

**Table 54**

**ORGANIZATIONS SENTENCED UNDER CHAPTER EIGHT: CULPABILITY FACTORS<sup>1</sup>**  
**Fiscal Year 2000**

<b>Involvement in or Tolerance of Criminal Activity by Authority - §8C2.5(b)</b>	<b>Number</b>	<b>Percent</b>
Involvement/tolerance in an organization/unit of 5,000+ employees	2	1.5
Involvement/tolerance in an organization/unit of 1,000+ employees	3	2.3
Involvement/tolerance in an organization/unit of 200+ employees	13	9.8
Involvement/tolerance in an organization of 50+ employees	27	20.3
Involvement/tolerance in an organization of ten or more employees	41	30.8
No involvement/tolerance OR fewer than ten employees	47	35.3
<b>TOTAL</b>	<b>133</b>	<b>100.0</b>

  

<b>Prior History - §8C2.5(c)</b>	<b>Number</b>	<b>Percent</b>
One similar criminal/two similar administrative violations within ten years	1	0.8
One similar criminal/two similar administrative violations within five years	5	3.8
Organization had no prior record	126	95.5
<b>TOTAL</b>	<b>132</b>	<b>100.0</b>

  

<b>Violation of an Order - §8C2.5(d)</b>	<b>Number</b>	<b>Percent</b>
Organization did violate an order	1	0.7
Organization did not violate an order	133	99.3
<b>TOTAL</b>	<b>134</b>	<b>100.0</b>

  

<b>Obstruction of Justice - §8C2.5(e)</b>	<b>Number</b>	<b>Percent</b>
Organization obstructed justice	10	7.5
Organization did not obstruct justice	124	92.5
<b>TOTAL</b>	<b>134</b>	<b>100.0</b>

  

<b>Effective Program to Prevent and Detect Violations of Law - §8C2.5(f)</b>	<b>Number</b>	<b>Percent</b>
Organization did have an effective compliance program	0	0.0
Organization had a compliance program, but it was not effective	14	10.6
Organization had no compliance program	118	89.4
<b>TOTAL</b>	<b>132</b>	<b>100.0</b>

  

<b>Self-Reporting, Cooperation, and Acceptance of Responsibility - §8C2.5(g)</b>	<b>Number</b>	<b>Percent</b>
Reported offense to governmental authorities	1	0.7
Cooperated with investigation	74	55.2
Accepted responsibility	41	30.6
Organization did not self-report, cooperate, or accept responsibility	18	13.4
<b>TOTAL</b>	<b>134</b>	<b>100.0</b>

<sup>1</sup>Of the 304 cases sentenced pursuant to Chapter Eight in FY00, 203 cases involved offenses covered by the list of applicable guidelines in §8C1.2. For 69 of these cases, the fine guidelines application data are missing or inapplicable due to guideline provisions such as a “preliminary determination of inability to pay fine” (§8C2.2). The total for each factor may add up to less than the overall total due to missing information for that variable. 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 Datafile, FY2000.

