

Insights



Evelyn Sheehan and Jason Short on the DOJ's Growing Reach Into Latin America

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The U.S. Department of Justice (DOJ) has enforced the Foreign Corrupt Practices Act (FCPA) at a record pace last year, building on a trend of the agency extending their reach extraterritorially, particularly over jurisdictions in Latin America. Kobre & Kim's Evelyn Sheehan and Jason Short explain the DOJ's expanding reach and provide some advice for private client professionals to navigate this landscape in an article for the *Anti-Corruption Report*.

The DOJ has expanded a network of cooperation with local authorities in Latin America, pursuing corruption, money laundering and other illicit activities in the region against corporations and individuals. Notably, money-laundering charges, a more powerful charge that opens doors to civil forfeiture, has served as a complement to FCPA charges that allows the DOJ to charge more foreign actors and kleptocrats and seize more assets.

However, though the FCPA is written expansively, courts have recently limited its reach, most prominently in *United States v. Hoskins*. Still, it remains uncertain whether the DOJ will change its approach in light of the case. Professionals in fields such as private client wealth management should engage with experienced law firms and pursue proactive measures to identify their vulnerabilities and mitigate investigatory risks.

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