

**Table O-4**

**CULPABILITY FACTORS FOR ORGANIZATIONAL OFFENDERS<sup>1</sup>**  
**Fiscal Year 2022**

<b>Involvement in or Tolerance of Criminal Activity by Authority - §8C2.5(b)</b>	N	%
Involvement/tolerance in an organization/unit of 5,000+ employees	0	0.0
Involvement/tolerance in an organization/unit of 1,000+ employees	1	2.9
Involvement/tolerance in an organization/unit of 200+ employees	2	5.7
Involvement/tolerance in an organization/unit of 50+ employees	4	11.4
Involvement/tolerance in an organization/unit of ten or more employees	9	25.7
No involvement/tolerance OR fewer than ten employees	19	54.3
<b>TOTAL</b>	<b>35</b>	<b>100.0</b>
<hr/>		
<b>Prior History - §8C2.5(c)</b>	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	2.9
Organization had no prior record	34	97.1
<b>TOTAL</b>	<b>35</b>	<b>100.0</b>
<hr/>		
<b>Violation of an Order - §8C2.5(d)</b>	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	35	100.0
<b>TOTAL</b>	<b>35</b>	<b>100.0</b>
<hr/>		
<b>Obstruction of Justice - §8C2.5(e)</b>	N	%
Organization obstructed justice	0	0.0
Organization did not obstruct justice	35	100.0
<b>TOTAL</b>	<b>35</b>	<b>100.0</b>
<hr/>		
<b>Effective Compliance and Ethics Program - §8C2.5(f)</b>	N	%
Organization did have an effective compliance and ethics program	0	0.0
Organization had no compliance and ethics program	35	100.0
<b>TOTAL</b>	<b>35</b>	<b>100.0</b>
<hr/>		
<b>Self-Reporting, Cooperation, and Acceptance of Responsibility - §8C2.5(g)</b>	N	%
Reported offense to governmental authorities	2	5.7
Cooperated with investigation	17	48.6
Accepted responsibility	12	34.3
Organization did not self-report, cooperate, or accept responsibility	4	11.4
<b>TOTAL</b>	<b>35</b>	<b>100.0</b>

<sup>1</sup> Of the 99 organizational cases, the fine guideline was applied in 35 cases. For the remaining 64 cases, the fine guideline was not applied or data on the application of the fine guidelines were 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.