corrupt activities by companies and individuals, including the array of tools used for other criminal investigations (*e.g.*, wiretaps, grand jury activities), as well as cooperation with enforcement authorities in other countries (through bilateral and multilateral mutual legal assistance agreements)," Davis said. Newly dedicated FBI resources recently noted by Deputy Attorney General Lisa Monaco may increase these abilities going forward, he suggested. "Companies should be aware that the DOJ and other U.S. agencies, as well as enforcement authorities in other countries, will be using various sources of information – both public and non-public – to detect potentially corrupt activities," Davis said. "When combined with regulatory requirements, increased financial incentives, and other economic conditions conducive to the reporting of suspicious activities by company employees and third parties (such as banks, audit firms, and law firms), this agency investigation work makes it more likely that potentially improper actions by companies will be detected one way or another."