

Table 18

OFFENDERS RECEIVING EACH CHAPTER THREE GUIDELINE ADJUSTMENT¹
Fiscal Year 2005, Post-Booker (January 12, 2005, through September 30, 2005)

VICTIM-RELATED	Number	Percent
Vulnerable Victim (§3A1.1)		
Vulnerable victim involved	188	0.4
No vulnerable victim involved	46,001	99.5
Hate crime	24	0.1
Vulnerable victim involved and large number of victims	11	0.0
Vulnerable victim involved and hate crime	1	0.0
Vulnerable victim involved, hate crime and large number of victims	0	0.0
TOTAL	46,225	100.0
Official Victim (§3A1.2)		
Official victim involved	112	0.2
Offense against person or involved substantial risk of serious bodily injury	33	0.1
No official victim involved	46,080	99.7
TOTAL	46,225	100.0
Restraint of Victim (§3A1.3)		
Offense involved restraint of victim	61	0.1
Offense did not involve restraint of victim	46,164	99.9
TOTAL	46,225	100.0
Terrorism (§3A1.4)		
Offense involved a federal crime of terrorism	9	0.0
Offense did not involve a federal crime of terrorism	46,166	100.0
TOTAL	46,175	100.0
ROLE IN THE OFFENSE	Number	Percent
Aggravating Role (§3B1.1)		
Organizer or leader	715	1.5
Manager or supervisor	429	0.9
Lesser organizer, leader, manager, or supervisor	1,097	2.4
No aggravating role	43,984	95.2
TOTAL	46,225	100.0
Mitigating Role (§3B1.2)		
Minimal participant	829	1.8
Less than minor role but not minimal	294	0.6
Minor participant	3,131	6.8
No mitigating role	41,971	90.8
TOTAL	46,225	100.0

Table 18 (cont.)

Abuse of Position of Trust or Use of Special Skill (§3B1.3)		
Offender abused position of trust or used special skill	1,022	2.2
Offender did not abuse position of trust or use special skill	45,203	97.8
TOTAL	46,225	100.0
Use of a Minor to Commit a Crime (§3B1.4)		
Offender used a minor	155	0.3
Offender did not use a minor	46,019	99.6
Offense committed before adjustment added to guidelines	51	0.1
TOTAL	46,225	100.0
Use of Body Armor to Commit a Crime (§3B1.5)		
Offender used Body Armor (+2)	1	0.0
Offender used Body Armor (+4)	4	0.0
Offender did not use Body Armor	42,328	91.6
Offense committed before adjustment added to guidelines	3,894	8.4
TOTAL	46,227	100.0
OBSTRUCTION	Number	Percent
Obstruction of Justice (§3C1.1)²		
Offender obstructed justice	1,372	3.0
Offender did not obstruct justice	44,853	97.0
TOTAL	46,225	100.0
Reckless Endangerment During Flight (§3C1.2)		
Offense involved reckless endangerment during flight	241	0.5
Offense did not involve reckless endangerment during flight	45,984	99.5
Offense committed before adjustment added to guidelines	1	0.0
TOTAL	46,226	100.0
ACCEPTANCE OF RESPONSIBILITY	Number	Percent
Acceptance of Responsibility (§3E1.1)		
Offender accepted responsibility (-3)	29,516	63.8
Offender accepted responsibility (-2)	12,957	28.0
Offender did not accept responsibility	3,765	8.1
TOTAL	46,238	100.0

¹Of the 53,674 cases, the Commission received complete guideline application information for 46,252. Of these, the numbers excluded from the calculations due to missing Chapter Three adjustment information are: vulnerable victim (27), official victim (27), restraint of victim (27), terrorism (77) aggravating role (27), mitigating role (27), abuse of position (27), use of minor (27), use of body armor (25), obstruction of justice (27), reckless endangerment (26), and acceptance of responsibility (14). Descriptions of each guideline adjustment can be found in USSG Chapter Three.

²When an offender uses computer encryption during the commission of an offense or to avoid detection, it may result in the application of the Obstruction of Justice adjustment. This year three cases involved encryption or scrambling technology and of those, zero also received an enhancement under §3C1.1.