

# The Department of Justice Codifies Focus on Individuals in Corporate Cases

September 11, 2015 | Client Update

Yesterday, Deputy Attorney General Sally Quillian Yates gave a [speech concerning](#) the Department of Justice's [guidance memorandum](#) issued on September 9, 2015 that further underscores DOJ's focus on investigating and prosecuting individuals for their role in corporate misconduct. The memorandum (the "Yates Memo") applies to both criminal and civil enforcement matters and provides six policy initiatives aimed at strengthening the DOJ's pursuit of individuals "involved in or responsible for" corporate wrongdoing. In her speech, Ms. Yates emphasized that the DOJ's policy will now require that companies provide all relevant facts about all individuals involved in or responsible for the corporate misconduct in order to receive "any cooperation credit" (emphasis in Yates Memo).

In many respects, the announced policies (described in the attached update) are not new, as DOJ officials have previously noted their interest and intention to prosecute individuals responsible for corporate misconduct and have targeted their efforts accordingly. Instead, the Yates Memo serves as a directive to DOJ lawyers to remain focused on individual actors in corporate investigations. The policies outlined in the Yates Memo will apply to all future investigations of corporate wrongdoing, as well as to all matters pending as of September 9, 2015, "to the extent it is practicable to do so."

If you have any questions regarding the matters covered in this publication, please reach out to any of the lawyers listed below or your usual Davis Polk contact.

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