

**Table 54**

**ORGANIZATIONS SENTENCED UNDER CHAPTER EIGHT: CULPABILITY FACTORS<sup>1</sup>**  
**Fiscal Year 2002**

<b>Involvement in or Tolerance of Criminal Activity by Authority - §8C2.5(b)</b>	<b>Number</b>	<b>Percent</b>
Involvement/tolerance in an organization/unit of 5,000+ employees	2	1.4
Involvement/tolerance in an organization/unit of 1,000+ employees	2	1.4
Involvement/tolerance in an organization/unit of 200+ employees	9	6.3
Involvement/tolerance in an organization of 50+ employees	27	18.9
Involvement/tolerance in an organization of ten or more employees	44	30.8
No involvement/tolerance OR fewer than ten employees	59	41.3
TOTAL	143	100.0

  

<b>Prior History - §8C2.5(c)</b>	<b>Number</b>	<b>Percent</b>
One similar criminal/two similar administrative violations within ten years	0	0.0
One similar criminal/two similar administrative violations within five years	1	0.7
Organization had no prior record	142	99.3
TOTAL	143	100.0

  

<b>Violation of an Order - §8C2.5(d)</b>	<b>Number</b>	<b>Percent</b>
Organization did violate an order	0	0.0
Organization did not violate an order	143	100.0
TOTAL	143	100.0

  

<b>Obstruction of Justice - §8C2.5(e)</b>	<b>Number</b>	<b>Percent</b>
Organization obstructed justice	15	10.5
Organization did not obstruct justice	128	89.5
TOTAL	143	100.0

  

<b>Effective Program to Prevent and Detect Violations of Law - §8C2.5(f)</b>	<b>Number</b>	<b>Percent</b>
Organization did have an effective compliance program	0	0.0
Organization had a compliance program, but it was not effective	0	0.0
Organization had no compliance program	143	100.0
TOTAL	143	100.0

  

<b>Self-Reporting, Cooperation, and Acceptance of Responsibility - §8C2.5(g)</b>	<b>Number</b>	<b>Percent</b>
Reported offense to governmental authorities	1	0.7
Cooperated with investigation	73	51.0
Accepted responsibility	49	34.3
Organization did not self-report, cooperate, or accept responsibility	20	14.0
TOTAL	143	100.0

<sup>1</sup>Of the 252 cases that were sentenced pursuant to Chapter Eight, 162 had the fine guidelines applied. The remaining 90 cases had fine guidelines application data missing or inapplicable due to guideline provisions such as a “preliminary determination of inability to pay fine” (§8C2.2). The total for each factor may add up to less than the overall total due to missing information for that specific variable. 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 Datafile, FY2002.