

Remediation Still Reigns Despite DOJ's White Collar Shake-Up

by Jonny Frank, Michele Edwards and Chris Hoyle

In May 2025, the U.S. Department of Justice announced sweeping changes to its white-collar enforcement approach—introducing incentives for self-disclosure and narrowing the use of compliance monitors. Yet amid this pivot, one expectation remains firmly in place: timely and appropriate remediation.

Whether a company seeks a declination, a non-prosecution agreement, or simply to avoid a costly monitor, DOJ policy continues to stress that remediation is the cornerstone of resolution eligibility. [Read our full insight, summarized below, on our website.](#)

A New Era of Enforcement, A Familiar Expectation

DOJ's guidance makes it clear: companies must earn leniency by acting swiftly and credibly to identify, address and prevent misconduct.



Jonny Frank
Partner, StoneTurn
jfrank@stoneturn.com
+1 212 430 3434



Michele Edwards
Partner, StoneTurn
medwards@stoneturn.com
+1 312 775 1221



Chris Hoyle
Partner, StoneTurn
choyle@stoneturn.com
+1 617 570 3777

The bar for remediation has not moved—it has only been clarified.

To qualify under the revised Corporate Enforcement Policy (CEP), organizations must show:

- A thorough root cause analysis addressing not just symptoms but systemic failures;
- An effective, tested ethics and compliance program, tailored to the company's risk profile;
- Discipline for both direct and indirect wrongdoers;
- A robust framework for business record retention, especially personal messaging applications;
- Additional steps that demonstrate genuine cultural change and a commitment to integrity.

From Root Cause to Resolution

Remediation starts with a credible, independent root cause analysis (RCA). DOJ expects this process to go beyond surface-level explanations and probe into organizational culture, risk blind spots, and control breakdowns. Using frameworks such as the COSO model, Cressey's Fraud Triangle, or the Five Whys, organizations must draw a direct line between the issue, its origins, and the corrective actions taken.

Testing What's in Place

It's not enough to stand up a new compliance program; it must be in place and independently tested by the time DOJ comes calling. Prosecutors are specifically instructed to look at whether the company's own testing obviates the need for a monitor. As part of that effort, companies should develop clear testing criteria, collect objective evidence, and consider third-party validation. Leadership signoff—such as a CEO or CCO certification—further demonstrates accountability.

Accountability in Action

A consistent disciplinary framework, modeled on federal sentencing guidelines, signals that ethics violations carry real consequences—regardless of rank. Likewise, implementing controls over business communications, especially personal devices and chat apps, has become table stakes following recent SEC and DOJ enforcement sweeps. And finally, companies should be ready to show the DOJ how they've gone above and beyond: from board-level engagement to companywide messaging campaigns, these "good deeds" offer powerful evidence of cultural shift.

The Bottom Line

While the DOJ may have adjusted its tone, remediation remains the nonnegotiable entry point to favorable outcomes. Organizations must act early, act thoroughly, and act credibly. That means confronting the full scope of misconduct, implementing sustainable controls, and independently verifying results—before prosecutors ever knock on the door. StoneTurn helps companies navigate these moments with objectivity, rigor and urgency—[read more in Law360](#). 

About the Authors

Jonny Frank brings over 40 years of public and private sector and law and business school teaching experience in forensic investigations, compliance, and risk management. He helps organizations and counsel remediate misconduct and address regulatory findings.

Michele Edwards has more than 25 years of combined experience in fraud and compliance risk management, compliance

and monitoring and auditing. She specializes in assessing, implementing and remediating antifraud and compliance programs, including as part of corporate compliance monitorships. She also has extensive experience conducting fraud risk assessments, fraud and compliance training, fraud detection and forensic investigations.

Chris Hoyle has more than 15 years of professional experience as an accountant and risk and remediation expert. He specializes in independent monitor engagements, forensic investigations and dispute consulting matters.

Nathan Gibson, a Manager at StoneTurn, contributed to this article.

Leaving no stone unturned. StoneTurn, a global professional services firm, works with law firms, corporations, and government agencies in solving the most complex and consequential business issues. StoneTurn has earned the trust of clients and regulators worldwide by deploying multidisciplinary teams of industry leaders to provide unique expertise with forensics and investigations, risk and compliance, data and technology, economic and dispute advisory, and strategic business consulting. Founded in 2004, StoneTurn operates from offices across five continents and is widely lauded for its commitment to collaboration, integrity, and independence.

[StoneTurn.com](https://www.stoneturn.com)