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ARTICLE

Criticism of DPAs and NPAs Is Unwarranted

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The US Department of Justice has been criticized for its recent use of deferred-prosecution agreements (DPAs) and nonprosecution agreements (NPAs), with detractors claiming these "middle-ground" approaches to corporate crime have no deterrent effect. This article discusses the reasons to maintain DPAs and NPAs, as not only are critics frequently uninformed about the severity of the criminal conduct, but DPAs and NPAs often lead to the cooperation necessary to prosecute those most culpable, along with financial sanctions and the right to reprosecute should the conspirators re-offend.

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