Fiscal Year 2018

- In FY 2018, 69,425 cases were reported to the U.S. Sentencing Commission.
- Of these cases, 6,719 involved convictions under 18 U.S.C. § 922(g).
- 18 U.S.C. § 922(g) prohibits certain persons from shipping, transporting, possessing, or receiving a firearm or ammunition while subject to a prohibition from doing so, most commonly because of a prior conviction for a felony offense.

### Offender and Offense Characteristics

- 97.7% of felon in possession of a firearm offenders were men.
- 54.2% were Black, 24.9% were White, 17.9% were Hispanic, and 3.0% were Other races.
- Their average age was 34 years.
- 94.5% were United States citizens.
- 25.6% were in the highest Criminal History Category (Criminal History Category VI):
  - 8.9% were CHC I;
  - 9.1% were CHC II;
  - 21.2% were CHC III;
  - 20.4% were CHC IV;
  - 14.9% were CHC V.

- The top five districts for felon in possession of a firearm offenders were:
  - Eastern District of Missouri (281);
  - Western District of Texas (233);
  - District of South Carolina (230);
  - Northern District of Texas (209);
  - Western District of Missouri (205).

- Districts with the highest proportion of felon in possession of a firearm cases were:
  - Western District of Tennessee (39.4%);
  - Southern District of Alabama (36.0%);
  - Eastern District of Missouri (33.8%);
  - Northern District of Alabama (32.5%);
  - Middle District of North Carolina (28.2%).

### Punishment

- 97.6% of felon in possession of a firearm offenders were sentenced to prison; sentences varied widely by whether a mandatory minimum penalty applied in the case.

- 14.8% of felon in possession of a firearm offenders were convicted of one or more statutes with a mandatory minimum penalty:
  - 4.3% were sentenced under the Armed Career Criminal Act (ACCA) (18 U.S.C. § 924(e));
  - 5.0% were convicted of violating 18 U.S.C. § 924(c);
  - 5.4% were convicted of another statute carrying a mandatory minimum penalty, most of which were drug offenses.

For more Quick Facts, visit https://www.ussc.gov/research/quick-facts.
Punishment (continued)

- The average sentence for all felons in possession of a firearm offenders was 64 months.
  - The average sentence for offenders convicted of violating only section 922(g) and under ACCA was 186 months.
  - The average sentence for offenders convicted of violating only section 922(g) but not sentenced under ACCA was 59 months.

Sentences Relative to the Guideline Range

- 67.8% of felons in possession of a firearm offenders were sentenced under the Guidelines Manual; of those offenders:
  - 82.6% were sentenced within the guideline range.
  - 10.0% received a substantial assistance departure. Their average sentence reduction was 44.5%.
  - 6.2% received some other downward departure. Their average sentence reduction was 34.7%.
- 32.2% received a variance; of those offenders:
  - 88.1% received a below range variance. Their average sentence reduction was 34.2%.
  - 11.9% received an above range variance. Their average sentence increase was 48.2%.
- The average guideline minimum and sentence for felons in possession of a firearm offenses has declined over the past five years:
  - The average guideline minimum was 72 months in fiscal year 2018, down from 81 months in fiscal year 2014.
  - The average sentence was 64 months in fiscal year 2018, down from 72 months in fiscal year 2014.

Sentence Imposed Relative to the Guideline Range FY 2018

- Variances 32.2%
- Under Guidelines Manual 67.8%

SOURCE: United States Sentencing Commission, FY 2014 through FY 2018 Datafiles, USSCFY14-USSCFY18

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1 18 U.S.C. § 924(e) requires a 15-year mandatory minimum penalty be imposed on offenders convicted of violating section 922(g) with three previous convictions for a violent felony or serious drug crime.

2 “Early Disposition Program (or EDP) departures” are departures where the government sought a sentence below the guideline range because the defendant participated in the government’s Early Disposition Program, through which cases are resolved in an expedited manner. See USSG §5K3.1.