

Table 54**ORGANIZATIONS SENTENCED UNDER CHAPTER EIGHT: CULPABILITY FACTORS¹**
Fiscal Year 2011

Involvement in or Tolerance of Criminal Activity by Authority - §8C2.5(b)	N	%
Involvement/tolerance in an organization/unit of 5,000+ employees	6	8.1
Involvement/tolerance in an organization/unit of 1,000+ employees	6	8.1
Involvement/tolerance in an organization/unit of 200+ employees	4	5.4
Involvement/tolerance in an organization/unit of 50+ employees	6	8.1
Involvement/tolerance in an organization/unit of ten or more employees	14	18.9
No Involvement/tolerance OR fewer than ten employees	38	51.4
TOTAL	74	100.0
Prior History - §8C2.5(c)	N	%
One similar criminal/two similar administrative violations within ten years	0	0.0
One similar criminal/two similar administrative violations within five years	1	1.4
Organization had no prior record	73	98.6
TOTAL	74	100.0
Violation of an Order - §8C2.5(d)	N	%
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	74	100.0
TOTAL	74	100.0
Obstruction of Justice - §8C2.5(e)	N	%
Organization obstructed justice	4	5.4
Organization did not obstruct justice	70	94.6
TOTAL	74	100.0
Effective Compliance and Ethics Program - §8C2.5(f)	N	%
Organization did have an effective compliance program	0	0.0
Organization had no compliance program	74	100.0
TOTAL	74	100.0
Self-Reporting, Cooperation, and Acceptance of Responsibility - §8C2.5(g)	N	%
Reported offense to governmental authorities	3	4.1
Cooperated with investigation	44	59.5
Accepted responsibility	19	25.7
Organization did not self-report, cooperate, or accept responsibility	8	10.8
TOTAL	74	100.0

¹ Of the 160 cases sentenced pursuant to Chapter Eight, fine guidelines were applied in 74 cases. In the remaining 86 cases, the fine guideline was not applied or data on the application of the fine guideline was missing. The total for each factor may add up to less than the overall total due to missing information for that specific variable. 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.