

UNITED STATES SENTENCING COMMISSION

VARIABLE CODEBOOK FOR ECONOMIC CRIME OFFENSE TYPE DATAFILES



Introduction

This codebook is for the U.S. Sentencing Commission's economic crime offense type datafiles. In 2013 the Commission began collecting data on the specific types of offenses committed by economic crime offenders sentenced under the economic crime guideline, USSG §2B1.1. Most federal economic crimes are addressed in section §2B1.1 of the federal sentencing guidelines. That section provides sentencing provisions for a broad variety of economic crimes. Convictions under more than 300 federal statutes fall under §2B1.1 yet less than half of offenders sentenced under this guideline were convicted under a statute that identified specific prohibited conduct. In general, most §2B1.1 offenders were convicted under a generic statute that proscribes fraud generally, such as fraud by wire, radio, or television (18 U.S.C. §1343). The economic crime offense type coding project is designed to assign all offenders sentenced under §2B1.1 to one of 29 specific offense categories. The Commission uses a two-step classification system based on the statute of conviction and offense conduct.

The first step uses statutes of conviction for specific conduct to classify offenses. The Commission regularly collects data on all statutes of conviction for each offender for its individual offender datafile. Using this data, the Commission compiled a list of more than 100 specific economic crime-related federal statutes. Each statute was then assigned to one of 29 specific offense types of economic crime based on the conduct proscribed by each. Offenders convicted under one of the specific statutes were then assigned to the offense type that matched it. For example, an offender convicted under 18 U.S.C. § 1347 (Health care fraud) was assigned to health care fraud.

In some instances, offenders were convicted under more than one statute, and those statutes were linked to different types of economic crimes. In such cases, the Commission used a decision-making hierarchy and assigned offenders to the first applicable category on the hierarchical list. The hierarchy was determined, in part, by a general sense of offense severity among the specific offense types and, in part, by specific offense types that had been of interest to and studied by the Commission during the past several years.

The second step of the classification process was necessitated by the fact that typically less than half of convictions for economic crimes were under a statute that prohibited specific conduct. In such cases, offenders could not be assigned to a specific type of economic crime based on the statute of conviction alone. Therefore, the Commission reviewed the documentation for each of these cases to determine the specific type of economic crime. Specific offense types were assigned based on the offender's conduct as described in the Presentence Report and account for the extent of the offender's participation and leadership, the type of victim, the prevalence of lesser included offenses, and how the offense was committed. Altogether, this information determined the offender's economic crime type.

This codebook provides the economic crime type variable collected by the project. For other variables, see the Fiscal Year 2013-2018 individual offender datafiles (<https://www.ussc.gov/research/datafiles/commission-datafiles#individual>).

NAME	ORIGIN	FORM	CODES	DESCRIPTION
ECON_COMBINED	USSCFT Datafiles	Num	1= Securities/Investment 2= Healthcare 3= Mortgage 4= Credit Card 5= Financial Institution 6= Government Procurement 7= Government Benefits 8= Identity Theft 9= Counterfeit/Forgery 10= Mail Related 11= Computer 12= Intellectual Property 13= Embezzlement/Theft 14= Tax 15= Insurance 16= Disaster 17= Advanced Fee 18= False Advertising/Product Substitution 19= Immigration 20= Bankruptcy 21= Retirement/Unemployment 22= Antitrust 23= Campaign Finance 24= False Statements 25= Contract Violation/Breach 26= Education Funds 27= Weapons 28= <i>not used</i> 29= Money Laundering 30= All Other	Indicates the type of economic crime committed by the offender. Offenses are in descending order of severity based on the coding hierarchy. Each offender was assigned to a single offense type; in instances of multiple offense types, the highest/ most serious offense type was assigned.
USSCIDN	USSCFY Datafiles	Num	Range: 7 numbers	Unique sequential identification number give to cases upon receipt at the Commission.