

White Collar Criminal Defense

October 3, 2019

New York Attorney General's Office Launches First-in-Nation Whistleblower Portal

By **Rachel Maimin** and **Kathleen A. McGee**

The New York Attorney General's Office (NYAG) yesterday announced a first-of-its-kind platform to encourage the submission of whistleblower complaints. This NYAG Whistleblower Portal is the first in the nation to enable fully electronic and confidential submissions of complaints.

The portal is meant to encourage whistleblowers who are concerned about revealing their identities to transmit complaints electronically. The NYAG further made clear that while they welcome all whistleblower complaints, they saw a particular need to encourage complaints in areas and industries where operations are, as the NYAG described them, "opaque." To illustrate their point, the NYAG highlighted their 2018 Virtual Markets Integrity Initiative Report and referred to office investigations into undisclosed data breaches and privacy violations.

The NYAG Whistleblower Platform requires a user to download Tor software, which enables fully anonymous data submissions and private two-way communications between whistleblowers and the office. Once a complaint is filed, a whistleblower is provided a unique code that enables them to reference their particular complaint in ongoing communications.

The NYAG did not disclose whether they will be monitoring or reporting on any potential increase in whistleblower complaints as a result of this new portal. However, given the current political climate, it is certain that other state regulators will be paying close attention to the NYAG whistleblower program.

For questions about whistleblower programs, contact **Rachel Maimin** or **Kathleen A. McGee**.

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