

# **The United States Attorney's Office for the Southern District of Florida's Whistleblower Non-Prosecution Pilot Program Frequently Asked Questions (FAQs)**

**Is it an option for individuals to provide information anonymously?**

To determine whether an individual who discloses information regarding criminal conduct qualifies for a non-prosecution agreement, the U.S. Attorney's Office for the Southern District of Florida (USAO-SDFL) will need to know the individual's identity.

**What protections are initially available for individuals who disclose information to the USAO-SDFL regarding criminal conduct?**

If the USAO-SDFL determines the office requires more information than what has been disclosed in order to investigate or institute a matter, it is possible that the individual, and/or his/her counsel, will be asked to meet with representatives from USAO-SDFL pursuant to a proffer agreement.

**If I represent a client who has information about criminal wrongdoing at a company, and the company's counsel is currently investigating that wrongdoing, does my client need to report that information to the USAO-SDFL before any report is made by company counsel to qualify for whistleblower protection?**

No. Individuals who have information regarding criminal wrongdoing at a company will not necessarily be disqualified for consideration under the USAO-SDFL's Whistleblower Program if company counsel reports the information first. The individual could possibly qualify under the discretionary considerations listed in the office's Whistleblower Program policy. So, the individual should disclose the wrongdoing as early as possible.

**I have information that may relate to a crime that occurred outside of the Southern District of Florida. Would I still be eligible for whistleblower protection?**

Possibly. Members of the USAO-SDFL will assess information provided by individuals to determine whether venue lies in (there is a connection to) the Southern District of Florida.

**How does the USAO-SDFL's Whistleblower Program interact with other agency whistleblower programs?**

It is not uncommon for individuals to report a crime to another agency's whistleblower program, in addition to the USAO-SDFL's program. Participation in another agency's whistleblower program is generally not a bar to participation in the USAO-SDFL program.