

Table 18

OFFENDERS RECEIVING EACH CHAPTER THREE GUIDELINE ADJUSTMENT¹
Fiscal Year 2007

VICTIM-RELATED	Number	Percent
Vulnerable Victim (§3A1.1)		
Vulnerable victim involved	248	0.4
No vulnerable victim involved	63,594	99.6
Hate crime	12	0.0
Vulnerable victim involved and large number of victims	23	0.0
Vulnerable victim involved and hate crime	3	0.0
Vulnerable victim involved, hate crime and large number of victims	1	0.0
TOTAL	63,881	100.0
Official Victim (§3A1.2)		
Official victim involved	45	0.1
Offense against person or involved substantial risk of serious bodily injury	131	0.2
No official victim involved	63,704	99.7
TOTAL	63,881	100.0
Restraint of Victim (§3A1.3)		
Offense involved restraint of victim	63	0.1
Offense did not involve restraint of victim	63,818	99.9
TOTAL	63,881	100.0
Terrorism (§3A1.4)		
Offense involved a federal crime of terrorism	20	0.0
Offense did not involve a federal crime of terrorism	63,838	99.9
Offense committed before adjustment added to guidelines	24	0.0
TOTAL	63,882	100.0
ROLE IN THE OFFENSE	Number	Percent
Aggravating Role (§3B1.1)		
Organizer or leader	942	1.5
Manager or supervisor	608	1.0
Lesser organizer, leader, manager, or supervisor	1,315	2.1
No aggravating role	61,016	95.5
TOTAL	63,881	100.0
Mitigating Role (§3B1.2)		
Minimal participant	962	1.5
Less than minor role but not minimal	537	0.8
Minor participant	4,854	7.6
No mitigating role	57,528	90.1
TOTAL	63,881	100.0
Abuse of Position of Trust or Use of Special Skill (§3B1.3)		
Offender abused position of trust or used special skill	1,507	2.4
Offender did not abuse position of trust or use special skill	62,374	97.6
TOTAL	63,881	100.0

Table 18 (cont.)**Use of a Minor to Commit a Crime (§3B1.4)**

Offender used a minor	214	0.3
Offender did not use a minor	63,644	99.6
Offense committed before adjustment added to guidelines	24	0.0
TOTAL	63,882	100.0

Use of Body Armor to Commit a Crime (§3B1.5)

Offender used Body Armor (+2)	7	0.0
Offender used Body Armor (+4)	8	0.0
Offender did not use Body Armor	61,995	97.0
Offense committed before adjustment added to guidelines	1,872	2.9
TOTAL	63,882	100.0

OBSTRUCTION

Number Percent

Obstruction of Justice (§3C1.1)²

Offender obstructed justice	1,693	2.7
Offender did not obstruct justice	62,188	97.3
TOTAL	63,881	100.0

Reckless Endangerment During Flight (§3C1.2)

Offense involved reckless endangerment during flight	460	0.7
Offense did not involve reckless endangerment during flight	63,421	99.3
Offense committed before adjustment added to guidelines	0	0.0
TOTAL	63,881	100.0

Commission of Offense While on Release (§3C1.3)

Offense involved commission of offense while on release	51	0.1
Offense did not involve commission of offense while on release	42,174	66.0
Offense committed before adjustment added to guidelines	21,665	33.9
TOTAL	63,890	100.0

False Registration of Domain Name (§3C1.4)

Offense involved false registration of domain name	2	0.0
Offense did not involve false registration of domain name	42,223	66.1
Offense committed before adjustment added to guidelines	21,665	33.9
TOTAL	63,890	100.0

ACCEPTANCE OF RESPONSIBILITY

Number Percent

Acceptance of Responsibility (§3E1.1)

Offender accepted responsibility (-3)	40,931	64.0
Offender accepted responsibility (-2)	18,782	29.4
Offender did not accept responsibility	4,192	6.6
TOTAL	63,905	100.0

¹Of the 72,865 cases, the Commission received complete guideline application information for 63,906. Of these, the numbers excluded from the calculations due to missing Chapter Three adjustment information are: vulnerable victim (25), official victim (25), restraint of victim (25), terrorism (24), aggravating role (25), mitigating role (25), abuse of position (25), use of minor (24), use of body armor (24), obstruction of justice (25), reckless endangerment (25), commission of offense while on release (16), false registration of domain name (16), and acceptance of responsibility (1). 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 no cases involved encryption or scrambling technology.