

**USAO-DC WHISTLEBLOWER NON-
PROSECUTION PILOT PROGRAM**

Intake Form

Effective September 16, 2024

Individuals (including through counsel) seeking to be considered for the USAO-DC Whistleblower Non-Prosecution Pilot Program may use this form to begin the process of disclosing criminal misconduct. *Please note: This USAO-DC Whistleblower Non-Prosecution Pilot Program and this Intake Form are for individuals who are disclosing misconduct in which they had some involvement.*

Identifying Information

Please provide the following information, where applicable. This information will assist in making an initial determination of eligibility. Fields with * are required.

*Name of individual: _____

Name of counsel, if applicable:¹ _____

*Phone number of individual or counsel, if applicable: _____

Name of entity, if applicable: _____

Name of agency, official, or campaign, if applicable: _____

*Brief description of the misconduct: _____

Conditions of Eligibility

Having reviewed the below seven qualifying conditions contained in the Policy, the Individual currently has a reasonable basis to answer *yes* to each of the following:

1. The individual has no reason to believe that the misconduct has previously been made public or is already known to USAO-DC or to any component of DOJ;
2. The individual discloses the criminal conduct voluntarily to USAO-DC and not in response to a government inquiry by any federal law enforcement or regulatory agency on the subject matter of the disclosure, or pursuant to an existing agreement to report misconduct to any federal law enforcement or regulatory agency, and prior to imminent threat of disclosure or government investigation;
3. The individual is able to provide substantial assistance in the investigation and prosecution of one or more equally or more culpable persons, and is prepared to cooperate fully with this Office in the investigation and prosecution of the disclosed conduct and the recovery of any related criminal proceeds;

¹ Individuals reporting misconduct through this pilot program are not required to do so through counsel.

4. The individual truthfully and completely discloses all criminal conduct in which the individual has participated and of which the individual is aware;
5. The individual is not (a) a federal, state, or local, or foreign elected or appointed and confirmed official; (b) an official or agent of a federal, state or local investigative or law enforcement agency; (c) the highest-ranking person within the organization where the misconduct occurred; or (d) the person who, regardless of title, exercises primary control over the operations of the organization where the misconduct occurred;
6. The individual did not lead or originate the illegal activity and has not engaged in the use of force or violence (or threat of violence); any federal or state criminal conduct that involves the use of force or violence (or threat of violence); any federal or state sex offense involving fraud, force, or coercion, or a minor; or any federal or state offense involving terrorism or implicating national security or foreign affairs; and
7. The individual has not been previously convicted of any felony involving fraud or dishonesty; violence or the threat of violence; terrorism or implicating national security; or a sex offense involving fraud, force, coercion, or a minor.

The individual should understand that to receive any non-prosecution agreement under the USAO-DC Whistleblower Non-Prosecution Pilot Program, the individual will be required to forfeit or disgorge any proceeds from their own criminal wrongdoing and pay restitution to victims consistent with the individual's role in the offense.