

# CLIENT ALERTS

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## Environmental – More Environmental Cases are Going Criminal: How to Protect and Prepare – The Value of Audits and Compliance Programs

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In this issue:

More Environmental Cases are Going Criminal: How to Protect and Prepare – The Value of Audits and Compliance Programs

Those operating in industries highly regulated by federal, state, and local environmental protection agencies have seen an increase in the number of violations being escalated from administrative notices of violations and fines, or even civil penalties, to criminal prosecutions. Criminal prosecutions can cost companies substantial financial penalties – sometimes millions of dollars in fines alone – plus probation oversight for several years, along with major capital improvements to bring facilities back into compliance. This is in addition to the possibility of being disqualified from bidding on government contracts. With the added potential for loss of liberty, the stakes are even higher for executives and employees. This trend toward criminal prosecution for violations that have traditionally been treated through the administrative process or civilly, especially for companies just trying to do the right thing while keeping their doors open for business is disturbing.

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