

Table 18

OFFENDERS RECEIVING EACH CHAPTER THREE GUIDELINE ADJUSTMENT¹
Fiscal Year 2010

VICTIM-RELATED	N	%
Vulnerable Victim (§3A1.1)		
Vulnerable victim involved	302	0.4
No vulnerable victim involved	72,499	99.5
Hate crime	31	0.0
Vulnerable victim involved and large number of victims	20	0.0
Vulnerable victim involved and hate crime	4	0.0
Vulnerable victim involved, hate crime and large number of victims	0	0.0
TOTAL	72,856	100.0
Official Victim (§3A1.2)		
Official victim involved	35	0.0
Offense against person or involved substantial risk of serious bodily injury	178	0.2
No official victim involved	72,643	99.7
TOTAL	72,856	100.0
Restraint of Victim (§3A1.3)		
Offense involved restraint of victim	69	0.1
Offense did not involve restraint of victim	72,787	99.9
TOTAL	72,856	100.0
Terrorism (§3A1.4)		
Offense involved a federal crime of terrorism	23	0.0
Offense did not involve a federal crime of terrorism	72,824	100.0
Offense committed before adjustment added to guidelines	9	0.0
TOTAL	72,856	100.0
ROLE IN THE OFFENSE	N	%
Aggravating Role (§3B1.1)		
Organizer or leader	994	1.4
Manager or supervisor	702	1.0
Lesser organizer, leader, manager, or supervisor	1,310	1.8
No aggravating role	69,850	95.9
TOTAL	72,856	100.0
Mitigating Role (§3B1.2)		
Minimal participant	1,123	1.5
Less than minor role but not minimal	401	0.6
Minor participant	3,978	5.5
No mitigating role	67,354	92.4
TOTAL	72,856	100.0
Abuse of Position of Trust or Use of Special Skill (§3B1.3)		
Offender abused position of trust or used special skill	1,659	2.3
Offender did not abuse position of trust or use special skill	71,197	97.7
TOTAL	72,856	100.0

Table 18 (cont.)

Use of a Minor to Commit a Crime (§3B1.4)		
Offender used a minor	230	0.3
Offender did not use a minor	72,617	99.7
Offense committed before adjustment added to guidelines	9	0.0
TOTAL	72,856	100.0
Use of Body Armor to Commit a Crime (§3B1.5)		
Offender used body armor (+2)	3	0.0
Offender used body armor (+4)	12	0.0
Offender did not use body armor	72,544	99.6
Offense committed before adjustment added to guidelines	297	0.4
TOTAL	72,856	100.0
OBSTRUCTION	N	%
Obstruction of Justice (§3C1.1)²		
Offender obstructed justice	1,631	2.2
Offender did not obstruct justice	71,225	97.8
TOTAL	72,856	100.0
Reckless Endangerment During Flight (§3C1.2)		
Offense involved reckless endangerment during flight	466	0.6
Offense did not involve reckless endangerment during flight	72,390	99.4
Offense committed before adjustment added to guidelines	0	0.0
TOTAL	72,856	100.0
Commission of Offense While on Release (§3C1.3)		
Offense involved commission of offense while on release	104	0.1
Offense did not involve commission of offense while on release	72,080	98.9
Offense committed before adjustment added to guidelines	672	0.9
TOTAL	72,856	100.0
False Registration of Domain Name (§3C1.4)		
Offense involved false registration of domain name	0	0.0
Offense did not involve false registration of domain name	72,184	99.1
Offense committed before adjustment added to guidelines	672	0.9
TOTAL	72,856	100.0
ACCEPTANCE OF RESPONSIBILITY	N	%
Acceptance of Responsibility (§3E1.1)		
Offender accepted responsibility (-3)	43,723	60.0
Offender accepted responsibility (-2)	25,454	34.9
Offender did not accept responsibility	3,701	5.1
TOTAL	72,878	100.0

¹ Of the 83,946 cases, the Commission received complete guideline application information for 72,878 cases. Of these, 22 cases were excluded from the calculations 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, reckless endangerment, commission of offense while on release, and false registration of domain name. Descriptions of each guideline adjustment can be found in USSG Chapter Three.

² 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, one case involved encryption or scrambling technology and did not receive an enhancement under §3C1.1.