

Table O-4

CULPABILITY FACTORS FOR ORGANIZATIONAL OFFENDERS¹
Fiscal Year 2019

Involvement in or Tolerance of Criminal Activity by Authority - §8C2.5(b)	N	%
Involvement/tolerance in an organization/unit of 5,000+ employees	3	5.3
Involvement/tolerance in an organization/unit of 1,000+ employees	1	1.8
Involvement/tolerance in an organization/unit of 200+ employees	4	7.0
Involvement/tolerance in an organization/unit of 50+ employees	9	15.8
Involvement/tolerance in an organization/unit of ten or more employees	16	28.1
No involvement/tolerance OR fewer than ten employees	24	42.1
TOTAL	57	100.0
<hr/>		
Prior History - §8C2.5(c)	N	%
One similar criminal/two similar administrative violations within ten years	0	0.0
One similar criminal/two similar administrative violations within five years	2	3.5
Organization had no prior record	55	96.5
TOTAL	57	100.0
<hr/>		
Violation of an Order - §8C2.5(d)	N	%
Organization violated a judicial order or condition of probation for similar conduct	0	0.0
Organization violated condition of probation	0	0.0
Organization did not violate an order or probation	57	100.0
TOTAL	57	100.0
<hr/>		
Obstruction of Justice - §8C2.5(e)	N	%
Organization obstructed justice	7	12.3
Organization did not obstruct justice	50	87.7
TOTAL	57	100.0
<hr/>		
Effective Compliance and Ethics Program - §8C2.5(f)	N	%
Organization did have an effective compliance and ethics program	0	0.0
Organization had no compliance and ethics program	57	100.0
TOTAL	57	100.0
<hr/>		
Self-Reporting, Cooperation, and Acceptance of Responsibility - §8C2.5(g)	N	%
Reported offense to governmental authorities	0	0.0
Cooperated with investigation	30	52.6
Accepted responsibility	19	33.3
Organization did not self-report, cooperate, or accept responsibility	8	14.0
TOTAL	57	100.0

¹ Of the 118 organizational cases, the fine guideline was applied in 57 cases. For the remaining 61 cases, the fine guideline was not applied or data on the application of the fine guidelines were missing. The total for each factor may add up to less than the total number of cases in which the fine guidelines were applied due to missing information for that specific variable. A description of Chapter Eight culpability factors can be found in USSG §8C2.5. Descriptions of variables used in this table are provided in Appendix A.