

Table 48

ORGANIZATIONS SENTENCED UNDER CHAPTER EIGHT: CULPABILITY FACTORS¹
(October 1, 1994, through September 30, 1995)

Involvement in or Tolerance of Criminal Activity	Number	Percent
Involvement/Tolerance in an organization of 200+ employees	8	9.9
Involvement in an organization of 50+ employees	4	4.9
Involvement in an organization of ten or more employees	36	44.4
No involvement in an organization of fewer than ten employees	33	40.7
TOTAL	81	100.0

Prior History	Number	Percent
One similar criminal/two similar administrative violations within five years	1	1.2
One similar criminal/two similar administrative violations within ten years	0	0.0
Organization had no prior record	80	98.8
TOTAL	81	100.0

Violation of an Order	Number	Percent
Organization did violate an order	1	1.2
Organization did not violate an order	80	98.8
TOTAL	81	100.0

Obstruction of Justice	Number	Percent
Organization obstructed justice	3	3.7
Organization did not obstruct justice	78	96.3
TOTAL	81	100.0

Effective Program to Prevent and Detect Violations of Law	Number	Percent
Organization did not have an effective program	81	100.0
TOTAL	81	100.0

Self-Reporting, Cooperation, and Acceptance of Responsibility	Number	Percent
Self-reported offense	3	3.7
Cooperated with investigation	50	61.7
Accepted responsibility	18	22.2
Organization did not self-report, cooperate, or accept responsibility	10	12.3
TOTAL	81	100.0

¹Of the 111 cases sentenced pursuant to Chapter Eight, 30 were excluded due to one or both of the following reasons: missing data describing culpability factors (2) or fine guidelines not applicable (28). Descriptions of variables used in this table are provided in Appendix A. A description of Chapter Eight culpability factors can be found in USSG §8C2.5.

SOURCE: U.S. Sentencing Commission, Organizational Defendants, 1995.