

**Table 54**

**ORGANIZATIONS SENTENCED UNDER CHAPTER EIGHT: CULPABILITY FACTORS<sup>1</sup>**  
**Fiscal Year 2010**

<b>Involvement in or Tolerance of Criminal Activity by Authority - §8C2.5(b)</b>	<b>N</b>	<b>%</b>
Involvement/tolerance in an organization/unit of 5,000+ employees	1	1.7
Involvement/tolerance in an organization/unit of 1,000+ employees	2	3.3
Involvement/tolerance in an organization/unit of 200+ employees	7	11.7
Involvement/tolerance in an organization/unit of 50+ employees	7	11.7
Involvement/tolerance in an organization/unit of ten or more employees	24	40.0
No Involvement/tolerance OR fewer than ten employees	19	31.7
<b>TOTAL</b>	<b>60</b>	<b>100.0</b>
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<b>Prior History - §8C2.5(c)</b>	<b>N</b>	<b>%</b>
One similar criminal/two similar administrative violations within ten years	0	0.0
One similar criminal/two similar administrative violations within five years	0	0.0
Organization had no prior record	60	100.0
<b>TOTAL</b>	<b>60</b>	<b>100.0</b>
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<b>Violation of an Order - §8C2.5(d)</b>	<b>N</b>	<b>%</b>
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	60	100.0
<b>TOTAL</b>	<b>60</b>	<b>100.0</b>
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<b>Obstruction of Justice - §8C2.5(e)</b>	<b>N</b>	<b>%</b>
Organization obstructed justice	1	1.7
Organization did not obstruct justice	59	98.3
<b>TOTAL</b>	<b>60</b>	<b>100.0</b>
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<b>Effective Compliance and Ethics Program - §8C2.5(f)</b>	<b>N</b>	<b>%</b>
Organization did have an effective compliance program	0	0.0
Organization had no compliance program	60	100.0
<b>TOTAL</b>	<b>60</b>	<b>100.0</b>
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<b>Self-Reporting, Cooperation, and Acceptance of Responsibility - §8C2.5(g)</b>	<b>N</b>	<b>%</b>
Reported offense to governmental authorities	1	1.7
Cooperated with investigation	33	55.0
Accepted responsibility	18	30.0
Organization did not self-report, cooperate, or accept responsibility	8	13.3
<b>TOTAL</b>	<b>60</b>	<b>100.0</b>

<sup>1</sup> Of the 149 cases sentenced pursuant to Chapter Eight, fine guidelines were applied in 60 cases. In the remaining 89 cases, the fine guideline was not applied or data on the application of the fine guideline was missing. 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.