

**CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES<sup>1</sup>**  
**Fiscal Year 2002<sup>2</sup>**

Guideline and SOC	Applied <sup>3</sup>	Percent <sup>4</sup>
<b>ALL OFFENSES</b>		
<b>All Offenses</b>	<b>56,475</b>	<b>100.0</b>
Decided by Trial	1,972	3.5
Upward Departures	546	1.0
Chapter 2 Specific Offense Characteristic Adjustments	26,921	47.7
§3A1.1(a) Hate Crime Adjustment (three levels)	93	0.2
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	338	0.6
§3A1.2 Official Victim Adjustment (three levels)	191	0.3
§3A1.3 Restraint of Victim Adjustment (two levels)	102	0.2
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	13	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	3,394	6.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	7,209	12.8
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	1,228	2.2
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	273	0.5
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	2,189	3.9
§3C1.2 Reckless Endangerment During Flight (two levels)	166	0.3

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<sup>1</sup> The information in this tables depicts information collected from only those cases in which complete guideline information is available. Of the 64,366 cases in which the Commission received, 52,340 contained complete guideline information (81.3 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.

<sup>2</sup> Fiscal Year 2002 data represents guideline application from guidelines effective November 1, 2001 unless otherwise specified.

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

<sup>4</sup> 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**  
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Guideline and SOC	Applied	Percent
<b>Part A - Offenses Against Person</b>		
§2A1.1 First Degree Murder	220	0.4
Decided by Trial	62	28.2
Upward Departures	1	0.4
Chapter 2 Specific Offense Characteristic Adjustments	NA <sup>5</sup>	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	11	5.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	1	0.4
§3A1.2 Official Victim Adjustment (three levels)	12	5.4
§3A1.3 Restraint of Victim Adjustment (two levels)	1	0.4
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	11	5.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	36	16.4
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	6	2.7
§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)	3	1.4
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	25	11.4
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

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

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<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2A1.2 Second Degree Murder	42	0.1
Decided by Trial	2	4.8
Upward Departures	12	28.6
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	2	4.8
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	1	2.4
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	1	2.4
§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)	6	14.3
§3C1.2 Reckless Endangerment During Flight (two levels)	1	2.4
§2A1.3 Voluntary Manslaughter	22	0.0
Decided by Trial	0	0.0
Upward Departures	6	27.3
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	1	4.6
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	1	4.6
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	1	4.6
§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)	2	9.1
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

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<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2A1.4 Involuntary Manslaughter	48	0.1
Decided by Trial	5	10.4
Upward Departures	11	22.9
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	6	12.5
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	1	2.1
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	1	2.1
§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	2.1
§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)	2	4.2
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2A1.5 Conspiracy or Solicitation to Commit Murder	20	0.0
Decided by Trial	2	10.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	9	45.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	1	5.0
§3A1.2 Official Victim Adjustment (three levels)	1	5.0
§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)	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	20.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

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<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2A2.1 Assault with Intent to Commit Murder: Attempted Murder	91	0.2
Decided by Trial	12	13.2
Upward Departures	2	2.2
Chapter 2 Specific Offense Characteristic Adjustments	55	60.4
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	6	6.6
§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	3.3
§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)	9	9.9
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2A2.2 Aggravated Assault	302	0.5
Decided by Trial	32	10.6
Upward Departures	10	3.3
Chapter 2 Specific Offense Characteristic Adjustments	292	96.7
§3A1.1(a) Hate Crime Adjustment (three levels)	46	15.2
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	33	10.9
§3A1.2 Official Victim Adjustment (three levels)	26	8.6
§3A1.3 Restraint of Victim Adjustment (two levels)	6	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	8.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	18	6.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	2	0.7
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	13	4.3
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	20	6.6
§3C1.2 Reckless Endangerment During Flight (two levels)	1	0.3

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<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2A2.3 Minor Assault	26	0.0
Decided by Trial	7	26.9
Upward Departures	4	15.4
Chapter 2 Specific Offense Characteristic Adjustments	9	34.6
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	5	19.2
§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	3.8
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2A2.4 Obstructing or Impeding Officers	129	0.2
Decided by Trial	15	11.6
Upward Departures	8	6.2
Chapter 2 Specific Offense Characteristic Adjustments	100	77.5
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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	0.8
§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)	8	6.2
§3C1.2 Reckless Endangerment During Flight (two levels)	4	3.1

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<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2A3.1 Criminal Sexual Abuse (Rape)	87	0.2
Decided by Trial	14	16.1
Upward Departures	8	9.4
Chapter 2 Specific Offense Characteristic Adjustments	78	89.7
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	9	10.3
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	3	3.4
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	4	4.6
§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)	7	8.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2A3.2 Criminal Sexual Abuse of a Minor (Statutory Rape)	154	0.3
Decided by Trial	12	7.8
Upward Departures	7	4.6
Chapter 2 Specific Offense Characteristic Adjustments	94	61.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	2	1.3
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	1	0.6
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	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	0.6
§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)	4	2.6
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

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<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2A3.3 Criminal Sexual Abuse of a Ward	10	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	1	10.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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	10.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2A3.4 Abuse Sexual Contact	53	0.1
Decided by Trial	2	3.8
Upward Departures	16	30.2
Chapter 2 Specific Offense Characteristic Adjustments	43	81.1
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	1	1.9
§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)	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

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<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2A4.1 Kidnapping, Abduction or Unlawful Restraint	117	0.2
Decided by Trial	4	3.4
Upward Departures	3	2.6
Chapter 2 Specific Offense Characteristic Adjustments	99	84.6
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	55	47.0
§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)	8	6.8
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	7	6.0
§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	0.8
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2A4.2 Demanding or Receiving Ransom Money	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) Vulnerable Victim Adjustment (two levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	1	100.0
§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

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<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2A5.1 Aircraft Piracy or Attempted Aircraft Piracy	0	0.0
§2A5.2 Interference with Flight Crew Member or Mass Transportation Vehicle or Ferry	19	0.0
Decided by Trial	1	5.3
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) Vulnerable Victim Adjustment (two 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)	1	5.3
§2A5.3 Committing Certain Crimes Aboard Aircraft	0	0.0

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<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2A6.1 Threatening or Harassing Communication	227	0.4
Decided by Trial	22	9.7
Upward Departures	16	7.1
Chapter 2 Specific Offense Characteristic Adjustments	87	38.3
§3A1.1(a) Hate Crime Adjustment (three levels)	5	2.2
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	2	0.9
§3A1.2 Official Victim Adjustment (three levels)	79	34.8
§3A1.3 Restraint of Victim Adjustment (two levels)	2	0.9
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	1	0.4
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	1	0.4
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	225	99.1
§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)	11	4.8
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2A6.2 Stalking or Domestic Violence	9	0.0
Decided by Trial	4	44.4
Upward Departures	3	33.3
Chapter 2 Specific Offense Characteristic Adjustments	9	100.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	1	11.1
§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

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Guideline and SOC	Applied	Percent
<b>Part B - Basic Economic Offenses</b>		
§2B1.1 Larceny, Embezzlement, Theft, and Fraud	5,189	9.2
Decided by Trial	99	1.9
Upward Departures	59	1.1
Chapter 2 Specific Offense Characteristic Adjustments	4,223	81.4
§3A1.1(a) Hate Crime Adjustment (three levels)	1	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	34	0.7
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	16	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)	311	6.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	181	3.5
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	503	9.7
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	13	0.2
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	194	3.7
§3C1.2 Reckless Endangerment During Flight (two levels)	3	0.0

**CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES**  
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<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2B1.3 Property Damage or Destruction <sup>6</sup>	30	0.0
Decided by Trial	0	0.0
Upward Departures	1	3.3
Chapter 2 Specific Offense Characteristic Adjustments	29	96.7
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	1	3.3
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	0	0.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	1	3.3
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	7	23.3
§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

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<sup>6</sup> This guideline was consolidated with §2B1.1 on November 1, 2001.

**CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES**  
**Fiscal Year 2002**

<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2B1.4 Insider Trading	2	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	2	100.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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	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)	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
§2B1.5 Theft or Damage of Cultural Heritage Resources	0	0.0
§2B2.1 Burglary of a Residence	96	0.2
Decided by Trial	2	2.1
Upward Departures	3	3.1
Chapter 2 Specific Offense Characteristic Adjustments	66	68.8
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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	10.4
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	3	3.1
§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)	2	2.1
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	6	6.2
§3C1.2 Reckless Endangerment During Flight (two levels)	2	2.1

**CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES**  
**Fiscal Year 2002**

<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2B2.1 Burglary of a Residence	96	0.2
Decided by Trial	2	2.1
Upward Departures	3	3.1
Chapter 2 Specific Offense Characteristic Adjustments	66	68.8
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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	10.4
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	3	3.1
§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)	2	2.1
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	6	6.2
§3C1.2 Reckless Endangerment During Flight (two levels)	2	2.1
§2B2.3 Trespass	13	0.0
Decided by Trial	1	7.7
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	11	84.6
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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	7.7
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

**CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES**  
**Fiscal Year 2002**

<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2B3.1 Robbery	3,112	5.5
Decided by Trial	162	5.2
Upward Departures	92	3.0
Chapter 2 Specific Offense Characteristic Adjustments	3,032	97.4
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	7	0.2
§3A1.2 Official Victim Adjustment (three levels)	18	0.6
§3A1.3 Restraint of Victim Adjustment (two levels)	7	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)	122	3.9
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	79	2.5
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	12	0.4
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	18	0.6
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	181	5.8
§3C1.2 Reckless Endangerment During Flight (two levels)	49	1.6
§2B3.2 Extortion by Force	106	0.2
Decided by Trial	25	23.6
Upward Departures	1	0.9
Chapter 2 Specific Offense Characteristic Adjustments	98	92.4
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	2	1.9
§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)	36	34.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	11	10.4
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	12	11.3
§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)	19	17.9
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

**CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES**  
**Fiscal Year 2002**

<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2B3.3 Blackmail and other forms of Extortion	17	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	14	82.4
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	1	5.9
§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	11.8
§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)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2B4.1 Bribery in Procurement of Bank Loan and other Commercial Bribery	67	0.1
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	61	91.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	1	1.5
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	1	1.5
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	11	16.4
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	7	10.4
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	20	29.8
§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	7.5
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

**CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES**  
**Fiscal Year 2002**

<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2B5.1 Offenses involving Counterfeit Bearer Obligations	756	1.3
Decided by Trial	6	0.8
Upward Departures	3	0.4
Chapter 2 Specific Offense Characteristic Adjustments	498	65.9
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	3	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)	25	3.3
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	34	4.5
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	2	0.3
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	3	0.4
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	26	3.4
§3C1.2 Reckless Endangerment During Flight (two levels)	1	0.1
§2B5.3 Criminal Infringement of Copyright or Trademark	113	0.2
Decided by Trial	3	2.6
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	110	97.4
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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)	8	7.1
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	6	5.3
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	10	8.8
§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)	4	3.5
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

**CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES**  
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<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2B6.1 Altering or Removing Motor Vehicle ID Numbers	64	0.1
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	64	100.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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	15.6
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	9	14.1
§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)	1	1.6
§3C1.2 Reckless Endangerment During Flight (two levels)	2	3.1

**CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES**  
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Guideline and SOC	Applied	Percent
<b>Part C - Offenses Involving Public Officials</b>		
§2C1.1 Offering, Giving, Soliciting, or Receiving a Bribe	134	0.2
Decided by Trial	12	9.0
Upward Departures	1	0.8
Chapter 2 Specific Offense Characteristic Adjustments	121	90.3
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	1	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)	15	11.2
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	1	0.8
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	3	2.2
§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)	12	9.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

**CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES**  
**Fiscal Year 2002**

<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2C1.2 Offering, Giving, Soliciting, or Receiving a Gratuity	15	0.0
Decided by Trial	2	13.3
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	13	86.7
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	1	6.7
§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)	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
§2C1.3 Conflict of Interest: Payment or Receipt of Unauthorized Compensation	11	0.0
Decided by Trial	0	0.0
Upward Departures	1	9.1
Chapter 2 Specific Offense Characteristic Adjustments	2	18.2
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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**  
**Fiscal Year 2002**

<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2C1.4 Payment or Receipt of Unauthorized Compensation <sup>7</sup>	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) Vulnerable Victim Adjustment (two 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

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<sup>7</sup> Deleted and consolidated with §2C1.3 on November 1, 2001.

**CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES**  
**Fiscal Year 2002**

<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2C1.5 Payments to Obtain Public Office	0	0.0
§2C1.6 Loan or Gratuity to Bank Examiner or Adjustment of Farm Indebtedness	2	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	2	100.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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
§2C1.7 Fraud Involving Deprivation of the Intangible Right to the Honest Services Public Officials	17	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	16	94.1
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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

**CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES**  
**Fiscal Year 2002**

<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
<b>Part D - Offenses Involving Drugs</b>		
§2D1.1 Drug Trafficking	22,513	40.0
Decided by Trial	634	2.8
Upward Departures	52	0.2
Chapter 2 Specific Offense Characteristic Adjustments	2,571	11.4
§3A1.1(a) Hate Crime Adjustment (three levels)	2	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	3	0.0
§3A1.2 Official Victim Adjustment (three levels)	18	0.1
§3A1.3 Restraint of Victim Adjustment (two levels)	17	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)	1,408	6.2
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	5,981	26.6
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	90	0.4
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	165	0.7
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	754	3.4
§3C1.2 Reckless Endangerment During Flight (two levels)	60	0.3

**CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES**  
**Fiscal Year 2002**

<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2D1.2 Drug offenses near protected location/involving underage/pregnant individuals	302	0.5
Decided by Trial	18	6.0
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) Vulnerable Victim Adjustment (two 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)	27	8.9
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	8	2.6
§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	0.7
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	5	1.7
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2D1.5 Continuing Criminal Enterprise	35	0.1
Decided by Trial	5	14.3
Upward Departures	2	5.7
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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)	7	20.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

**CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES**  
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<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2D1.6 Use of Communication Facility in Committing Drug Offense	25	0.0
Decided by Trial	0	0.0
Upward Departures	1	4.0
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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	8.0
§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
§2D1.7 Unlawful Sale or Transportation of Drug Paraphernalia	9	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) Vulnerable Victim Adjustment (two 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	22.2
§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)	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**  
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<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2D1.8 Renting or Managing a Drug Establishment	59	0.1
Decided by Trial	1	1.7
Upward Departures	2	3.4
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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	1.7
§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	19	0.0
Decided by Trial	2	10.5
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	5	26.3
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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	15.8
§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)	1	5.3
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	2	10.5
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0



**CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES**  
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<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2D1.11 Unlawfully Distributing, Importing, Exporting or Possessing a Listed Chemical	95	0.2
Decided by Trial	7	7.4
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	6	6.3
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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)	6	6.3
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	18	18.9
§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)	7	7.4
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2D1.12 Unlawful Possession/Manufacturing of Prohibited Equipment	51	0.1
Decided by Trial	1	2.0
Upward Departures	1	2.0
Chapter 2 Specific Offense Characteristic Adjustments	45	88.2
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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	3.9
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	6	11.8
§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)	1	2.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

**CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES**  
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<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2D1.13 Structuring Chemical Transactions to Evade Recordkeeping Requirements	0	0.0
§2D2.1 Unlawful Possession	342	0.6
Decided by Trial	12	3.5
Upward Departures	2	0.6
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	1	0.3
§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)	3	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)	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)	8	2.3
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2D2.2 Acquiring a Controlled Substance by Forgery, Fraud, Deception, or Subterfuge	47	0.1
Decided by Trial	1	2.1
Upward Departures	1	2.1
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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	14.9
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	10	21.3
§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	2.1
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

**CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES**  
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<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2D2.3 Operating or Directing the Operation of a Common Carrier Under the Influence	0	0.0
§2D3.1 Regulatory Offenses Involving Registration Numbers	0	0.0
§2D3.2 Regulatory Offenses Involving Controlled Substances or Listed Chemicals	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) Vulnerable Victim Adjustment (two 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**  
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Guideline and SOC	Applied	Percent
<b>Part E - Offenses Involving Criminal Enterprises and Racketeering</b>		
§2E1.1 Unlawful Conduct Relating to Racketeer Influenced and Corrupt Organizations	65	0.1
Decided by Trial	6	9.2
Upward Departures	3	4.6
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	1	1.5
§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)	36	55.4
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	5	7.7
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	8	12.3
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	1	1.5
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	27	41.5
§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	8	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) Vulnerable Victim Adjustment (two 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	12.5
§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)	0	0.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

**CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES**  
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<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2E1.3 Violent Crimes in Aid of Racketeering Activity	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) Vulnerable Victim Adjustment (two 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
§2E1.4 Use of Interstate Commerce Facilities in the Commission of Murder-For-Hire	16	0.0
Decided by Trial	6	37.5
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) Vulnerable Victim Adjustment (two 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	12.5
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	1	6.2
§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)	3	18.8
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

**CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES**  
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<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2E2.1 Making or Financing an Extortionate Extension of Credit	55	0.1
Decided by Trial	6	10.9
Upward Departures	3	5.4
Chapter 2 Specific Offense Characteristic Adjustments	7	12.7
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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)	6	10.9
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	5	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
§2E3.1 Gambling Offenses	109	0.2
Decided by Trial	4	3.7
Upward Departures	1	0.9
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	1	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)	28	25.7
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	20	18.4
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	1	0.9
§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)	7	6.4
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

**CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES**  
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<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2E4.1 Unlawful Conduct Relating to Contraband Cigarettes	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) Vulnerable Victim Adjustment (two 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
§2E5.1 Offering, Accepting, or Soliciting a Bribe Affecting a Pension Benefit	6	0.0
Decided by Trial	1	16.7
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	6	100.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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	16.7
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	1	16.7
§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	16.7
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

**CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES**  
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<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2E5.3 False Statements in Relation to Documents Required by Employee Retirement Security Act	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) Vulnerable Victim Adjustment (two 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	20.0
§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	20.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	1	20.0
§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**  
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Guideline and SOC	Applied	Percent
<b>Part F - Offenses Involving Fraud and Deceit</b>		
§2F1.1 Fraud and Deceit <sup>8</sup>	3,402	6.0
Decided by Trial	157	4.6
Upward Departures	47	1.4
Chapter 2 Specific Offense Characteristic Adjustments	3,321	97.6
§3A1.1(a) Hate Crime Adjustment (three levels)	78	2.3
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	1	0.0
§3A1.2 Official Victim Adjustment (three levels)	3	0.1
§3A1.3 Restraint of Victim Adjustment (two levels)	6	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)	637	18.7
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	239	7.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	413	12.1
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	10	0.3
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	239	7.0
§3C1.2 Reckless Endangerment During Flight (two levels)	3	0.1

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<sup>8</sup> Deleted and consolidated with §2B1.1 on November 1, 2001.

**CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES**  
**Fiscal Year 2002**

<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2F1.2 Insider Trading <sup>27</sup>	17	0.0
Decided by Trial	4	23.5
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	17	100.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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)	4	23.5
§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)	3	17.6
§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
<b>Part G - Offenses Involving Commercial Sex Acts, Sexual Exploitation of Minors and Obscenity</b>		
§2G1.1 Promoting A Commercial Sex Act or Prohibited Sexual Contact	206	0.4
Decided by Trial	23	11.2
Upward Departures	2	1.0
Chapter 2 Specific Offense Characteristic Adjustments	91	44.2
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	4	1.9
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	2	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)	87	42.2
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	12	5.8
§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)	12	5.8
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

**CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES**  
**Fiscal Year 2002**

<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2G1.2 Transportation of a Minor for the Purpose of Prostitution <sup>9</sup>	2	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	2	100.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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
§2G2.1 Production of Pornography	130	0.2
Decided by Trial	16	12.3
Upward Departures	8	6.2
Chapter 2 Specific Offense Characteristic Adjustments	119	91.5
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	8	6.2
§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	5.4
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	1	0.8
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	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	11.5
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

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<sup>9</sup> Guideline deleted and consolidated with §2G1.1 on November 1, 1996.



**CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES**  
**Fiscal Year 2002**

<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2G2.2 Trafficking in Pornography	246	0.4
Decided by Trial	11	4.5
Upward Departures	4	1.6
Chapter 2 Specific Offense Characteristic Adjustments	243	98.8
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	1	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)	1	0.4
§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	0.4
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	1	0.4
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	11	4.5
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2G2.3 Selling or Buying Children for use in the Production of Pornography	0	0.0
§2G2.4 Possession of Pornography	203	0.4
Decided by Trial	3	1.5
Upward Departures	4	2.0
Chapter 2 Specific Offense Characteristic Adjustments	202	99.5
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	2	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)	1	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)	2	1.0
§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	2.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

**CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES**  
**Fiscal Year 2002**

<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2G2.5 Recordkeeping Offenses Involving the Production of Sexually Explicit Materials	0	0.0
§2G3.1 Importing/Mailing/Transporting Obscene Matter	12	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	5	41.7
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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
§2G3.2 Obscene Telephone Communication for Commercial Purposes	0	0.0

**CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES**  
**Fiscal Year 2002**

Guideline and SOC	Applied	Percent
<b>Part H - Offenses Involving Individual Rights</b>		
§2H1.1 Offenses Involving Individual Rights	100	0.2
Decided by Trial	9	9.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	90	90.0
§3A1.1(a) Hate Crime Adjustment (three levels)	22	22.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	10	10.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	10	10.0
§3A1.4 Terrorism Adjustment (12 levels, or increase to level 32)	0	0.0
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	6	6.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	3	3.0
§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	1.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	24	24.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2H2.1 Obstructing an Election or Registration	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) Vulnerable Victim Adjustment (two 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**  
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<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2H3.1 Interception of Communications	8	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	2	25.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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)	3	37.5
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	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
§2H3.2 Manufacturing, Distributing, Advertising Eavesdropping Device	10	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	10	100.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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	10.0
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	1	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**  
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<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2H3.3 Obstructing Correspondence	6	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) Vulnerable Victim Adjustment (two 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	16.7
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	2	33.3
§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
§2H4.1 Peonage, Involuntary Servitude and Slave Trade	22	0.0
Decided by Trial	7	31.8
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	20	90.9
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	1	4.6
§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)	8	36.4
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	3	13.6
§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)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	2	9.1
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

**CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES**  
**Fiscal Year 2002**

Guideline and SOC	Applied	Percent
<b>Part J - Offenses Involving the Administration of Justice</b>		
§2J1.1 Contempt	0	0.0
§2J1.2 Obstruction of Justice	131	0.2
Decided by Trial	13	9.9
Upward Departures	3	2.3
Chapter 2 Specific Offense Characteristic Adjustments	45	34.4
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	1	0.8
§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)	11	8.4
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	4	3.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	10	7.6
§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)	7	5.3
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2J1.3 Perjury or Subornation of Perjury	80	0.1
Decided by Trial	4	5.0
Upward Departures	1	1.2
Chapter 2 Specific Offense Characteristic Adjustments	11	13.8
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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	2.5
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	0	0.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	2	2.5
§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)	4	5.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

**CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES**  
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<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2J1.4 Impersonation	23	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	3	13.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	2	8.7
§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	4.4
§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)	2	8.7
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2J1.5 Failure to Appear by Material Witness	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) Vulnerable Victim Adjustment (two 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**  
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<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2J1.6 Failure to Appear by Defendant	111	0.2
Decided by Trial	2	1.8
Upward Departures	1	0.9
Chapter 2 Specific Offense Characteristic Adjustments	58	52.2
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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)	4	3.6
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2J1.7 Commission of Offense While on Release	105	0.2
Decided by Trial	1	1.0
Upward Departures	4	3.8
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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	4.8
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	2	1.9
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	2	1.9
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	1	1.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	6	5.7
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

**CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES**  
**Fiscal Year 2002**

<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2J1.9 Payment to a Witness	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) Vulnerable Victim Adjustment (two 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**  
**Fiscal Year 2002**

Guideline and SOC	Applied	Percent
<b>Part K - Offenses Involving Public Safety</b>		
§2K1.1 Failure to Report Theft of Explosive Materials	5	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) Vulnerable Victim Adjustment (two 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	45	0.1
Decided by Trial	1	2.2
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	35	77.8
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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	2.2
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	3	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)	1	2.2
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	3	6.7
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

**CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES**  
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<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2K1.4 Arson	93	0.2
Decided by Trial	17	18.3
Upward Departures	2	2.2
Chapter 2 Specific Offense Characteristic Adjustments	15	16.1
§3A1.1(a) Hate Crime Adjustment (three levels)	5	5.4
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	3	3.2
§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)	22	23.7
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	6	6.4
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	1	1.1
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	2	2.2
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	10	10.8
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2K1.5 Possessing Dangerous Weapon or Materials While Boarding an Aircraft	13	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	1	7.7
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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**  
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<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2K1.6 Licensee Recordkeeping Violations Involving Explosive Materials	0	0.0
§2K2.1 Unlawful Receipt/Possession/Transportation of Firearms or Ammunition	4,284	7.6
Decided by Trial	230	5.4
Upward Departures	47	1.1
Chapter 2 Specific Offense Characteristic Adjustments	2,258	52.7
§3A1.1(a) Hate Crime Adjustment (three levels)	2	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	13	0.3
§3A1.3 Restraint of Victim Adjustment (two levels)	17	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)	38	0.9
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	55	1.3
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	10	0.2
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	12	0.3
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	207	4.8
§3C1.2 Reckless Endangerment During Flight (two levels)	25	0.6
§2K2.4 Use of Firearm/Armor-Piercing Ammunition or Explosive	0	0.0

**CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES**  
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<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2K2.5 Possession of Firearm or Dangerous Weapon in Federal Facility	14	0.0
Decided by Trial	1	7.1
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	7	50.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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**  
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Guideline and SOC	Applied	Percent
<b>Part L - Offenses Involving Immigration, Naturalization, and Passports</b>		
§2L1.1 Smuggling, Transporting or Harboring an Unlawful Alien	1,658	2.9
Decided by Trial	31	1.9
Upward Departures	9	0.6
Chapter 2 Specific Offense Characteristic Adjustments	1,339	80.8
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	2	0.1
§3A1.2 Official Victim Adjustment (three levels)	4	0.2
§3A1.3 Restraint of Victim Adjustment (two levels)	1	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)	90	5.4
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	263	15.9
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	6	0.4
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	14	0.8
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	46	2.8
§3C1.2 Reckless Endangerment During Flight (two levels)	10	0.6
§2L1.2 Unlawfully Entering or Remaining in the United States	6,570	11.6
Decided by Trial	66	1.0
Upward Departures	41	0.6
Chapter 2 Specific Offense Characteristic Adjustments	5,474	83.3
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	1	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	1	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)	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)	23	0.4
§3C1.2 Reckless Endangerment During Flight (two levels)	1	0.0

**CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES**  
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<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2L2.1 Trafficking in Documents Relating to Naturalization	249	0.4
Decided by Trial	12	4.8
Upward Departures	2	0.8
Chapter 2 Specific Offense Characteristic Adjustments	182	73.1
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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)	24	9.6
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	22	8.8
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	5	2.0
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	1	0.4
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	14	5.6
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2L2.2 Fraudulent Acquiring Documents Relating to Citizenship	637	1.1
Decided by Trial	8	1.3
Upward Departures	3	0.4
Chapter 2 Specific Offense Characteristic Adjustments	149	23.4
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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	0.3
§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)	14	2.2
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2L2.5 Failure to Surrender Canceled Naturalization Certificate	0	0.0

**CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES**  
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Guideline and SOC	Applied	Percent
<b>Part M - Offenses Involving National Defense and Weapons of Mass Destruction</b>		
§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	2	0.0
Decided by Trial	1	50.0
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) Vulnerable Victim Adjustment (two 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	100.0
§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	100.0
§3C1.2 Reckless Endangerment During Flight (two levels)	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

**CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES**  
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<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§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
§2M5.2 Exportation of Arms/Munitions/Military Equipment without Validated Export License	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) Vulnerable Victim Adjustment (two 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
§2M5.3 Providing Material Support/Resources to Designated Foreign Terrorist Organizations	0	0.0

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<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2M6.1 Unlawful Production of Nuclear Material	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) Vulnerable Victim Adjustment (two 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
§2M6.2 Violation of Other Federal Atomic Energy Agency Statutes, Rules or Regulation	0	0.0

**CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES**  
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Guideline and SOC	Applied	Percent
<b>Part N - Offenses Involving Food, Drugs, Agricultural Products and Odometer Laws</b>		
§2N1.1 Tampering or Attempting to Tamper Involving risk of Death or Bodily Injury	5	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) Vulnerable Victim Adjustment (two levels)	2	40.0
§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	20.0
§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	40.0
§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

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<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2N1.3 Tampering with Intent to Injure Business	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) Vulnerable Victim Adjustment (two 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	50.0
§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	23	0.0
Decided by Trial	0	0.0
Upward Departures	1	4.4
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	1	4.4
§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)	2	8.7
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	1	4.4
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	2	8.7
§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	8.7
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

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<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§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) Vulnerable Victim Adjustment (two 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**  
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Guideline and SOC	Applied	Percent
<b>Part P - Offenses Involving Prisons and Correctional Facilities</b>		
§2P1.1 Escape, Instigating or Assisting Escape	202	0.4
Decided by Trial	3	1.5
Upward Departures	2	1.0
Chapter 2 Specific Offense Characteristic Adjustments	7	3.5
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	1	0.5
§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	2.5
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	6	3.0
§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	1.0
§3C1.2 Reckless Endangerment During Flight (two levels)	1	0.5

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<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2P1.2 Providing or Possessing Contraband in Prison	71	0.1
Decided by Trial	4	5.6
Upward Departures	1	1.4
Chapter 2 Specific Offense Characteristic Adjustments	4	5.6
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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	4.2
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	2	2.8
§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)	1	1.4
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2P1.3 Engaging in a Riot Involving Persons in a Facility	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) Vulnerable Victim Adjustment (two levels)	0	0.0
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	1	100.0
§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	100.0
§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
<b>Part Q -Offenses Involving the Environment</b>		
§2Q1.1 Knowing Endangerment Resulting from Mishandling Hazardous Substances	0	0.0
§2Q1.2 Mishandling of Hazardous Substances	48	0.1
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	39	81.2
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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)	16	33.3
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	2	4.2
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	7	14.6
§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)	2	4.2
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

**CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES**  
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<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2Q1.3 Mishandling of Other Environmental Pollutants	36	0.1
Decided by Trial	5	13.9
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	33	91.7
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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	27.8
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	3	8.3
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	6	16.7
§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	2.8
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2Q1.4 Tampering or Attempted Tampering with Public Water System	0	0.0
§2Q1.5 Threatened Tampering with Public Water System	0	0.0

**CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES**  
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<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2Q1.6 Hazardous or Injurious Devices on Federal Lands	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) Vulnerable Victim Adjustment (two 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
§2Q2.1 Offenses Involving Fish, Wildlife and Plants	78	0.1
Decided by Trial	4	5.1
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	63	80.8
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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)	6	7.7
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	2	2.6
§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)	0	0.0
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	5	6.4
§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
<b>Part R - Antitrust Offenses</b>		
§2R1.1 Bid-Rigging, Price-Fixing or Market-Allocation Agreements Among Competitors	24	0.0
Decided by Trial	3	12.5
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	24	100.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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	20.8
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	1	4.2
§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)	2	8.3
§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
<b>Part S - Money Laundering and Monetary Transactions Reporting</b>		
§2S1.1 Laundering of Monetary Instruments	691	1.2
Decided by Trial	69	10.0
Upward Departures	8	1.2
Chapter 2 Specific Offense Characteristic Adjustments	652	94.4
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	16	2.3
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	2	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)	117	16.9
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	98	14.2
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	23	3.3
§3B1.4 Use of a Minor to Commit a Crime Adjustment (two levels)	6	0.8
§3C1.1 Obstructing or Impeding the Administration of Justice Adjustment (two levels)	68	9.8
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

**CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES**  
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<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2S1.2 Engaging in Monetary Transactions in Property Derived from Unlawful Activity <sup>10</sup>	113	0.2
Decided by Trial	11	9.7
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	111	98.2
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	3	2.6
§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)	33	29.2
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	13	11.5
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	10	8.8
§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)	12	10.6
§3C1.2 Reckless Endangerment During Flight (two levels)	1	0.9

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

**CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES**  
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<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2S1.3 Structuring Transactions to Evade Reporting Requirements	199	0.4
Decided by Trial	9	4.5
Upward Departures	4	2.0
Chapter 2 Specific Offense Characteristic Adjustments	90	45.2
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	5	2.5
§3A1.2 Official Victim Adjustment (three levels)	4	2.0
§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	4.5
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	12	6.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	4	2.0
§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)	11	5.5
§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
<b>Part T - Offenses Involving Taxation</b>		
§2T1.1 Tax Evasion	553	1.0
Decided by Trial	18	3.2
Upward Departures	2	0.4
Chapter 2 Specific Offense Characteristic Adjustments	232	42.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	1	0.2
§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)	32	5.8
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	15	2.7
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	15	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)	27	4.9
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2T1.4 Aiding, Assisting, Procuring, Counseling or Advising Tax Fraud	92	0.2
Decided by Trial	4	4.4
Upward Departures	2	2.2
Chapter 2 Specific Offense Characteristic Adjustments	67	72.8
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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)	19	20.6
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	6	6.5
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	1	1.1
§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)	10	10.9
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

**CHAPTER 3 ADJUSTMENTS AND PLEA/TRIAL RATES**  
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<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2T1.6 Failing to Collect or Truthfully Account for and Pay Over Tax	3	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) Vulnerable Victim Adjustment (two 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
§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**  
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<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2T1.9 Conspiracy to Impede, Impair, Obstruct	16	0.0
Decided by Trial	2	12.5
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	7	43.8
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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	18.8
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	1	6.2
§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)	2	12.5
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2T2.1 Non-payment of Taxes	14	0.0
Decided by Trial	1	7.1
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) Vulnerable Victim Adjustment (two 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	7.1
§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)	2	14.3
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0

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<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2T2.2 Regulatory Offenses	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) Vulnerable Victim Adjustment (two 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
§2T3.1 Evading Import Duties or Restrictions (Smuggling)	29	0.0
Decided by Trial	0	0.0
Upward Departures	0	0.0
Chapter 2 Specific Offense Characteristic Adjustments	3	10.3
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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	6.9
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	2	6.9
§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

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**Fiscal Year 2002**

Guideline and SOC	Applied	Percent
<b>Part X - Other Offenses</b>		
§2X1.1 Attempt, Solicitation, or Conspiracy	152	0.3
Decided by Trial	6	4.0
Upward Departures	3	2.0
Chapter 2 Specific Offense Characteristic Adjustments	3	2.0
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two 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	0.7
§3B1.1 Aggravating Role Adjustment (two, three or four levels)	5	3.3
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	3	2.0
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	3	2.0
§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)	0	0.0
§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**  
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<b>Guideline and SOC</b>	<b>Applied</b>	<b>Percent</b>
§2X3.1 Accessory After the Fact	114	0.2
Decided by Trial	4	3.5
Upward Departures	1	0.9
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	1	0.9
§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)	3	2.6
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	4	3.5
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	3	2.6
§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)	8	7.0
§3C1.2 Reckless Endangerment During Flight (two levels)	0	0.0
§2X4.1 Misprision of a Felony	514	0.9
Decided by Trial	0	0.0
Upward Departures	8	1.6
Chapter 2 Specific Offense Characteristic Adjustments	NA	NA
§3A1.1(a) Hate Crime Adjustment (three levels)	0	0.0
§3A1.1(b) Vulnerable Victim Adjustment (two levels)	1	0.2
§3A1.2 Official Victim Adjustment (three levels)	0	0.0
§3A1.3 Restraint of Victim Adjustment (two levels)	1	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)	4	0.8
§3B1.2 Mitigating Role Adjustment (two, three or four level decrease)	7	1.4
§3B1.3 Abuse of Position of Trust Adjustment (two levels)	6	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)	6	1.2
§3C1.2 Reckless Endangerment During Flight (two levels)	1	0.2
§2X1.5 Other Offenses	0	0.0