August 2026

DOJ declinations show the value of early voluntary disclosure

US Department of Justice (DOJ) declinations involving Robert Bosch GmbH (Bosch) and Campus Eye Management Holdings LLC (Campus Eye) offer early insight into how prompt voluntary disclosure, cooperation, and remediation may help organizations avoid criminal prosecution.

What you need to know:

- Organizations may need to make disclosure decisions before completing every aspect of an internal investigation.
- Prompt disclosure should be supported by credible fact-finding, full cooperation, and meaningful remediation.
- Organizations should have the resources and protocols to investigate potential misconduct quickly and develop supportable answers under tight timelines.

In our earlier *Insight*,[1] we examined the DOJ's May 2025 memorandum, "Focus, Fairness, and Efficiency in the Fight Against White-Collar Crime,"[2] and revisions to its Corporate Enforcement and Voluntary Self-Disclosure Policy (CEP). We highlighted that the revised policy offered organizations a clearer path to declination when they voluntarily self-disclose, cooperate, and remediate misconduct.

Recent DOJ decisions involving Bosch[3] and Campus Eye and its subsidiary[4] provide early examples of how the policy may operate in practice.

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1 https://www.crai.com/insights-events/publications/new-doj-guidelines-focus-the-fight-against-white-collar-crime/

2 https://www.justice.gov/opa/media/1400141/dl?inline

3 https://www.justice.gov/opa/pr/national-security-division-announces-first-declination-under-department-wide-corporate

4 https://www.justice.gov/opa/pr/fraud-division-resolves-fraud-investigation-eye-care-group-under-new-corporate-enforcement

Recent declinations

According to the DOJ, two non-US Bosch subsidiaries exported more than $70 million in products and software to a foreign company and its affiliates on the US Department of Commerce Entity List without required authorization. While the internal investigation was ongoing, Bosch disclosed the potential violations to the DOJ, preserved and produced relevant evidence, cooperated with the government, and implemented substantial remediation.[5]

Based on Bosch's disclosure, cooperation, remediation, and the absence of aggravating circumstances, the DOJ declined criminal prosecution under its CEP. However, Bosch agreed to disgorge approximately $11.4 million in profits, and the Department of Commerce imposed an approximately $36.2 million civil penalty.

The DOJ also declined to prosecute Campus Eye for alleged healthcare fraud, kickbacks, and bribery, marking the first healthcare company to receive a declination under the new policy. According to the DOJ, Campus Eye voluntarily disclosed the misconduct, cooperated with the investigation, strengthened its compliance program, and agreed to repay approximately $1 million. However, the DOJ separately charged the company's founder and former CEO, demonstrating that a corporate declination does not prevent the government from pursuing individuals believed to be responsible.

From policy to practice

The Bosch and Campus Eye matters reinforce a central theme from our takeaway of the DOJ's 2025 guidance: organizations should be prepared to investigate and make disclosure decisions under tight timelines, potentially before every aspect of an internal investigation is complete, to maximize any potential credit from regulators and avoid criminal prosecution.

Prompt disclosure does not eliminate the need for thorough fact-finding. Organizations should continue developing the factual record, provide relevant information as it emerges, and address the underlying misconduct and related control weaknesses.

Organizations should be prepared to answer five key questions quickly and with supporting evidence:

- What happened?
- Who was involved?
- How much is at stake?
- Was the issue systemic?
- Is the issue resolved?

Answering these questions may require transaction testing, financial analysis, data analytics, document review, interviews, control assessments, and root-cause analysis.

[5] https://www.justice.gov/opa/pr/national-security-division-announces-first-declination-under-department-wide-corporate

When organizations lack the internal resources to investigate and remediate effectively, outside financial and investigative experts can help bring structure, speed, and credibility to the process. They can assist by analyzing transaction data, quantifying potential exposure, tracing funds, identifying anomalies, assessing whether the conduct is isolated or more widespread, and turning complex financial records into a clear, supportable factual narrative. They may also help evaluate whether remediation adequately addresses the financial, accounting, and control weaknesses identified during the investigation.

Bottom line

The Bosch and Campus Eye declinations provide early indications of the DOJ's revised policy in practice. They suggest that organizations may receive meaningful credit by promptly disclosing potential misconduct, cooperating fully, and implementing substantial remediation, even while an internal investigation remains ongoing.

Organizations should have the protocols and resources in place to quickly identify, investigate, escalate, and remediate potential misconduct. The ability to develop credible answers under tight timelines may materially influence whether they face criminal charges or receive the benefits contemplated by the DOJ's revised policy.

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