

Table 18

OFFENDERS RECEIVING EACH CHAPTER THREE GUIDELINE ADJUSTMENT¹
Fiscal Year 2008

VICTIM-RELATED	N	%
Vulnerable Victim (§3A1.1)		
Vulnerable victim involved	258	0.4
No vulnerable victim involved	67,595	99.6
Hate crime	17	0.0
Vulnerable victim involved and large number of victims	15	0.0
Vulnerable victim involved and hate crime	2	0.0
Vulnerable victim involved, hate crime and large number of victims	0	0.0
TOTAL	67,887	100.0
Official Victim (§3A1.2)		
Official victim involved	34	0.1
Offense against person or involved substantial risk of serious bodily injury	148	0.2
No official victim involved	67,705	99.7
TOTAL	67,887	100.0
Restraint of Victim (§3A1.3)		
Offense involved restraint of victim	75	0.1
Offense did not involve restraint of victim	67,812	99.9
TOTAL	67,887	100.0
Terrorism (§3A1.4)		
Offense involved a federal crime of terrorism	11	0.0
Offense did not involve a federal crime of terrorism	67,863	100.0
Offense committed before adjustment added to guidelines	13	0.0
TOTAL	67,887	100.0
ROLE IN THE OFFENSE	N	%
Aggravating Role (§3B1.1)		
Organizer or leader	984	1.4
Manager or supervisor	664	1.0
Lesser organizer, leader, manager, or supervisor	1,333	2.0
No aggravating role	64,906	95.6
TOTAL	67,887	100.0
Mitigating Role (§3B1.2)		
Minimal participant	1,204	1.8
Less than minor role but not minimal	382	0.6
Minor participant	4,673	6.9
No mitigating role	61,628	90.8
TOTAL	67,887	100.0
Abuse of Position of Trust or Use of Special Skill (§3B1.3)		
Offender abused position of trust or used special skill	1,434	2.1
Offender did not abuse position of trust or use special skill	66,453	97.9
TOTAL	67,887	100.0

Table 18 (cont.)

Use of a Minor to Commit a Crime (§3B1.4)		
Offender used a minor	221	0.3
Offender did not use a minor	67,653	99.7
Offense committed before adjustment added to guidelines	13	0.0
TOTAL	67,887	100.0
Use of Body Armor to Commit a Crime (§3B1.5)		
Offender used Body Armor (+2)	4	0.0
Offender used Body Armor (+4)	10	0.0
Offender did not use Body Armor	66,963	98.6
Offense committed before adjustment added to guidelines	910	1.3
TOTAL	67,887	100.0
OBSTRUCTION	N	%
Obstruction of Justice (§3C1.1)²		
Offender obstructed justice	1,651	2.4
Offender did not obstruct justice	66,236	97.6
TOTAL	67,887	100.0
Reckless Endangerment During Flight (§3C1.2)		
Offense involved reckless endangerment during flight	468	0.7
Offense did not involve reckless endangerment during flight	67,419	99.3
Offense committed before adjustment added to guidelines	0	0.0
TOTAL	67,887	100.0
Commission of Offense While on Release (§3C1.3)		
Offense involved commission of offense while on release	82	0.1
Offense did not involve commission of offense while on release	65,220	96.1
Offense committed before adjustment added to guidelines	2,586	3.8
TOTAL	67,888	100.0
False Registration of Domain Name (§3C1.4)		
Offense involved false registration of domain name	1	0.0
Offense did not involve false registration of domain name	65,301	96.2
Offense committed before adjustment added to guidelines	2,586	3.8
TOTAL	67,888	100.0
ACCEPTANCE OF RESPONSIBILITY	N	%
Acceptance of Responsibility (§3E1.1)		
Offender accepted responsibility (-3)	42,275	62.3
Offender accepted responsibility (-2)	21,509	31.7
Offender did not accept responsibility	4,110	6.1
TOTAL	67,894	100.0

¹Of the 76,478 cases, the Commission received complete guideline application information for 67,894. Of these, six cases were excluded from the calculations due to missing Chapter Three adjustment information on commission of offense while on release and false registration of domain name. One additional case was excluded due to missing Chapter Three adjustment information on vulnerable victim, official victim, restraint of victim, terrorism, aggravating role, mitigating role, abuse of position, use of minor, use of body armor, obstruction of justice, and reckless endangerment. 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 zero cases involved encryption or scrambling technology.