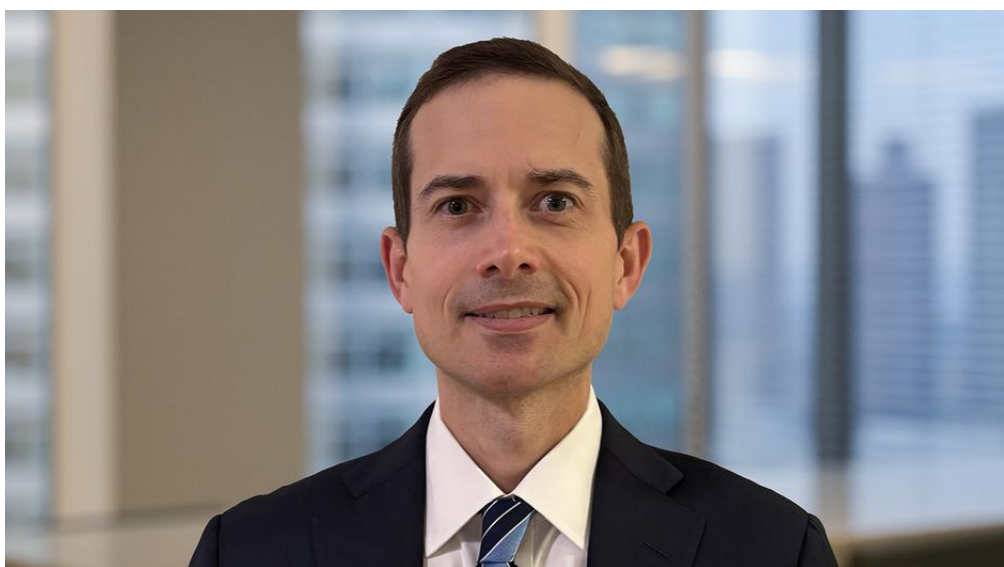


Ex-DOJ official: expect aggressive enforcement in Latin America

Austin Cope

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Companies with potential ties to Latin American cartels should be extra cautious as the Trump administration targets the region, a former DOJ official tells GIR.

In an interview with GIR, George Turner, who left his role as associate deputy attorney general in the DOJ's national security division in January, said the [designation](#) of Latin American cartels as foreign terrorist organisations (FTOs) creates additional risks for corporate criminal and civil liability.

As the Trump administration focuses on alleged Tren de Aragua activity in the region and ramps up political and military pressure on Venezuela's government, corporate enforcement is also likely to increase, said Turner, who [joined](#) Jones Day's white-collar and investigations practice in New York last week.

"I think it is reasonable and prudent for corporate actors to expect aggressive enforcement activity," he said.

Turner spent 11 years at the DOJ, starting as an assistant US attorney

in the Southern District of New York (SDNY) in 2014 and rising to chief of its national security unit in 2020. At SDNY, he guided the office's participation on a [task force](#) targeting sanctions and export control violations in the tech sector. Last year, he helped secure the high-profile [conviction](#) of former Honduras president Juan Orlando Hernandez on international narcotics trafficking and weapons offences.

"The cartels have broad reach in significant areas in Central and South America," Turner said. "So it is incumbent on corporate actors to conduct diligence."

Businesses and individuals that work with the designated FTOs can face criminal and civil liability under the Anti-Terrorism Act, he said. That can allow both the government and US victims to bring cases against companies with alleged cartel ties, including payments and other forms of material support, he added.

Turner echoed [other lawyers' warnings](#) that companies are increasingly at risk of being prosecuted for material support to terrorism as was Lafarge. The French cement company pleaded guilty in 2022 to making payments to terrorist groups in Syria, leading to a [\\$778 million penalty](#) and [civil lawsuits](#) from alleged victims.

"That's the sort of corporate investigation that is now squarely in the crosshairs in Latin America in a way that it was not before because of the cartels," he said.

The new designations also allow US agencies like the Office of Foreign Assets Control and Bureau of Industry and Security to pursue sanctions and export control cases against companies with alleged ties to the designated organisations, Turner said.

Companies in sectors like finance, shipping, energy, mining and telecom should evaluate their permits, facilities, and infrastructure contracts for potential cartel ties, he said. Businesses should also assess the risks of working with certain customers and vendors and expand due diligence beyond traditional anti-money laundering controls.

They should also more broadly track where their money goes, said the former prosecutor.

"If any portion of those funds could be traced, or alleged to be traced, by the government to the now-designated cartels, all of a sudden, you have the beginnings of what would be a governmental investigation, even if liability is an open question," he said.

Companies that can point to enhanced compliance programmes and stronger internal controls will likely fare better during settlement negotiations, he said.

“If they can point to the fact that they took responsible diligence steps... that will only assist in positioning them for the best possible resolution with DOJ at the end of the day,” he said.

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