

Sergio Acosta Discusses Impact of DOJ's Policy Shift to Pursue Individual Accountability for Corporate Wrongdoing

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Sergio E. Acosta, the Chicago-based leader of the White Collar Crime Practice at Hinshaw & Culbertson LLP, was quoted in the article “Internal Investigations Just Got a Lot More Complicated,” published in *Compliance Week* on September 15, 2015. The article discusses the U.S. Justice Department’s policy shift to pursue individual accountability for corporate wrongdoing and the potential ramifications of that change in tack on internal investigations, self-disclosure, whistleblower programs and related corporate practices.

Comments Mr. Acosta in the article, “On one hand, the employee may lose his job if he doesn’t cooperate with the internal investigation[.] On the other, it may be a situation where they are making incriminating statements that can come back to bite them. Any attorney who is conducting an internal investigation needs to tell the employee that they are not his lawyer, that there is no attorney-client privilege between them, and what that employee tells the investigator is something the company can always choose to share with law enforcement.”

Mr. Acosta is an experienced criminal litigator and investigator. He has represented companies, government entities and individuals in matters involving the FCPA, complex financial fraud, criminal tax violations, export regulations and criminal forfeiture. His practice also encompasses corporate governance, corporate internal investigations, regulatory enforcement, commercial litigation and gaming law.

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