

## Criticism of DPAs and NPAs Is Unwarranted

**Published in Law360**

September 25, 2012

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 re prosecute should the conspirators re-offend.

---

### CONTACTS

For more information, contact your Katten attorney or any of the following attorneys.



**Michael M. Rosensaft**

+1.212.940.6631

[michael.rosensaft@katten.com](mailto:michael.rosensaft@katten.com)

Attorney advertising. Published as a source of information only. The material contained herein is not to be construed as legal advice or opinion.

©2025 Katten Muchin Rosenman LLP.

All rights reserved. Katten refers to Katten Muchin Rosenman LLP and the affiliated partnership as explained at [katten.com/disclaimer](https://katten.com/disclaimer).