Table 47

ORGANIZATIONS SENTENCED UNDER CHAPTER EIGHT: CULPABILITY FACTORS¹

(October 1, 1995, through September 30, 1996)

Involvement/Tolerance in an organization of 200+ employees 7 7.5 Involvement in an organization of 50+ employees 14 15.1 Involvement in an organization of ten or more employees 35 37.6 No involvement in an organization of fewer than ten employees 37 39.8 TOTAL 93 100.0 Prior History Number Percent One similar criminal/two similar administrative violations within five years 2 2.2 One similar criminal/two similar administrative violations within ten years 0 0.0 Organization had no prior record 91 97.8 TOTAL 93 100.0 Violation of an Order Number Percent Organization did violate an order 2 2.2 Organization did not violate an order 91 97.8 TOTAL 93 100.0 Obstruction of Justice Number Percent Organization did not botsructed justice 5 5.3 Organization did not obstruct justice 89 94.7 TOTAL 94 10	Involvement in or Tolerance of Criminal Activity	Number	Percent
Involvement in an organization of ten or more employees 35 37.6 No involvement in an organization of fewer than ten employees 37 39.8 TOTAL 93 100.0 Prior History Number Percent One similar criminal/two similar administrative violations within five years 2 2.2 One similar criminal/two similar administrative violations within ten years 0 0.0 Organization had no prior record 91 97.8 TOTAL 93 100.0 Violation of an Order Number Percent Organization did violate an order 2 2.2 Organization did not violate an order 91 97.8 TOTAL 93 100.0 Obstruction of Justice Number Percent Organization obstructed justice 5 5.3 Organization did not obstruct justice 5 5.3 Organization did not bave an effective program 94 100.0 Effective Program to Prevent and Detect Violations of Law Number Percent Organization did not have an effective program<	Involvement/Tolerance in an organization of 200+ employees	7	7.5
No involvement in an organization of fewer than ten employees 37 39.8 TOTAL 93 100.0 Prior History Number Percent One similar criminal/two similar administrative violations within five years 2 2.2 One similar criminal/two similar administrative violations within ten years 0 0.0 Organization had no prior record 91 97.8 TOTAL 93 100.0 Violation of an Order Number Percent Organization did violate an order 2 2.2 Organization did not violate an order 91 97.8 TOTAL 93 100.0 Obstruction of Justice Number Percent Organization obstructed justice 5 5.3 Organization did not obstruct justice 89 9.4 TOTAL 94 100.0 Effective Program to Prevent and Detect Violations of Law Number Percent Organization did not have an effective program 94 100.0 Self-Reporting, Cooperation, and Acceptance of Responsibility Number	Involvement in an organization of 50+ employees	14	15.1
TOTAL 93 100.0 Prior History Number Percent One similar criminal/two similar administrative violations within five years 2 2.2 One similar criminal/two similar administrative violations within ten years 0 0.0 Organization had no prior record 91 97.8 TOTAL 93 100.0 Violation of an Order Number Percent Organization did violate an order 2 2.2 Organization did not violate an order 91 97.8 TOTAL 93 100.0 Obstruction of Justice Number Percent Organization obstructed justice 5 5.3 Organization did not obstruct justice 89 94.7 TOTAL 94 100.0 Effective Program to Prevent and Detect Violations of Law Number Percent Organization did not have an effective program 94 100.0 TOTAL 94 100.0 Self-Reporting, Cooperation, and Acceptance of Responsibility Number Percent Se	Involvement in an organization of ten or more employees	35	37.6
Prior History Number Percent One similar criminal/two similar administrative violations within five years 2 2.2 One similar criminal/two similar administrative violations within ten years 0 0.0 Organization had no prior record 91 97.8 TOTAL 93 100.0 Violation of an Order Number Percent Organization did violate an order 2 2.2 Organization did not violate an order 91 97.8 TOTAL 93 100.0 Obstruction of Justice Number Percent Organization obstructed justice 5 5.3 Organization obstructed justice 5 5.3 Organization did not obstruct justice 89 94.7 TOTAL 94 100.0 Effective Program to Prevent and Detect Violations of Law Number Percent Organization did not have an effective program 94 100.0 TOTAL 94 100.0 Self-Reporting, Cooperation, and Acceptance of Responsibility Number Percent	No involvement in an organization of fewer than ten employees	37	39.8
One similar criminal/two similar administrative violations within five years 2 2.2 One similar criminal/two similar administrative violations within ten years 0 0.0 Organization had no prior record 91 97.8 TOTAL 93 100.0 Violation of an Order Number Percent Organization did violate an order 2 2.2 Organization did not violate an order 91 97.8 TOTAL 93 100.0 Obstruction of Justice Number Percent Organization obstructed justice 5 5.3 Organization did not obstruct justice 89 94.7 TOTAL 94 100.0 Effective Program to Prevent and Detect Violations of Law Number Percent Organization did not have an effective program 94 100.0 TOTAL 94 100.0 Self-Reporting, Cooperation, and Acceptance of Responsibility Number Percent Self-reported offense 0 0.0 Cooperated with investigation 46 50.0	TOTAL	93	100.0
One similar criminal/two similar administrative violations within ten years 0 0.0 Organization had no prior record 91 97.8 TOTAL 93 100.0 Violation of an Order Number Percent Organization did violate an order 2 2.2 Organization did not violate an order 91 97.8 TOTAL 93 100.0 Obstruction of Justice Number Percent Organization obstructed justice 5 5.3 Organization did not obstruct justice 89 94.7 TOTAL 94 100.0 Effective Program to Prevent and Detect Violations of Law Number Percent Organization did not have an effective program 94 100.0 TOTAL 94 100.0 TOTAL 94 100.0 TOTAL 94 100.0 TOTAL 94 100.0 Occoperation, and Acceptance of Responsibility Number Percent Self-Reporting, Cooperation, and Acceptance of Responsibility Number	Prior History	Number	Percent
Organization had no prior record 91 97.8 TOTAL 93 100.0 Violation of an Order Number Percent Organization did violate an order 2 2.2 Organization did not violate an order 91 97.8 TOTAL 93 100.0 Obstruction of Justice Number Percent Organization obstructed justice 5 5.3 Organization did not obstruct justice 89 94.7 TOTAL 94 100.0 Effective Program to Prevent and Detect Violations of Law Number Percent Organization did not have an effective program 94 100.0 TOTAL 94 100.0 TOTAL 94 100.0 TOTAL 94 100.0 TOTAL 94 100.0 Self-Reporting, Cooperation, and Acceptance of Responsibility Number Percent Self-reported offense 0 0.0 Cooperated with investigation 46 50.0 Accepted responsibility	One similar criminal/two similar administrative violations within five years	2	2.2
Violation of an Order Number Percent Organization did violate an order 2 2.2 Organization did not violate an order 91 97.8 TOTAL 93 100.0 Obstruction of Justice Number Percent Organization obstructed justice 5 5.3 Organization did not obstruct justice 89 94.7 TOTAL 94 100.0 Effective Program to Prevent and Detect Violations of Law Number Percent Organization did not have an effective program 94 100.0 TOTAL 94 100.0 Self-Reporting, Cooperation, and Acceptance of Responsibility Number Percent Self-reported offense 0 0.0 Cooperated with investigation 46 50.0 Accepted responsibility 24 26.1 Organization did not self-report, cooperate, or accept responsibility 22 23.9	One similar criminal/two similar administrative violations within ten years	0	0.0
Violation of an Order Number Percent Organization did violate an order 2 2.2 Organization did not violate an order 91 97.8 TOTAL 93 100.0 Obstruction of Justice Number Percent Organization obstructed justice 5 5.3 Organization did not obstruct justice 89 94.7 TOTAL 94 100.0 Effective Program to Prevent and Detect Violations of Law Number Percent Organization did not have an effective program 94 100.0 TOTAL 94 100.0 Self-Reporting, Cooperation, and Acceptance of Responsibility Number Percent Self-reported offense 0 0.0 Cooperated with investigation 46 50.0 Accepted responsibility 24 26.1 Organization did not self-report, cooperate, or accept responsibility 22 23.9	Organization had no prior record	91	97.8
Organization did violate an order 2 2.2 Organization did not violate an order 91 97.8 TOTAL 93 100.0 Obstruction of Justice Number Percent Organization obstructed justice 5 5.3 Organization did not obstruct justice 89 94.7 TOTAL 94 100.0 Effective Program to Prevent and Detect Violations of Law Number Percent Organization did not have an effective program 94 100.0 TOTAL 94 100.0 Self-Reporting, Cooperation, and Acceptance of Responsibility Number Percent Self-reported offense 0 0.0 Cooperated with investigation 46 50.0 Accepted responsibility 24 26.1 Organization did not self-report, cooperate, or accept responsibility 22 23.9	TOTAL	93	100.0
Organization did not violate an order 91 97.8 TOTAL 93 100.0 Obstruction of Justice Number Percent Organization obstructed justice 5 5.3 Organization did not obstruct justice 89 94.7 TOTAL 94 100.0 Effective Program to Prevent and Detect Violations of Law Number Percent Organization did not have an effective program 94 100.0 TOTAL 94 100.0 Self-Reporting, Cooperation, and Acceptance of Responsibility Number Percent Self-reported offense 0 0.0 Cooperated with investigation 46 50.0 Accepted responsibility 24 26.1 Organization did not self-report, cooperate, or accept responsibility 22 23.9	Violation of an Order	Number	Percent
TOTAL 93 100.0 Obstruction of Justice Number Percent Organization obstructed justice 5 5.3 Organization did not obstruct justice 89 94.7 TOTAL 94 100.0 Effective Program to Prevent and Detect Violations of Law Number Percent Organization did not have an effective program 94 100.0 TOTAL 94 100.0 Self-Reporting, Cooperation, and Acceptance of Responsibility Number Percent Self-reported offense 0 0.0 Cooperated with investigation 46 50.0 Accepted responsibility 24 26.1 Organization did not self-report, cooperate, or accept responsibility 22 23.9	Organization did violate an order	2	2.2
Obstruction of JusticeNumberPercentOrganization obstructed justice55.3Organization did not obstruct justice8994.7TOTAL94100.0Effective Program to Prevent and Detect Violations of LawNumberPercentOrganization did not have an effective program94100.0TOTAL94100.0Self-Reporting, Cooperation, and Acceptance of ResponsibilityNumberPercentSelf-reported offense00.0Cooperated with investigation4650.0Accepted responsibility2426.1Organization did not self-report, cooperate, or accept responsibility2223.9		91	97.8
Organization obstructed justice55.3Organization did not obstruct justice8994.7TOTAL94100.0Effective Program to Prevent and Detect Violations of LawNumberPercentOrganization did not have an effective program94100.0TOTAL94100.0Self-Reporting, Cooperation, and Acceptance of ResponsibilityNumberPercentSelf-reported offense00.0Cooperated with investigation4650.0Accepted responsibility2426.1Organization did not self-report, cooperate, or accept responsibility2223.9	TOTAL	93	100.0
Organization did not obstruct justice 89 94.7 TOTAL 94 100.0 Effective Program to Prevent and Detect Violations of Law Number Percent Organization did not have an effective program 94 100.0 TOTAL 94 100.0 Self-Reporting, Cooperation, and Acceptance of Responsibility Number Percent Self-reported offense 0 0.0 Cooperated with investigation 46 50.0 Accepted responsibility 24 26.1 Organization did not self-report, cooperate, or accept responsibility 22 23.9	Obstruction of Justice	Number	Percent
TOTAL 94 100.0 Effective Program to Prevent and Detect Violations of Law Number Percent Organization did not have an effective program 94 100.0 TOTAL 94 100.0 Self-Reporting, Cooperation, and Acceptance of Responsibility Number Percent Self-reported offense 0 0.0 Cooperated with investigation 46 50.0 Accepted responsibility 24 26.1 Organization did not self-report, cooperate, or accept responsibility 22 23.9	Organization obstructed justice	5	5.3
Effective Program to Prevent and Detect Violations of LawNumberPercentOrganization did not have an effective program94100.0TOTAL94100.0Self-Reporting, Cooperation, and Acceptance of ResponsibilityNumberPercentSelf-reported offense00.0Cooperated with investigation4650.0Accepted responsibility2426.1Organization did not self-report, cooperate, or accept responsibility2223.9	Organization did not obstruct justice	89	94.7
Organization did not have an effective program 94 100.0 TOTAL 94 100.0 Self-Reporting, Cooperation, and Acceptance of Responsibility Number Percent Self-reported offense 0 0.0 Cooperated with investigation 46 50.0 Accepted responsibility 24 26.1 Organization did not self-report, cooperate, or accept responsibility 22 23.9	TOTAL	94	100.0
TOTAL94100.0Self-Reporting, Cooperation, and Acceptance of ResponsibilityNumberPercentSelf-reported offense00.0Cooperated with investigation4650.0Accepted responsibility2426.1Organization did not self-report, cooperate, or accept responsibility2223.9	Effective Program to Prevent and Detect Violations of Law	Number	Percent
Self-Reporting, Cooperation, and Acceptance of ResponsibilityNumberPercentSelf-reported offense00.0Cooperated with investigation4650.0Accepted responsibility2426.1Organization did not self-report, cooperate, or accept responsibility2223.9	Organization did not have an effective program	94	100.0
Self-reported offense00.0Cooperated with investigation4650.0Accepted responsibility2426.1Organization did not self-report, cooperate, or accept responsibility2223.9	TOTAL	94	100.0
Cooperated with investigation4650.0Accepted responsibility2426.1Organization did not self-report, cooperate, or accept responsibility2223.9	Self-Reporting, Cooperation, and Acceptance of Responsibility	Number	Percent
Accepted responsibility 24 26.1 Organization did not self-report, cooperate, or accept responsibility 22 23.9	Self-reported offense	0	0.0
Organization did not self-report, cooperate, or accept responsibility 22 23.9	Cooperated with investigation	46	50.0
	Accepted responsibility	24	26.1
TOTAL 92 100.0	Organization did not self-report, cooperate, or accept responsibility	22	23.9
	TOTAL	92	100.0

SOURCE: U.S. Sentencing Commission, Organizational Defendants, 1996.

¹There were 157 cases sentenced pursuant to Chapter Eight in FY1996. The total for each factor may add 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.