

JANUARY 19, 2012

WALTER OLSON: **Courts, FCPA, and Runaway Federal Prosecutors.** “Efforts to reform the substance of FCPA are picking up steam in Congress, and that’s all to the good. But equally or more vital to the public liberty is countering the danger of out-of-control federal prosecution, which we’ve seen lately in fields ranging from environmental enforcement to dubious obstruction-of-justice charges. Isn’t it time for Congress to use its oversight powers more vigorously?” We need a private right of action against abusive prosecutors. And — to guard against abusive plea bargains — it should either be non-waivable, or exercisable by third parties. Problem solved!

Posted by Glenn Reynolds at 1:37 pm