

Table 18

OFFENDERS RECEIVING EACH CHAPTER THREE GUIDELINE ADJUSTMENT¹
Fiscal Year 2012

VICTIM-RELATED	N	%
Vulnerable Victim (§3A1.1)		
Vulnerable victim involved	332	0.4
No vulnerable victim involved	74,069	99.5
Hate crime	34	0.0
Vulnerable victim involved and large number of victims	15	0.0
Vulnerable victim involved and hate crime	8	0.0
Vulnerable victim involved, hate crime and large number of victims	0	0.0
TOTAL	74,458	100.0
Official Victim (§3A1.2)		
Official victim involved	34	0.0
Offense against person or involved substantial risk of serious bodily injury	157	0.2
No official victim involved	74,267	99.7
TOTAL	74,458	100.0
Restraint of Victim (§3A1.3)		
Offense involved restraint of victim	60	0.1
Offense did not involve restraint of victim	74,398	99.9
TOTAL	74,458	100.0
Terrorism (§3A1.4)		
Offense involved a federal crime of terrorism	39	0.1
Offense did not involve a federal crime of terrorism	74,416	99.9
Offense committed before adjustment added to guidelines	3	0.0
TOTAL	74,458	100.0
ROLE IN THE OFFENSE	N	%
Aggravating Role (§3B1.1)		
Organizer or leader	1,093	1.5
Manager or supervisor	848	1.1
Lesser organizer, leader, manager, or supervisor	1,436	1.9
No aggravating role	71,079	95.5
TOTAL	74,456	100.0
Mitigating Role (§3B1.2)		
Minimal participant	1,056	1.4
Less than minor role but not minimal	352	0.5
Minor participant	4,326	5.8
No mitigating role	68,724	92.3
TOTAL	74,458	100.0
Abuse of Position of Trust or Use of Special Skill (§3B1.3)		
Offender abused position of trust or used special skill	1,677	2.3
Offender did not abuse position of trust or use special skill	72,779	97.7
TOTAL	74,456	100.0

Table 18 (cont.)

Use of a Minor to Commit a Crime (§3B1.4)		
Offender used a minor	243	0.3
Offender did not use a minor	74,212	99.7
Offense committed before adjustment added to guidelines	3	0.0
TOTAL	74,458	100.0
Use of Body Armor to Commit a Crime (§3B1.5)		
Offender used body armor (+2)	0	0.0
Offender used body armor (+4)	9	0.0
Offender did not use body armor	74,361	99.9
Offense committed before adjustment added to guidelines	88	0.1
TOTAL	74,458	100.0
OBSTRUCTION	N	%
Obstruction of Justice (§3C1.1)²		
Offender obstructed justice	1,514	2.0
Offender did not obstruct justice	72,944	98.0
TOTAL	74,458	100.0
Reckless Endangerment During Flight (§3C1.2)		
Offense involved reckless endangerment during flight	453	0.6
Offense did not involve reckless endangerment during flight	74,005	99.4
Offense committed before adjustment added to guidelines	0	0.0
TOTAL	74,458	100.0
Commission of Offense While on Release (§3C1.3)		
Offense involved commission of offense while on release	89	0.1
Offense did not involve commission of offense while on release	74,144	99.6
Offense committed before adjustment added to guidelines	225	0.3
TOTAL	74,458	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	74,231	99.7
Offense committed before adjustment added to guidelines	225	0.3
TOTAL	74,458	100.0
ACCEPTANCE OF RESPONSIBILITY	N	%
Acceptance of Responsibility (§3E1.1)		
Offender accepted responsibility (-3)	47,108	63.2
Offender accepted responsibility (-2)	23,867	32.0
Offender did not accept responsibility	3,520	4.7
TOTAL	74,495	100.0

¹ Of the 84,173 cases, the Commission received complete guideline application information for 74,495 cases. Of these, 37 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.