Table 18

OFFENDERS RECEIVING EACH CHAPTER THREE GUIDELINE ADJUSTMENT<sup>1</sup>
Fiscal Year 2005, Post-Booker (January 12, 2005, through September 30, 2005)

No vulnerable victim involved	VICTIM-RELATED	Number	Percent	
No vulnerable victim involved	Vulnerable Victim (§3A1.1)			
Hate crime	Vulnerable victim involved	188	0.4	
Vulnerable victim involved and large number of victims         11         0.           Vulnerable victim involved and hate crime         1         0.           Vulnerable victim involved, hate crime and large number of victims         0         0.           TOTAL         46,225         100.           Official Victim (§3A1.2)           Official victim involved         112         0.           Official victim involved         46,080         99.           TOTAL         46,225         100.           Restraint of Victim (§3A1.3)           Offense involved restraint of victim         61         0.           Offense did not involve restraint of victim         9         0.           TOTAL         46,164         99.           Offense involved a federal crime of terrorism         9         0.           Offense did not involve a federal crime of terrorism         46,166         100.           TOTAL         46,175         100. <td c<="" td=""><td>No vulnerable victim involved</td><td>46,001</td><td>99.5</td></td>	<td>No vulnerable victim involved</td> <td>46,001</td> <td>99.5</td>	No vulnerable victim involved	46,001	99.5
Vulnerable victim involved and hate crime         1         0           Vulnerable victim involved, hate crime and large number of victims         0         0           TOTAL         46,225         100           Official Victim (§3A1.2)         0         112         0           Official victim involved         112         0         0           Official victim involved         46,080         99.         7           TOTAL         46,225         100.         10           Restraint of Victim (§3A1.3)         0         61         0           Offense involved restraint of victim         61         0         0           Offense did not involve restraint of victim         46,164         99.         0           TOTAL         46,225         100.         100.           Terrorism (§3A1.4)         9         0         0         0           Offense did not involve a federal crime of terrorism         9         0         0         0         0         100.         0         100.         0         100.         0         100.         0         100.         0         100.         0         100.         0         100.         0         100.         0         100.         0	Hate crime	24	0.1	
Vulnerable victim involved, hate crime and large number of victims         0         0           TOTAL         46,225         100           Official Victim (§3A1.2)         0         112         0           Official victim involved         112         0         0           No official victim involved         46,080         99         99           TOTAL         46,225         100           Restraint of Victim (§3A1.3)           Offense involved restraint of victim         61         0           Offense did not involve restraint of victim         46,164         99           TOTAL         46,225         100           Terrorism (§3A1.4)           Offense involved a federal crime of terrorism         9         0           Offense did not involve a federal crime of terrorism         46,166         100           TOTAL         46,175         100           ROLE IN THE OFFENSE         Number         Percentage           Aggravating Role (§3B1.1)         715         1           Organizer or leader         715         1           Manager or supervisor         1,097         2           Less organizer, leader, manager, or supervisor         46,225         100 <tr< td=""><td>Vulnerable victim involved and large number of victims</td><td>11</td><td>0.0</td></tr<>	Vulnerable victim involved and large number of victims	11	0.0	
TOTAL         46,225         100.           Official Victim (§3A1.2)           Official victim involved         112         0.           Offense against person or involved substantial risk of serious bodily injury         33         0.           No official victim involved         46,080         99.           TOTAL         46,225         100.           Restraint of Victim (§3A1.3)           Offense involved restraint of victim         61         0.           Offense did not involve restraint of victim         46,164         99.           TOTAL         46,225         100.           Terrorism (§3A1.4)           Offense involved a federal crime of terrorism         9         0.           Offense did not involve a federal crime of terrorism         46,166         100.           TOTAL         46,175         100.           ROLE IN THE OFFENSE         Number         Percest           Aggravating Role (§3B1.1)           Organizer or leader         715         1.           Manager or supervisor         429         0.           Less er organizer, leader, manager, or supervisor         1,097         2.           No aggravating role         43,984         95. <td>Vulnerable victim involved and hate crime</td> <td>1</td> <td>0.0</td>	Vulnerable victim involved and hate crime	1	0.0	
Official Victim (§3A1.2)           Official victim involved         112         0           Offense against person or involved substantial risk of serious bodily injury         33         0           No official victim involved         46,080         99.           TOTAL         46,225         100.           Restraint of Victim (§3A1.3)           Offense involved restraint of victim         61         0           Offense did not involve restraint of victim         46,164         99.           TOTAL         46,225         100.           Terrorism (§3A1.4)           Offense involved a federal crime of terrorism         9         0           Offense did not involve a federal crime of terrorism         46,166         100.           TOTAL         46,175         100.           ROLE IN THE OFFENSE         Number         Percentage           Aggravating Role (§3B.1)           Organizer or leader         715         1           Manager or supervisor         429         0           Lesser organizer, leader, manager, or supervisor         1,097         2           No aggravating role         43,984         95.           TOTAL         46,225         100. <t< td=""><td>Vulnerable victim involved, hate crime and large number of victims</td><td>0</td><td>0.0</td></t<>	Vulnerable victim involved, hate crime and large number of victims	0	0.0	
Official victim involved         112         0           Offense against person or involved substantial risk of serious bodily injury         33         0           No official victim involved         46,080         99           TOTAL         46,225         100           Restraint of Victim (§3A1.3)           Offense involved restraint of victim         61         0           Offense did not involve restraint of victim         46,164         99           TOTAL         46,225         100           Terrorism (§3A1.4)           Offense involved a federal crime of terrorism         9         0           Offense involved a federal crime of terrorism         46,166         100           TOTAL         46,175         100           ROLE IN THE OFFENSE         Number         Percentage           Aggravating Role (§3B1.1)           Organizer or leader         715         1.           Manager or supervisor         429         0.           Lesser organizer, leader, manager, or supervisor         1,097         2.           No aggravating role         43,984         95.           TOTAL         46,225         100           Minimal participant         829 <t< td=""><td>TOTAL</td><td>46,225</td><td>100.0</td></t<>	TOTAL	46,225	100.0	
Offense against person or involved substantial risk of serious bodily injury         33         0.           No official victim involved         46,080         99.           TOTAL         46,225         100.           Restraint of Victim (§3A1.3)           Offense involved restraint of victim         61         0.           Offense did not involve restraint of victim         46,164         99.           TOTAL         46,225         100.           Terrorism (§3A1.4)           Offense involved a federal crime of terrorism         9         0.           Offense did not involve a federal crime of terrorism         46,166         100.           TOTAL         46,175         100.           ROLE IN THE OFFENSE         Number         Percentage Percen	Official Victim (§3A1.2)			
No official victim involved   46,080   99, TOTAL   46,225   100.	Official victim involved	112	0.2	
TOTAL         46,225         100.           Restraint of Victim (§3A1.3)           Offense involved restraint of victim         61         0.0           Offense did not involve restraint of victim         46,164         99.           TOTAL         46,225         100.           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.           TOTAL         46,175         100.           ROLE IN THE OFFENSE         Number         Percentage of	Offense against person or involved substantial risk of serious bodily injury	33	0.1	
Restraint of Victim (§3A1.3)         Offense involved restraint of victim       61       0.         Offense did not involve restraint of victim       46,164       99.         TOTAL       46,225       100.         Terrorism (§3A1.4)         Offense involved a federal crime of terrorism       9       0.         Offense did not involve a federal crime of terrorism       46,166       100.         TOTAL       46,175       100.         ROLE IN THE OFFENSE       Number       Percentage of the percentage of	No official victim involved	46,080	99.7	
Offense involved restraint of victim         61         0.           Offense did not involve restraint of victim         46,164         99.           TOTAL         46,225         100.           Terrorism (§3A1.4)           Offense involved a federal crime of terrorism         9         0.           Offense did not involve a federal crime of terrorism         46,166         100.           TOTAL         46,175         100.           ROLE IN THE OFFENSE         Number         Percentage of the p	TOTAL	46,225	100.0	
Offense did not involve restraint of victim         46,164         99.           TOTAL         46,225         100.           Terrorism (§3A1.4)         Sand 1.4         Company of the serious	Restraint of Victim (§3A1.3)			
TOTAL         46,225         100.           Terrorism (§3A1.4)         9         0.0           Offense involved a federal crime of terrorism         9         0.0           Offense did not involve a federal crime of terrorism         46,166         100.           TOTAL         46,175         100.           ROLE IN THE OFFENSE         Number         Percentage           Aggravating Role (§3B1.1)         715         1.           Organizer or leader         715         1.           Manager or supervisor         429         0.           Lesser organizer, leader, manager, or supervisor         1,097         2.           No aggravating role         43,984         95.           TOTAL         46,225         100.           Mitigating Role (§3B1.2)         829         1.           Less than minor role but not minimal         294         0.           Minor participant         3,131         6.           No mitigating role         41,971         90.	Offense involved restraint of victim	61	0.1	
Terrorism (§3A1.4)           Offense involved a federal crime of terrorism         9         0           Offense did not involve a federal crime of terrorism         46,166         100           TOTAL         46,175         100           ROLE IN THE OFFENSE         Number         Percentage           Aggravating Role (§3B1.1)         Toganizer or leader         715         1           Manager or supervisor         429         0           Lesser organizer, leader, manager, or supervisor         1,097         2           No aggravating role         43,984         95           TOTAL         46,225         100           Mitigating Role (§3B1.2)         829         1           Less than minor role but not minimal         294         0           Minor participant         3,131         6           Minor participant         3,131         6           No mitigating role         41,971         90	Offense did not involve restraint of victim	46,164	99.9	
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         Percentage           Aggravating Role (§3B1.1)         Value         Value         Percentage           Aggravating role adder, manager, or supervisor         715         1.0         1.0         1.0         2.0         2.0	TOTAL	46,225	100.0	
Offense did not involve a federal crime of terrorism         46,166         100.0           TOTAL         46,175         100.0           ROLE IN THE OFFENSE         Number         Percentage           Aggravating Role (§3B1.1)         Organizer or leader         715         1.           Manager or supervisor         429         0.           Lesser organizer, leader, manager, or supervisor         1,097         2.           No aggravating role         43,984         95.           TOTAL         46,225         100.           Mitigating Role (§3B1.2)         829         1.           Less than minor role but not minimal         294         0.           Minor participant         3,131         6.           No mitigating role         41,971         90.	Terrorism (§3A1.4)			
TOTAL         46,175         100.           ROLE IN THE OFFENSE         Number         Percentage           Aggravating Role (§3B1.1)         715         1.           Organizer or leader         715         1.           Manager or supervisor         429         0.           Lesser organizer, leader, manager, or supervisor         1,097         2.           No aggravating role         43,984         95.           TOTAL         46,225         100.           Mitigating Role (§3B1.2)         829         1.           Less than minor role but not minimal         294         0.           Minor participant         3,131         6.           No mitigating role         41,971         90.	Offense involved a federal crime of terrorism	9	0.0	
ROLE IN THE OFFENSE         Number         Percentage           Aggravating Role (§3B1.1)         715         1.           Organizer or leader         715         1.           Manager or supervisor         429         0.           Lesser organizer, leader, manager, or supervisor         1,097         2.           No aggravating role         43,984         95.           TOTAL         46,225         100.           Mitigating Role (§3B1.2)         829         1.           Less than minor role but not minimal         294         0.           Minor participant         3,131         6.           No mitigating role         41,971         90.	Offense did not involve a federal crime of terrorism	46,166	100.0	
Aggravating Role (§3B1.1)         Organizer or leader       715       1         Manager or supervisor       429       0         Lesser organizer, leader, manager, or supervisor       1,097       2         No aggravating role       43,984       95         TOTAL       46,225       100         Mitigating Role (§3B1.2)       829       1         Less than minor role but not minimal       294       0         Minor participant       3,131       6         No mitigating role       41,971       90	TOTAL	46,175	100.0	
Organizer or leader       715       1         Manager or supervisor       429       0         Lesser organizer, leader, manager, or supervisor       1,097       2         No aggravating role       43,984       95         TOTAL       46,225       100         Mitigating Role (§3B1.2)       829       1         Less than minor role but not minimal       294       0         Minor participant       3,131       6         No mitigating role       41,971       90	ROLE IN THE OFFENSE	Number	Percent	
Manager or supervisor       429       0.0         Lesser organizer, leader, manager, or supervisor       1,097       2.0         No aggravating role       43,984       95.0         TOTAL       46,225       100.0         Mitigating Role (§3B1.2)       829       1.0         Less than minor role but not minimal       294       0.0         Minor participant       3,131       6.0         No mitigating role       41,971       90.0	Aggravating Role (§3B1.1)			
Lesser organizer, leader, manager, or supervisor       1,097       2.         No aggravating role       43,984       95.         TOTAL       46,225       100.         Mitigating Role (§3B1.2)       829       1.         Less than minor role but not minimal       294       0.         Minor participant       3,131       6.         No mitigating role       41,971       90.	Organizer or leader	715	1.5	
No aggravating role       43,984       95.         TOTAL       46,225       100.         Mitigating Role (§3B1.2)       829       1.         Less than minor role but not minimal       294       0.         Minor participant       3,131       6.         No mitigating role       41,971       90.	Manager or supervisor	429	0.9	
TOTAL 46,225 100.  Mitigating Role (§3B1.2)  Minimal participant 829 1.  Less than minor role but not minimal 294 0.  Minor participant 3,131 6.  No mitigating role 41,971 90.	Lesser organizer, leader, manager, or supervisor	1,097	2.4	
Mitigating Role (§3B1.2)  Minimal participant 829 1.  Less than minor role but not minimal 294 0.  Minor participant 3,131 6.  No mitigating role 41,971 90.	No aggravating role	43,984	95.2	
Minimal participant8291Less than minor role but not minimal2940Minor participant3,1316No mitigating role41,97190	TOTAL	46,225	100.0	
Minimal participant8291Less than minor role but not minimal2940Minor participant3,1316No mitigating role41,97190	Mitigating Role (§3B1.2)			
Less than minor role but not minimal2940.0Minor participant3,1316.0No mitigating role41,97190.0		829	1.8	
Minor participant         3,131         6.           No mitigating role         41,971         90.	Less than minor role but not minimal	294	0.6	
No mitigating role 41,971 90.		3,131	6.8	
			90.8	
101AL 46,225 100.	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) <sup>2</sup>		
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

<sup>&</sup>lt;sup>1</sup>Of 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.

<sup>&</sup>lt;sup>2</sup>When 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.