

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES¹
Pre-Blakely 2004²

Guideline and SOC	Applied ³	Percent ⁴
ALL OFFENSES		
All Offenses	45,274	100.0
Decided by Trial	2,494	5.5
Upward Departures	443	1.0
Chapter 2 Specific Offense Characteristic Adjustments	28,562	63.1
§3A1.1(a) Hate Crime Adjustment (three levels)	35	0.1
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	252	0.6
§3A1.2 Official Victim Adjustment (three levels)	162	0.4
§3A1.3 Restraint of Victim Adjustment (two levels)	83	0.2
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	22	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	2,473	5.5
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	4,234	9.4
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	936	2.1
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	223	0.5
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	1,647	3.6
§3C1.2 Reckless Endangerment During Flight (two levels)	202	0.4

¹ The information in this tables depicts information collected from only those cases in which complete guideline information is available. Of the 70,068 cases in which the Commission received, 51,865 were sentenced before the United States Supreme Court decision in *Washington v Blakely* (decision date: June 24, 2004) during fiscal year 2004. Of the 51,865 cases, 42,685 contained complete guideline information (82.3 percent). It is possible for multiple guideline calculations for each case, and this table represents each guideline calculation for cases in which complete information was received.

² Pre-*Blakely* Fiscal Year 2004 data represents guideline application from guidelines effective November 1, 2003 unless otherwise specified.

³ This column represents the number of times each guideline or Specific Offense Characteristic is applied.

⁴ The “Percent” column represents, for each guideline, the percent of all guideline calculations in which the specific guideline was involved. For each Chapter 3 Adjustment, the percent represents the percentage that the adjustment was used in the calculations for the specific guideline.

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
Part A - Offenses Against Person		
§2A1.1 First Degree Murder	151	0.3
Decided by Trial	55	36.4
Upward Departures	2	1.3
Chapter 2 Specific Offense Characteristic Adjustments	NA ⁵	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	4	2.6
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	10	6.6
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	39	25.8
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	7	4.6
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	1	0.7
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	15	9.9
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

⁵ NA (not applicable) denotes the guideline in question has no Specific Offense Characteristics.

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
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Guideline and SOC	Applied	Percent
§2A1.2 Second Degree Murder	40	0.1
Decided by Trial	4	10.0
Upward Departures	6	15.4
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	1	2.5
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	5	12.5
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	1	2.5
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	2	5.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	3	7.5
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2A1.3 Voluntary Manslaughter	13	0.0
Decided by Trial	2	15.4
Upward Departures	2	15.4
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	1	7.7
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	2	15.4
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	1	7.7
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	1	7.7
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	2	15.4
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

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Guideline and SOC	Applied	Percent
§2A1.4 Involuntary Manslaughter	45	0.1
Decided by Trial	6	13.3
Upward Departures	11	24.4
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	1	2.2
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2A1.5 Conspiracy or Solicitation to Commit Murder	19	0.0
Decided by Trial	6	31.6
Upward Departures	1	5.3
Chapter 2 Specific Offense Characteristic Adjustments	6	31.6
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	3	15.8
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	3	15.8
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	3	15.8
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
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Guideline and SOC	Applied	Percent
§2A2.1 Assault with Intent to Commit Murder: Attempted Murder	99	0.2
Decided by Trial	32	32.3
Upward Departures	2	2.0
Chapter 2 Specific Offense Characteristic Adjustments	65	65.7
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	1	1.0
§3A1.2 Official Victim Adjustment (three levels)	4	4.0
§3A1.3 Restraint of Victim Adjustment (two levels)	2	2.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	24	24.2
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	2	2.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	5	5.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	15	15.2
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2A2.2 Aggravated Assault	265	0.6
Decided by Trial	30	11.3
Upward Departures	15	5.7
Chapter 2 Specific Offense Characteristic Adjustments	254	95.8
§3A1.1(a) Hate Crime Adjustment (three levels)	5	1.9
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	12	4.5
§3A1.2 Official Victim Adjustment (three levels)	41	15.5
§3A1.3 Restraint of Victim Adjustment (two levels)	2	0.8
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	8	3.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	1	0.4
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	1	0.4
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	4	1.5
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	16	6.0
§3C1.2 Reckless Endangerment During Flight (two levels)	6	2.3

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Guideline and SOC	Applied	Percent
§2A2.3 Minor Assault	27	0.1
Decided by Trial	2	7.4
Upward Departures	1	3.7
Chapter 2 Specific Offense Characteristic Adjustments	6	22.2
§3A1.1(a) Hate Crime Adjustment (three levels)	1	3.7
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	2	7.4
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	3	11.1
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	1	3.7
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	1	3.7
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2A2.4 Obstructing or Impeding Officers	139	0.3
Decided by Trial	18	13.0
Upward Departures	3	2.2
Chapter 2 Specific Offense Characteristic Adjustments	101	72.7
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	2	1.4
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	1	0.7
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	1	0.7
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	7	5.0
§3C1.2 Reckless Endangerment During Flight (two levels)	3	2.2

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Guideline and SOC	Applied	Percent
§2A3.1 Criminal Sexual Abuse (Rape)	170	0.4
Decided by Trial	48	28.2
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	160	94.1
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	16	9.4
§3A1.2 Official Victim Adjustment (three levels)	1	0.6
§3A1.3 Restraint of Victim Adjustment (two levels)	7	4.1
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	14	8.2
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	6	3.5
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	21	12.4
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2A3.2 Criminal Sexual Abuse of a Minor (Statutory Rape)	110	0.2
Decided by Trial	22	20.0
Upward Departures	10	9.1
Chapter 2 Specific Offense Characteristic Adjustments	95	86.4
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	3	2.7
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	1	0.9
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	1	0.9
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	15	13.6
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
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Guideline and SOC	Applied	Percent
§2A3.3 Criminal Sexual Abuse of a Ward	7	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	0	0.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	2	28.6
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2A3.4 Abuse Sexual Contact	33	0.1
Decided by Trial	8	24.2
Upward Departures	1	3.0
Chapter 2 Specific Offense Characteristic Adjustments	31	93.9
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	1	3.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	3	9.1
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
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Guideline and SOC	Applied	Percent
§2A4.1 Kidnaping, Abduction or Unlawful Restraint	91	0.2
Decided by Trial	5	5.5
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	89	97.8
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	58	63.7
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	1	1.1
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	10	11.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	1	1.1
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	2	2.2
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2A4.2 Demanding or Receiving Ransom Money	0	0.0
§2A5.1 Aircraft Piracy or Attempted Aircraft Piracy	7	0.0
Decided by Trial	7	100.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	0	0.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	2	28.6
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES

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Guideline and SOC	Applied	Percent
§2A5.2 Interference with Flight Crew Member or Mass Transportation Vehicle or Ferry	13	0.0
Decided by Trial	0	0.0
Upward Departures	1	7.7
Chapter 2 Specific Offense Characteristic Adjustments	1	7.7
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2A5.3 Committing Certain Crimes Aboard Aircraft	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2A6.1 Threatening or Harassing Communication	172	0.4
Decided by Trial	25	14.5
Upward Departures	2	1.2
Chapter 2 Specific Offense Characteristic Adjustments	102	59.3
§3A1.1(a) Hate Crime Adjustment (three levels)	2	1.2
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	46	26.7
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	1	0.6
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	4	2.3
§3C1.2 Reckless Endangerment During Flight (two levels)	1	0.6
§2A6.2 Stalking or Domestic Violence	12	0.0
Decided by Trial	4	33.3
Upward Departures	1	8.3
Chapter 2 Specific Offense Characteristic Adjustments	10	83.3
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	2	16.7
§3A1.2 Official Victim Adjustment (three levels)	1	8.3
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	1	8.3
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	3	25.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
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Guideline and SOC	Applied	Percent
Part B - Basic Economic Offenses		
§2B1.1 Larceny, Embezzlement, Theft, and Fraud	5,369	11.9
Decided by Trial	178	3.3
Upward Departures	62	1.2
Chapter 2 Specific Offense Characteristic Adjustments	4,304	80.2
§3A1.1(a) Hate Crime Adjustment (three levels)	2	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	62	1.2
§3A1.2 Official Victim Adjustment (three levels)	2	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	11	0.2
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	446	8.3
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	216	4.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	514	9.6
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	24	0.4
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	192	3.6
§3C1.2 Reckless Endangerment During Flight (two levels)	10	0.2

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Guideline and SOC	Applied	Percent
§2B1.3 Property Damage or Destruction ⁶	8	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	8	100.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	1	12.5
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	3	37.5
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

⁶ This guideline was consolidated with §2B1.1 on November 1, 2001.

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2B1.4 Insider Trading	0	0.0
§2B1.5 Theft or Damage of Cultural Heritage Resources	5	0.0
Decided by Trial	1	20.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	5	100.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2B2.1 Burglary of a Residence	86	0.2
Decided by Trial	2	2.3
Upward Departures	1	1.2
Chapter 2 Specific Offense Characteristic Adjustments	53	61.6
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	7	8.1
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	2	2.3
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	1	1.2
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	1	1.2
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2B2.3 Trespass	5	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	3	60.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	1	20.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2B3.1 Robbery	2,215	4.9
Decided by Trial	201	9.1
Upward Departures	79	3.6
Chapter 2 Specific Offense Characteristic Adjustments	2,129	96.1
§3A1.1(a) Hate Crime Adjustment (three levels)	7	0.3
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	7	0.3
§3A1.2 Official Victim Adjustment (three levels)	15	0.7
§3A1.3 Restraint of Victim Adjustment (two levels)	9	0.4
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	81	3.7
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	42	1.9
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	9	0.4
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	13	0.6
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	124	5.6
§3C1.2 Reckless Endangerment During Flight (two levels)	54	2.4
§2B3.2 Extortion by Force	71	0.2
Decided by Trial	4	5.6
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	68	95.8
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	1	1.4
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	4	5.6
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	4	5.6
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	2	2.8
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	5	7.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2B3.3 Blackmail and other forms of Extortion	37	0.1
Decided by Trial	4	10.8
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	27	73.0
§3A1.1(a) Hate Crime Adjustment (three levels)	1	2.7
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	10	27.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	1	2.7
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	3	8.1
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2B4.1 Bribery in Procurement of Bank Loan and other Commercial Bribery	29	0.1
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	26	89.7
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	7	24.1
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	1	3.4
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	5	17.2
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	1	3.4
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2B5.1 Offenses involving Counterfeit Bearer Obligations	390	0.9
Decided by Trial	5	1.3
Upward Departures	1	0.3
Chapter 2 Specific Offense Characteristic Adjustments	273	70.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	14	3.6
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	24	6.2
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	3	0.8
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	1	0.3
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	21	5.4
§3C1.2 Reckless Endangerment During Flight (two levels)	2	0.5
§2B5.3 Criminal Infringement of Copyright or Trademark	105	0.2
Decided by Trial	5	4.8
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	101	96.2
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	11	10.5
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	11	10.5
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	6	5.7
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	1	1.0
§3C1.2 Reckless Endangerment During Flight (two levels)	1	1.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2B6.1 Altering or Removing Motor Vehicle ID Numbers	15	0.0
Decided by Trial	2	13.3
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	14	93.3
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	3	20.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	1	6.7
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	1	6.7
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
Part C - Offenses Involving Public Officials		
§2C1.1 Offering, Giving, Soliciting, or Receiving a Bribe	130	0.3
Decided by Trial	14	10.8
Upward Departures	2	1.5
Chapter 2 Specific Offense Characteristic Adjustments	124	95.4
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	11	8.5
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	6	4.6
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	2	1.5
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	10	7.7
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2C1.2 Offering, Giving, Soliciting, or Receiving a Gratuity	17	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	13	76.5
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	1	5.9
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	1	5.9
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2C1.3 Conflict of Interest: Payment or Receipt of Unauthorized Compensation	5	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	1	20.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	1	20.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2C1.4 Payment or Receipt of Unauthorized Compensation ⁷	5	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	1	20.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2C1.5 Payments to Obtain Public Office	0	0.0
§2C1.6 Loan or Gratuity to Bank Examiner or Adjustment of Farm Indebtedness	0	0.0

⁷ Deleted and consolidated with §2C1.3 on November 1, 2001.

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2C1.7 Fraud Involving Deprivation of the Intangible Right to the Honest Services Public Officials	17	0.0
Decided by Trial	4	23.5
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	10	58.8
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	1	5.9
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	1	5.9
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	1	5.9
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	2	11.8
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
Part D - Offenses Involving Drugs		
§2D1.1 Drug Trafficking	16,104	35.6
Decided by Trial	810	5.0
Upward Departures	41	0.2
Chapter 2 Specific Offense Characteristic Adjustments	8,201	50.9
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	5	0.0
§3A1.2 Official Victim Adjustment (three levels)	21	0.1
§3A1.3 Restraint of Victim Adjustment (two levels)	7	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	1,086	6.7
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	3,357	20.8
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	62	0.4
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	121	0.8
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	582	3.6
§3C1.2 Reckless Endangerment During Flight (two levels)	53	0.3

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2D1.2 Drug offenses near protected location/involving underage/pregnant individuals	266	0.6
Decided by Trial	20	7.5
Upward Departures	2	0.8
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	1	0.4
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	21	7.9
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	29	10.9
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	1	0.4
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	17	6.4
§3C1.2 Reckless Endangerment During Flight (two levels)	1	0.4
§2D1.5 Continuing Criminal Enterprise	13	0.0
Decided by Trial	4	30.8
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	1	7.7
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	1	7.7
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2D1.6 Use of Communication Facility in Committing Drug Offense	17	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	1	5.9
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2D1.7 Unlawful Sale or Transportation of Drug Paraphernalia	30	0.1
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	3	10.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2D1.8 Renting or Managing a Drug Establishment	38	0.1
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	2	5.3
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	2	5.3
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2D1.9 Placing or Maintaining Dangerous Devices on Federal Property to Protect Unlawful Production of a Controlled Substance	0	0.0
§2D1.10 Endangering Human Life While Illegally Manufacturing a Controlled Substance	14	0.0
Decided by Trial	1	7.1
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	11	78.6
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2D1.11 Unlawfully Distributing, Importing, Exporting or Possessing a Listed Chemical	119	0.3
Decided by Trial	15	12.6
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	22	18.5
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	4	3.4
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	10	8.4
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	1	0.8
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	2	1.7
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	3	2.5
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2D1.12 Unlawful Possession/Manufacturing of Prohibited Equipment	20	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	20	100.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	3	15.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2D1.13 Structuring Chemical Transactions to Evade Recordkeeping Requirements	2	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2D2.1 Unlawful Possession	371	0.8
Decided by Trial	24	6.5
Upward Departures	14	3.8
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	2	0.5
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	3	0.8
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	5	1.4
§3C1.2 Reckless Endangerment During Flight (two levels)	3	0.8

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2D2.2 Acquiring a Controlled Substance by Forgery, Fraud, Deception, or Subterfuge	26	0.1
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	2	7.7
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	1	3.8
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	4	15.4
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2D2.3 Operating or Directing the Operation of a Common Carrier Under the Influence	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2D3.1 Regulatory Offenses Involving Registration Numbers	4	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	2	50.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	2	50.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2D3.2 Regulatory Offenses Involving Controlled Substances or Listed Chemicals	1	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
Part E - Offenses Involving Criminal Enterprises and Racketeering		
§2E1.1 Unlawful Conduct Relating to Racketeer Influenced and Corrupt Organizations	20	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	3	15.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	3	15.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	2	10.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2E1.2 Interstate or Foreign Travel or Transportation in Aid of a Racketeering Enterprise	3	0.0
Decided by Trial	1	33.3
Upward Departures	1	33.3
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	1	33.3
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES

Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2E1.3 Violent Crimes in Aid of Racketeering Activity	0	0.0
§2E1.4 Use of Interstate Commerce Facilities in the Commission of Murder-For-Hire	9	0.0
Decided by Trial	4	44.4
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	1	11.1
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	3	33.3
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2E2.1 Making or Financing an Extortionate Extension of Credit	42	0.1
Decided by Trial	2	4.8
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	10	23.8
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	4	9.5
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	6	14.3
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	3	7.1
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2E3.1 Gambling Offenses	81	0.2
Decided by Trial	1	1.2
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	9	11.1
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	21	25.9
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	1	1.2
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2E4.1 Unlawful Conduct Relating to Contraband Cigarettes	14	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	4	28.6
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	3	21.4
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	1	7.1
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2E5.1 Offering, Accepting, or Soliciting a Bribe Affecting a Pension Benefit	7	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	5	71.4
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	1	14.3
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	2	28.6
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2E5.3 False Statements in Relation to Documents Required by Employee Retirement Security Act	7	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	1	14.3
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	2	28.6
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	1	14.3
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
Part F - Offenses Involving Fraud and Deceit		
§2F1.1 Fraud and Deceit ⁸	1,119	2.5
Decided by Trial	101	9.0
Upward Departures	11	1.0
Chapter 2 Specific Offense Characteristic Adjustments	1,104	98.7
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	19	1.7
§3A1.2 Official Victim Adjustment (three levels)	1	0.1
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	229	20.5
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	79	7.1
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	200	17.9
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	3	0.3
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	81	7.2
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2F1.2 Insider Trading ²⁷	11	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	11	100.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	3	27.3
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	3	27.3
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

⁸ Deleted and consolidated with §2B1.1 on November 1, 2001.

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
Part G - Offenses Involving Commercial Sex Acts, Sexual Exploitation of Minors and Obscenity		
§2G1.1 Promoting A Commercial Sex Act or Prohibited Sexual Contact	88	0.2
Decided by Trial	24	27.3
Upward Departures	2	2.3
Chapter 2 Specific Offense Characteristic Adjustments	52	59.1
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	2	2.3
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	26	29.6
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	6	6.8
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	14	15.9
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2G2.1 Production of Pornography	124	0.3
Decided by Trial	4	3.2
Upward Departures	12	9.9
Chapter 2 Specific Offense Characteristic Adjustments	116	93.6
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	5	4.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	4	3.2
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	3	2.4
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	1	0.8
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	5	4.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	2	1.6
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	5	4.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2G2.2 Trafficking in Pornography	243	0.6
Decided by Trial	14	5.8
Upward Departures	9	3.7
Chapter 2 Specific Offense Characteristic Adjustments	243	100.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	1	0.4
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	1	0.4
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	1	0.4
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	8	3.3
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2G2.3 Selling or Buying Children for use in the Production of Pornography	0	0.0
§2G2.4 Possession of Pornography	215	0.5
Decided by Trial	4	1.9
Upward Departures	9	4.2
Chapter 2 Specific Offense Characteristic Adjustments	213	99.1
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.4
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	3	1.4
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2G2.5 Recordkeeping Offenses Involving the Production of Sexually Explicit Materials	0	0.0
§2G3.1 Importing/Mailing/Transporting Obscene Matter	17	0.0
Decided by Trial	1	5.9
Upward Departures	1	5.9
Chapter 2 Specific Offense Characteristic Adjustments	12	70.6
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	1	5.9
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2G3.2 Obscene Telephone Communication for Commercial Purposes	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
Part H - Offenses Involving Individual Rights		
§2H1.1 Offenses Involving Individual Rights	39	0.1
Decided by Trial	13	33.3
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	29	74.4
§3A1.1(a) Hate Crime Adjustment (three levels)	8	20.5
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	14	35.9
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	12	30.8
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	4	10.3
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	2	5.1
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	13	33.3
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2H1.3 Use of Force or Threat of Force to Deny Benefits or Rights in Furtherance of Discrimination: Damage to Religious Real Property ⁹	0	0.0
§2H2.1 Obstructing an Election or Registration	6	0.0
Decided by Trial	2	33.3
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	2	33.3
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	4	66.7
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	2	33.3
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

⁹ Deleted and consolidated with §2H1.1 on November 1, 1995

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2H3.1 Interception of Communications	9	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	1	11.1
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	2	22.2
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2H3.2 Manufacturing, Distributing, Advertising Eavesdropping Device	3	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	2	66.7
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2H3.3 Obstructing Correspondence	0	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2H4.1 Peonage, Involuntary Servitude and Slave Trade	15	0.0
Decided by Trial	9	60.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	15	100.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	7	46.7
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	2	13.3
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	1	6.7
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	1	6.7
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
Part J - Offenses Involving the Administration of Justice		
§2J1.1 Contempt	0	0.0
§2J1.2 Obstruction of Justice	106	0.2
Decided by Trial	22	20.8
Upward Departures	2	1.9
Chapter 2 Specific Offense Characteristic Adjustments	33	31.1
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	1	0.9
§3A1.2 Official Victim Adjustment (three levels)	6	5.7
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	4	3.8
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	3	2.8
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	10	9.4
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	8	7.6
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2J1.3 Perjury or Subornation of Perjury	42	0.1
Decided by Trial	5	11.9
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	7	16.7
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	1	2.4
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	1	2.4
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	3	7.1
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2J1.4 Impersonation	15	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	3	20.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2J1.5 Failure to Appear by Material Witness	0	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	0	0.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2J1.6 Failure to Appear by Defendant	65	0.1
Decided by Trial	5	7.7
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	33	50.8
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	1	1.5
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	1	1.5
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2J1.7 Commission of Offense While on Release	82	0.2
Decided by Trial	5	6.1
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	39	47.6
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	1	1.2
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	8	9.8
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	4	4.9
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	1	1.2
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	6	7.3
§3C1.2 Reckless Endangerment During Flight (two levels)	1	1.2
§2J1.9 Payment to a Witness	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES

Pre-Blakely 2004

Guideline and SOC	Applied	Percent
Part K - Offenses Involving Public Safety		
§2K1.1 Failure to Report Theft of Explosive Materials	9	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	0	0.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2K1.3 Unlawful Receipt/Possession/Transportation of Explosive Materials	29	0.1
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	16	55.2
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	1	3.4
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	1	3.4

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2K1.4 Arson	100	0.2
Decided by Trial	13	13.0
Upward Departures	1	1.0
Chapter 2 Specific Offense Characteristic Adjustments	12	12.0
§3A1.1(a) Hate Crime Adjustment (three levels)	7	7.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	1	1.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	12	12.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	2	2.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	4	4.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	7	7.0
§3C1.2 Reckless Endangerment During Flight (two levels)	1	1.0
§2K1.5 Possessing Dangerous Weapon or Materials While Boarding an Aircraft	19	0.0
Decided by Trial	3	15.8
Upward Departures	2	10.5
Chapter 2 Specific Offense Characteristic Adjustments	9	47.4
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2K1.6 Licensee Recordkeeping Violations Involving Explosive Materials	0	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2K2.1 Unlawful Receipt/Possession/Transportation of Firearms or Ammunition	4,777	10.6
Decided by Trial	359	7.5
Upward Departures	55	1.2
Chapter 2 Specific Offense Characteristic Adjustments	2,469	51.7
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	4	0.1
§3A1.2 Official Victim Adjustment (three levels)	17	0.4
§3A1.3 Restraint of Victim Adjustment (two levels)	5	0.1
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	50	1.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	30	0.6
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	6	0.1
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	8	0.2
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	193	4.0
§3C1.2 Reckless Endangerment During Flight (two levels)	46	1.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2K2.4 Use of Firearm/Armor-Piercing Ammunition or Explosive	0	0.0
§2K2.5 Possession of Firearm or Dangerous Weapon in Federal Facility	15	0.0
Decided by Trial	1	6.7
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	8	53.3
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	1	6.7
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2K2.6 Possessing, Purchasing, or Owning Body Armor by Violent Felons	1	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	0	0.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2K3.2 Feloniously Mailing Injurious Articles	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
Part L - Offenses Involving Immigration, Naturalization, and Passports		
§2L1.1 Smuggling, Transporting or Harboring an Unlawful Alien	1,452	3.2
Decided by Trial	52	3.6
Upward Departures	13	0.9
Chapter 2 Specific Offense Characteristic Adjustments	1,142	78.6
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	7	0.5
§3A1.2 Official Victim Adjustment (three levels)	2	0.1
§3A1.3 Restraint of Victim Adjustment (two levels)	4	0.3
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	76	5.2
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	172	11.8
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	7	0.5
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	16	1.1
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	44	3.0
§3C1.2 Reckless Endangerment During Flight (two levels)	13	0.9
§2L1.2 Unlawfully Entering or Remaining in the United States	6,633	14.6
Decided by Trial	79	1.2
Upward Departures	21	0.3
Chapter 2 Specific Offense Characteristic Adjustments	5,334	80.4
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	1	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	2	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	16	0.2
§3C1.2 Reckless Endangerment During Flight (two levels)	4	0.1

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2L2.1 Trafficking in Documents Relating to Naturalization	229	0.5
Decided by Trial	7	3.1
Upward Departures	4	1.8
Chapter 2 Specific Offense Characteristic Adjustments	175	76.4
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	2	0.9
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	24	10.5
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	16	7.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	9	3.9
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	15	6.6
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2L2.2 Fraudulent Acquiring Documents Relating to Citizenship	633	1.4
Decided by Trial	13	2.0
Upward Departures	1	0.2
Chapter 2 Specific Offense Characteristic Adjustments	114	18.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	3	0.5
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	2	0.3
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	1	0.2
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	8	1.3
§3C1.2 Reckless Endangerment During Flight (two levels)	1	0.2
§2L2.5 Failure to Surrender Canceled Naturalization Certificate	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES

Pre-Blakely 2004

Guideline and SOC	Applied	Percent
Part M - Offenses Involving National Defense and Weapons of Mass Destruction		
§2M1.1 Treason	0	0.0
§2M2.1 Destruction of, or Production of Defective War Material	0	0
§2M2.3 Destruction of , or Production of Detective, National Defense Material	0	0
§2M3.1 Gathering/Transmitting National Defense Information to Aid Foreign Gov't	0	0.0
§2M3.2 Gathering National Defense Information	0	0.0
§2M3.3 Transmitting National Defense Information	0	0.0
§2M3.4 Losing National Defense Information	0	0.0
§2M3.5 Tampering with Restricted Data Concerning Atomic Energy	0	0.0
§2M3.9 Disclosure of Information Identifying a Covert Agent	0	0.0
§2M4.1 Failure to Register and Evasion of Military Service	0	0.0
§2M5.1 Evasion of Export Controls; Financial Transactions with Countries Supporting Terrorism	1	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	1	100.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2M5.2 Exportation of Arms/Munitions/Military Equipment without Validated Export License	19	0.0
Decided by Trial	0	0.0
Upward Departures	2	10.5
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	6	31.6
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	1	5.3
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	2	10.5
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	1	5.3
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2M5.3 Providing Material Support/Resources to Designated Foreign Terrorist Organizations	3	0.0
Decided by Trial	1	33.3
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	0	0.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	1	33.3
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	1	33.3
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2M6.1 Unlawful Production of Nuclear Material	26	0.1
Decided by Trial	17	65.4
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	18	69.2
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	14	53.8
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	1	3.8
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2M6.2 Violation of Other Federal Atomic Energy Agency Statutes, Rules or Regulation	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
Part N - Offenses Involving Food, Drugs, Agricultural Products and Odometer Laws		
§2N1.1 Tampering or Attempting to Tamper Involving risk of Death or Bodily Injury	4	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	0	0.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	2	50.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2N1.2 Providing False Information or Threatening to Tamper with Consumer Products	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2N1.3 Tampering with Intent to Injure Business	1	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2N2.1 Violations of Statutes and Regulations Dealing with any Food, Drug, etc	27	0.1
Decided by Trial	3	11.1
Upward Departures	1	3.7
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	2	7.4
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	3	11.1
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	1	3.7
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	1	3.7
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2N3.1 Odometer Laws and Regulations	1	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
Part P - Offenses Involving Prisons and Correctional Facilities		
§2P1.1 Escape, Instigating or Assisting Escape	162	0.4
Decided by Trial	6	3.7
Upward Departures	6	3.7
Chapter 2 Specific Offense Characteristic Adjustments	95	58.6
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	3	1.8
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	3	1.8
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	4	2.5
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2P1.2 Providing or Possessing Contraband in Prison	75	0.2
Decided by Trial	9	12.0
Upward Departures	2	2.7
Chapter 2 Specific Offense Characteristic Adjustments	3	4.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	1	1.3
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	1	1.3
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	1	1.3
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	1	1.3
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2P1.3 Engaging in a Riot Involving Persons in a Facility	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
Part Q -Offenses Involving the Environment		
§2Q1.1 Knowing Endangerment Resulting from Mishandling Hazardous Substances	0	0.0
§2Q1.2 Mishandling of Hazardous Substances	33	0.1
Decided by Trial	3	9.1
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	18	54.6
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	1	3.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	10	30.3
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	3	9.1
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	6	18.2
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2Q1.3 Mishandling of Other Environmental Pollutants	11	0.0
Decided by Trial	2	18.2
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	9	81.8
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	1	9.1
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	1	9.1
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2Q1.4 Tampering or Attempted Tampering with Public Water System	0	0.0
§2Q1.6 Hazardous or Injurious Devices on Federal Lands	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2Q2.1 Offenses Involving Fish, Wildlife and Plants	62	0.1
Decided by Trial	5	8.1
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	48	77.4
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	5	8.1
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	2	3.2
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	6	9.7
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
Part R - Antitrust Offenses		
§2R1.1 Bid-Rigging, Price-Fixing or Market-Allocation Agreements Among Competitors	4	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	4	100.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	2	50.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	2	50.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
Part S - Money Laundering and Monetary Transactions Reporting		
§2S1.1 Laundering of Monetary Instruments	531	1.2
Decided by Trial	64	12.0
Upward Departures	5	0.9
Chapter 2 Specific Offense Characteristic Adjustments	501	94.4
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	4	0.8
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	112	21.1
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	85	16.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	18	3.4
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	4	0.8
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	54	10.2
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2S1.2 Engaging in Monetary Transactions in Property Derived from Unlawful Activity ¹⁰	15	0.0
Decided by Trial	1	6.7
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	15	100.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	2	13.3
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	2	13.3
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2S1.3 Structuring Transactions to Evade Reporting Requirements	157	0.4
Decided by Trial	10	6.4
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	105	66.9
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	10	6.4
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	15	9.6
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	1	0.6
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	7	4.5
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES

¹⁰ Guideline was deleted and consolidated with §2S1.1 on November 1, 2001.

Pre-Blakely 2004

Guideline and SOC	Applied	Percent
Part T - Offenses Involving Taxation		
§2T1.1 Tax Evasion	327	0.7
Decided by Trial	30	9.2
Upward Departures	3	0.9
Chapter 2 Specific Offense Characteristic Adjustments	138	42.2
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	14	4.3
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	6	1.8
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	13	4.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	20	6.1
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2T1.3 Fraud and False Statements Under Penalty of Perjury ¹¹	0	0.0

¹¹ This guideline was consolidated with §2T1.1 on November 1, 1993

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2T1.4 Aiding, Assisting, Procuring, Counseling or Advising Tax Fraud	62	0.1
Decided by Trial	9	14.5
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	44	71.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	5	8.1
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	5	8.1
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	3	4.8
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	10	16.1
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2T1.6 Failing to Collect or Truthfully Account for and Pay Over Tax	11	0.0
Decided by Trial	3	27.3
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	0	0.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	3	27.3
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	1	9.1
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2T1.7 Failing to Deposit Collected Taxes in Trust Account as Required After Notice	0	0.0
§2T1.8 Offenses Relating to Withholding Statements	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES

Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2T1.9 Conspiracy to Impede, Impair, Obstruct	16	0.0
Decided by Trial	3	18.8
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	4	25.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	4	25.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	2	12.5
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	4	25.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	2	12.5
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2T2.1 Non-payment of Taxes	0	0.0
§2T2.2 Regulatory Offenses	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2T3.1 Evading Import Duties or Restrictions (Smuggling)	20	0.0
Decided by Trial	1	5.0
Upward Departures	5	25.0
Chapter 2 Specific Offense Characteristic Adjustments	2	10.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	3	15.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	6	30.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
Part X - Other Offenses		
§2X1.1 Attempt, Solicitation, or Conspiracy	64	0.1
Decided by Trial	4	6.2
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	18	28.1
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	2	3.1
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	5	7.8
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	1	1.6
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	1	1.6
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2X2.1 Aiding and Abetting	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2X3.1 Accessory After the Fact	101	0.2
Decided by Trial	10	9.9
Upward Departures	2	2.0
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	1	1.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	1	1.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	2	2.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	4	4.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	3	3.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	10	9.9
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2X4.1 Misprision of a Felony	314	0.7
Decided by Trial	1	0.3
Upward Departures	12	3.8
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	1	0.3
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	1	0.3
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	3	1.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	8	2.6
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	2	0.6
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	1	0.3
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	4	1.3
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES
Pre-Blakely 2004

Guideline and SOC	Applied	Percent
§2X5.1 Other Offenses	1	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b)(1)&(2) Vulnerable Victim Adjustment (two or four levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	0	0.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	0	0.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0