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 a single specific offense category. 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 21 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 2013-2020 individual offender datafiles (https://www.ussc.gov/research/datafiles/commission-datafiles#individual).

CHANGES EFFECTIVE FOR 2020 DATAFILE

Two changes in the data collection methodology for fiscal year 2020 impacted the offense type variables. As a result of these changes, the number of coded offense type categories is reduced from 29 to 21 and the ECON_OFF_TYPE variable replaces the ECON_COMBINED variable.

The first change is that the previously existing *Credit Card* category is combined with the previously existing *Financial Institution* category. Separate identification of these two offense types is no longer available. The two previously existing categories are now reported as *Credit Card and Financial Instruments*. The new *Credit Card and Financial Instruments* category can be replicated in the fiscal year 2013 through 2019 datafiles by combining the *Credit Card* and *Financial Institution* categories in those files.

The second change is that a number of offense type categories that previously were infrequently coded are coded as *All Other*. The previously existing categories of *Disaster*, *Immigration*, *Retirement/Unemployment*, *Campaign Finance*, *Contract Violation/Breach*, *Education Funds*, and *Weapons* are coded as *All Other*. Separate identification of those offense types is no longer available. The new *All Other* category can be replicated in the fiscal year 2013 through 2019 datafiles by combining the listed stand-alone offense type categories with the *All Other* category in those files.

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**= *not used* **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. *This variable is available FY2013-FY2019. See ECON_OFF_TYPE for FY2020-present.*
ECON_OFF_TYPE	USSCFT Datafiles	Num	**1**= Securities/Investment **2**= Healthcare **3**= Mortgage **4**= Credit Card and Financial Instruments **5**= Government Procurement **6**= Government Benefits **7**= Identity Theft **8**= Counterfeit/Forgery **9**= Mail Related **10**= Computer **11**= Intellectual Property **12**= Embezzlement/Theft	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.

NAME	ORIGIN	FORM	CODES	DESCRIPTION
			13= Tax **14**= Insurance **15**= Advanced Fee **16**= False Advertising/Product Substitution **17**= Bankruptcy **18**= Antitrust **19**= False Statements **20**= Money Laundering **21**= All Other	***This variable is available FY2020-present. See ECON_COMBINED for FY2013-FY2019.***
USSCIDN	USSCFY Datafiles	Num	Range: 7 numbers	Unique sequential identification number give to cases upon receipt at the Commission.