ORGANIZATIONAL GUIDELINES

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Commissioner – USSC
District Judge
Washington DC
Number of Organizational Cases
Fiscal Year 2002-2011

Primary Offenses of Organizational Cases
Fiscal Year 2011

Fraud 22.5%
Environmental 30.7%
FDA 9.4%
Bribery 7.5%
Money Laundering 4.4%
Antitrust 4.4%
Import/Export 10.0%
Immigration 1.9%
Other 9.2%

Fraud Offenses in Organizational Cases
Fiscal Year 2011

Number of Environmental Organizational Cases
Fiscal Year 2011

Size of Organizations Sentenced By Number of Employees
Fiscal Year 2011

- <50 Employees: 2%
- 50-99 Employees: 7%
- 100-499 Employees: 7%
- 500-999 Employees: 11%
- ≥1000 Employees: 73%

Types of Monetary Sentences
Fiscal Year 2011

- Fine/No Restitution: 53.1%
- Restitution/No Fine: 15.0%
- No Fine or Restitution: 14.4%
- Fine and Restitution: 17.5%

Median Fine and Restitution for Organizations
Fiscal Years 2002-2011

1FY04 data consists of only pre-Blakely data from October 1, 2003 through June 24, 2004. FY05 data consists of only post-Booker data from January 12, 2005 through September 30, 2005.
Top Ten Organizational Fines and Restitution Orders by Offense Type (Millions of Dollars)  
Fiscal Year 2011

<table>
<thead>
<tr>
<th>Fines</th>
<th>Restitution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Food &amp; Drug</td>
<td>Fraud</td>
</tr>
<tr>
<td>$253.9</td>
<td>$87.5</td>
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<tr>
<td>Food &amp; Drug</td>
<td>Bribery</td>
</tr>
<tr>
<td>$170.0</td>
<td>$4.1</td>
</tr>
<tr>
<td>Food &amp; Drug</td>
<td>Fraud</td>
</tr>
<tr>
<td>$150.0</td>
<td>$3.5</td>
</tr>
<tr>
<td>Import/Export</td>
<td>Fraud</td>
</tr>
<tr>
<td>$140.0</td>
<td>$3.5</td>
</tr>
<tr>
<td>Food &amp; Drug</td>
<td>Fraud</td>
</tr>
<tr>
<td>$97.0</td>
<td>$2.0</td>
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<tr>
<td>Antitrust</td>
<td>Environmental</td>
</tr>
<tr>
<td>$91.8</td>
<td>$2.0</td>
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<tr>
<td>Import/Export</td>
<td>Fraud</td>
</tr>
<tr>
<td>$73.0</td>
<td>$1.8</td>
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<tr>
<td>Bribery</td>
<td>Fraud</td>
</tr>
<tr>
<td>$70.5</td>
<td>$1.5</td>
</tr>
<tr>
<td>Other</td>
<td>Environmental</td>
</tr>
<tr>
<td>$49.1</td>
<td>$1.5</td>
</tr>
<tr>
<td>Antitrust</td>
<td>Environmental</td>
</tr>
<tr>
<td>$48.0</td>
<td>$1.5</td>
</tr>
</tbody>
</table>

Relationship of Individual Offender to Organizational Cases
Fiscal Years 2010-2011

**FY10**

- 48.3% At Least One Individual Co-Defendant
- 51.7% No Individual Co-Defendants

**FY11**

- 56.9% At Least One Individual Co-Defendant
- 43.1% No Individual Co-Defendants

Relationship of Individual Offender to Organizational Cases Fiscal Years 2002-2011

Percentage of Individual Offenders Who Were “High-Level” Officials of Co-Defendant Organizations
Fiscal Years 2010-2011

**FY10**

- 39.9% Not High-Level Officials
- 41.0% Owners
- 11.6% Managers/Supervisor
- 7.5% Board Members

**FY11**

- 51.9% Not High-Level Officials
- 23.4% Owners
- 17.6% Board Members
- 7.1% Managers/Supervisor

**SOURCE:** United States Sentencing Commission, 2010-2011 Datafiles, USSCFY10-USSCFY11
Percentage of Individual Offenders Who Were “High-Level” Officials of Co-Defendant Organizations Fiscal Years 2002-2011

Percentage of Organizational Cases Receiving Reduction in Culpability Score Under §8C2.5(g)
Fiscal Years 2007-2011

Deferred Prosecution and Non-Prosecution Agreements
Deferred Prosecution and Non-Prosecution Agreements for Organizations
Fiscal Year 2003-2011

Deferred Prosecution and Non-Prosecution Agreements for Organizations
Fiscal Year 2003-2011

U.S. Sentencing Commission

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