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 individuals 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 individuals sentenced under this guideline were convicted under a statute that identified specific prohibited conduct. In general, most individuals sentenced under §2B1.1 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 individuals 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 individual for its individual 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. Individuals convicted under one of the specific statutes were then assigned to the offense type that matched it. For example, an individual convicted under 18 U.S.C. § 1347 (Health care fraud) was assigned to health care fraud.

In some instances, individuals 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 individuals 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, individuals 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 individual's conduct as described in the Presentence Report and account for the extent of the individual'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 individual's economic crime type.

This codebook provides the economic crime type variable collected by the project. For other variables, see the Fiscal Year 2013-2024 individual datafiles (https://www.ussc.gov/research/datafiles/commission-datafiles#individual).

CHANGES EFFECTIVE FOR 2020 DATAFILE

Two changes in the data collection methodology effective in fiscal year 2020 impacted the offense type variables. As a result of these changes, the number of coded offense type categories was reduced from 29 to 21 and the ECON_OFF_TYPE variable replaced 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 individual. Offenses are in descending order of severity based on the coding hierarchy. Each individual 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 individual. Offenses are in descending order of severity based on the coding hierarchy. Each individual 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 assigned to cases upon receipt at the Commission.

§2B1.1 Offense Type Category Hierarchy and Descriptions

OFFENSE TYPE	DESCRIPTION
Securities and Investment Fraud	Schemes involving the deception of investors or the manipulation of financial markets. Includes insider trading, "pump-and-dump," and Ponzi schemes.
Health Care Fraud	Defrauding of a government or private healthcare entity. Includes frauds involving prescription drugs.
Mortgage Fraud	Misrepresentations involving the home loan process.
Credit Card and Financial Instruments Fraud	Fraudulent activity involving credit cards including theft, fraudulent charges, skimming/re-encoding, and fraudulent applications. Schemes targeting banks, usually involving checks and/or debit (ATM) cards and non-mortgage loans.
Government Procurement Fraud	Offenses interfering with federal, state, or local government contracts and conduct that affects the contracting process.
Government Benefits Fraud	Defrauding of government agencies providing assistance programs such as social security, disaster assistance, unemployment and retirement benefits, and educational loans.
Identity Theft	Includes creation of or trafficking in fake identification documents.
Counterfeiting and Forgery	Fabricating documents or counterfeit Federal Reserve Notes (FRNs).
Mail Related Fraud	Theft, destruction, or diversion of mail.
Computer Related Fraud	Unauthorized access to a computer or computer system.
Intellectual Property Fraud	Copyright and/or trademark infringement. Also includes economic espionage and theft of trade secrets
Embezzlement and Theft	Conversion of funds or goods otherwise entrusted to an individual; larceny.
Tax Fraud	Includes misstatements on filings, failure to report legitimate or illegitimate earnings, and misuse of personal identifying information to file returns.
Insurance Fraud	Fraud related to private, non-health care insurance claims such as life, property, or other insurance.

Advanced Fee Fraud	Scams typically using mass-marketing techniques to solicit small upfront payments or fees promising unusual or outrageous returns or payouts.
False Advertising/Product Substitution	Misrepresentation of a promised good or service, substitution of inferior or counterfeit products, or adulteration of legitimate products.
Bankruptcy Fraud	Concealing assets, lying in bankruptcy filings or to bankruptcy court.
Antitrust Violation	Non-government related market monopolization, price fixing, or other conduct that restrains free trade.
False Statements	Lying or false personation involving no other fraudulent conduct.
Money Laundering	Concealing illegally derived assets, includes promotional money laundering.
All Others	Any other offense not accounted for in the above categories. Some examples include bribery, bulk cash smuggling, campaign finance fraud, failure to pay child support, property destruction, immigration, and vehicle retitling.