
Study performed by Ethics and Compliance Officer Association (ECOA), Ethics Resource Center (ERC), and The Society of Corporate Compliance and Ethics (SCCE)
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Objective

The ECOA, ERC, and SCCE performed this survey to explore the relationship between ethics and compliance programs and enforcement information provided by the Department of Justice. They stressed the use of the information given to ethics and compliance programs that were in prosecution as well as settlement decisions.

Methods

Two separate studies, both with similar questions, were distributed, with the ERC and SCCE in charge of one, and the ECOA handling the other. The studies were completed by the participants between October 28 and November 20, 2010 and yielded 1,223 responses. 52% of these respondents held the title of Chief Ethics and Compliance Officer or a similar title within their organization.

Key Findings

- 87% of the Chief Ethics and Compliance Officers personally provided ethics and compliance updates to top leadership
- Respondents identified four types of information that they believe the Department of Justice should make public
  - General statistics on the consideration given ethics and compliance programs in enforcement decisions
o Descriptions (without identifying information) of individual cases in which ethics and compliance programs were a mitigating factor in enforcement decisions

o Information about what specific aspects of an ethics and compliance program factored into enforcement decisions

o Information about the benefits of an effective ethics and compliance program, such as helping avert a decision to prosecute or avoidance of other sanctions such as the appointment of a monitor

Conclusion

The respondents to this study believe that ethics and compliance groups would be more effective if the Department of Justice would release more information on their stances regarding current issues.

http://www.ethics.org/files/u5/FinalDOJ.pdf