



# Federal Sentencing Guidelines (§8B2)

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The two factors that mitigate the ultimate punishment of an organization are: (i) the existence of an effective compliance and ethics program; and (ii) self-reporting cooperation, or acceptance of responsibility. (§8)

- Applies to public, private and non-profit organizations
- Articulates the seven minimum requirements for a compliance and ethics program to be considered effective (for the purposes of evaluating culpability and fines) (§8B2)
- Effective 1 November 1991--amended effective 1 November 2004. Key in the 2004 amendment is the switch in responsibility for overseeing adherence to compliance and ethics programs from staff supervisors to board members

# Federal Sentencing Guidelines Compliance

**J Elliott**



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