

Table 54

ORGANIZATIONS SENTENCED UNDER CHAPTER EIGHT: CULPABILITY FACTORS¹
Fiscal Year 2013

Involvement in or Tolerance of Criminal Activity by Authority - §8C2.5(b)	N	%
Involvement/tolerance in an organization/unit of 5,000+ employees	1	1.5
Involvement/tolerance in an organization/unit of 1,000+ employees	0	0.0
Involvement/tolerance in an organization/unit of 200+ employees	2	3.0
Involvement/tolerance in an organization/unit of 50+ employees	6	9.1
Involvement/tolerance in an organization/unit of ten or more employees	22	33.3
No Involvement/tolerance OR fewer than ten employees	35	53.0
TOTAL	66	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	4	6.2
Organization had no prior record	61	93.8
TOTAL	65	100.0
Violation of an Order - §8C2.5(d)	N	%
Organization violated a judicial order or condition of probation for similar conduct	2	3.1
Organization violated condition of probation	0	0.0
Organization did not violate an order or probation	63	96.9
TOTAL	65	100.0
Obstruction of Justice - §8C2.5(e)	N	%
Organization obstructed justice	2	3.1
Organization did not obstruct justice	63	96.9
TOTAL	65	100.0
Effective Compliance and Ethics Program - §8C2.5(f)	N	%
Organization did have an effective compliance program	1	1.5
Organization had no compliance program	64	98.5
TOTAL	65	100.0
Self-Reporting, Cooperation, and Acceptance of Responsibility - §8C2.5(g)	N	%
Reported offense to governmental authorities	1	1.5
Cooperated with investigation	41	62.1
Accepted responsibility	16	24.2
Organization did not self-report, cooperate, or accept responsibility	8	12.1
TOTAL	66	100.0

¹ Of the 172 cases sentenced pursuant to Chapter Eight, fine guidelines were applied in 70 cases. In the remaining 102 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.