

Table 52

ORGANIZATIONS SENTENCED UNDER CHAPTER EIGHT: CULPABILITY FACTORS¹
Fiscal Year 1998

Involvement in or Tolerance of Criminal Activity by Substantial Authority Personnel	Number	Percent
Involvement/Tolerance in an organization/unit of 5,000+ employees	1	0.8
Involvement/Tolerance in an organization/unit of 1,000+ employees	2	1.7
Involvement/Tolerance in an organization/unit of 200+ employees	8	6.8
Involvement in an organization of 50+ employees	21	17.8
Involvement in an organization of ten or more employees	37	31.4
No involvement/tolerance OR fewer than ten employees	49	41.5
TOTAL	118	100.0

Prior History	Number	Percent
One similar criminal/two similar administrative violations within five years	1	0.8
Organization had no prior record	117	99.2
TOTAL	118	100.0

Violation of an Order	Number	Percent
Organization did violate an order	0	0.0
Organization did not violate an order	118	100.0
TOTAL	118	100.0

Obstruction of Justice	Number	Percent
Organization obstructed justice	8	6.8
Organization did not obstruct justice	110	93.2
TOTAL	118	100.0

Effective Program to Prevent and Detect Violations of Law	Number	Percent
Organization did have an effective program	0	0.0
Organization did not have an effective program	118	100.0
TOTAL	118	100.0

Self-Reporting, Cooperation, and Acceptance of Responsibility	Number	Percent
Self-reported offense	0	0.0
Cooperated with investigation	64	54.2
Accepted responsibility	36	30.5
Organization did not self-report, cooperate, or accept responsibility	18	15.3
TOTAL	118	100.0

¹There were 218 cases sentenced pursuant to Chapter Eight in FY1998. The Chapter Eight Fine Guidelines were applied in 122 of these cases. The total for each factor may add up to less than the overall total due to missing information for that variable. Other descriptions of variables used in this table are provided in Appendix A. A description of Chapter Eight culpability factors can be found in USSG §8C2.5.
SOURCE: U.S. Sentencing Commission, Organizational Defendants, 1998.