

**Table F-6**

**SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE FOR FIREARMS OFFENDERS<sup>1</sup>**  
**Fiscal Year 2021**

| GUIDELINE           | TOTAL        | WITHIN<br>GUIDELINE<br>RANGE |             | DEPARTURE |            |            |            |           |            |            |            | VARIANCE     |             |
|---------------------|--------------|------------------------------|-------------|-----------|------------|------------|------------|-----------|------------|------------|------------|--------------|-------------|
|                     |              |                              |             | UPWARD    |            | §5K1.1     |            | §5K3.1    |            | DOWNWARD   |            |              |             |
|                     |              | N                            | %           | N         | %          | N          | %          | N         | %          | N          | %          | N            | %           |
| <b>TOTAL</b>        | <b>8,161</b> | <b>4,140</b>                 | <b>50.7</b> | <b>66</b> | <b>0.8</b> | <b>420</b> | <b>5.1</b> | <b>12</b> | <b>0.1</b> | <b>342</b> | <b>4.2</b> | <b>3,181</b> | <b>39.0</b> |
| §2K1.3              | 17           | 8                            | 47.1        | 0         | 0.0        | 0          | 0.0        | 0         | 0.0        | 1          | 5.9        | 8            | 47.1        |
| §2K1.4              | 78           | 36                           | 46.2        | 2         | 2.6        | 10         | 12.8       | 0         | 0.0        | 6          | 7.7        | 24           | 30.8        |
| §2K2.1              | 7,732        | 3,827                        | 49.5        | 58        | 0.8        | 386        | 5.0        | 12        | 0.2        | 334        | 4.3        | 3,115        | 40.3        |
| §2K2.4 <sup>2</sup> | 324          | 260                          | 80.2        | 6         | 1.9        | 24         | 7.4        | 0         | 0.0        | 1          | 0.3        | 33           | 10.2        |
| §2K2.5              | 10           | 9                            | 90.0        | 0         | 0.0        | 0          | 0.0        | 0         | 0.0        | 0          | 0.0        | 1            | 10.0        |

<sup>1</sup> Of the 57,287 cases, in 8,168 the offender was sentenced under USSG Chapter Two, Part K (Firearms). Of these, 8,164 offenders were sentenced under §§2K1.3 (Unlawful Receipt, Possession, or Transportation of Explosive Materials), 2K1.4 (Arson or Property Damage by Use of Explosives), 2K2.1 (Unlawful Receipt, Possession, or Transportation of Firearms or Ammunition), 2K2.4 (Use of Firearm During or in Relation to Certain Crimes), or 2K2.5 (Possession of Firearm or Dangerous Weapon in Federal Facility or in School Zone). Of these 8,164 cases, three were excluded because information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range. Descriptions of variables used in this table are provided in Appendix A.

<sup>2</sup> In these cases, the offender was convicted of violating 18 U.S.C. § 924(c) (Use of Firearm, Armor-Piercing Ammunition, or Explosives During or in Relation to Certain Crimes) as the only count or counts of conviction. The *Guidelines Manual* provides punishment for this type of offense under §2K2.4.

SOURCE: U.S. Sentencing Commission, 2021 Datafile, USSCFY21.