

Christos Papapetrou Talks With Law.com: 'White-Collar: Compliance Hot Spots'

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Haynes Boone Partner [Christos Papapetrou](#) was quoted in a *Law.com Compliance Hot Spots* newsletter article discussing the Justice Department's new white-collar agenda and how it may impact companies.

Below is an excerpt of the article:

Deputy Attorney General Lisa Monaco previewed the Justice Department's white-collar agenda in a speech last week that signaled that predictions about tough corporate enforcement under the Biden administration may be starting to come to fruition.

In the white-collar defense bar, lawyers are mostly waiting to see how prosecutors apply the policy changes, wary of potential unintended consequences.

"I think we're all in a little bit of a wait and see spot right now—lawyers, in-house counsel, big entities—I think everyone's in a little bit of a wait and see about what's going to happen in the next few months and what do these kinds of policy changes look like in practice?" said Christos Papapetrou, a white-collar partner at Haynes Boone.

Some defense attorneys also expressed worries about the new policies infringing on prosecutorial discretion, if prosecutors feel they can no longer offer pretrial diversions as an option if a company has a certain number of violations in its background.

But Monaco, in her speech last week, emphasized that probationary agreements are not a "free pass" and that companies that breach their terms need to be held accountable. She also repeatedly emphasized that companies need to instill a culture of compliance, noting that a "corporate culture that fails to hold individuals accountable, or fails to invest in compliance—or worse, that thumbs its nose at compliance—leads to bad results."

That message has come through clearly in the defense bar, where lawyers are already emphasizing the need for companies to incorporate DOJ's new policies in their internal investigations, including exploring their own broad range of past violations.

"I think, even if you think your corporate compliance protocols are top-notch, you're speaking to outside counsel right now and to your board and you're saying, 'OK, what can we do so that when we inevitably, especially in a regulated industry, have the SEC or DOJ come calling we could say 'look we took to heart the message,'" Papapetrou said.

To read the full article, click [here](#).