



Quick Facts

— Felon in Possession of a Firearm —

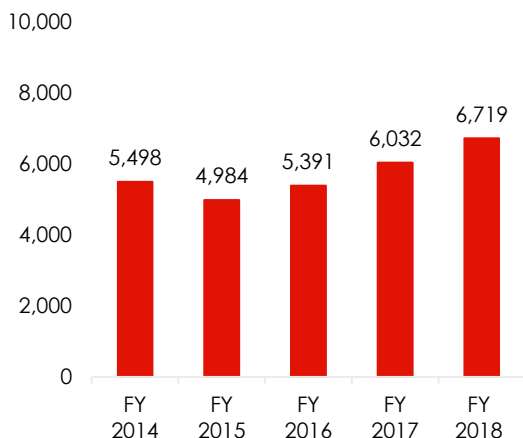
Fiscal Year 2018

▶ In FY 2018, 69,425 cases were reported to the U.S. Sentencing Commission.

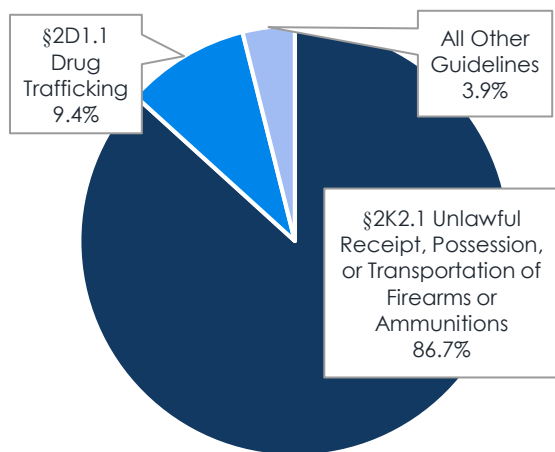
▶ Of these cases, 6,719 involved convictions under 18 U.S.C. § 922(g).

▶ 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.

Number of Felon in Possession of a Firearm Offenders



Primary Sentencing Guideline Felon in Possession of a Firearm



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));¹
 - ◆ 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.



— Felon in Possession of a Firearm —

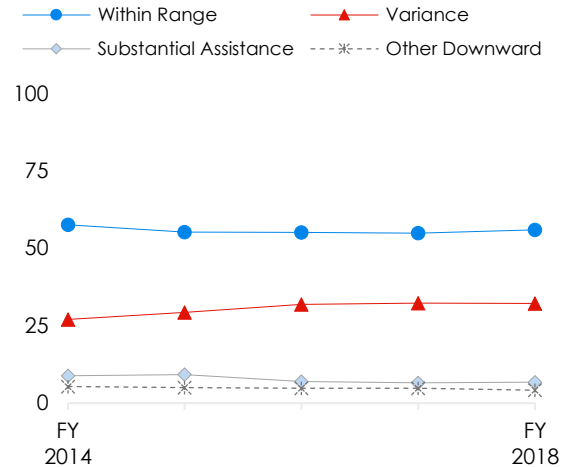
Punishment (continued)

- The average sentence for all felon 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.

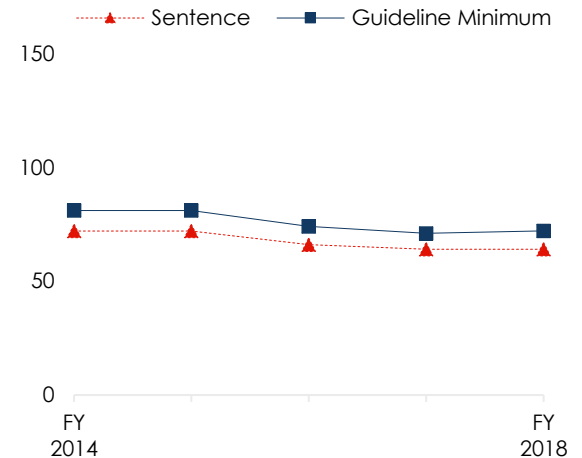
Sentences Relative to the Guideline Range

- 67.8% of felon 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 felon 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.

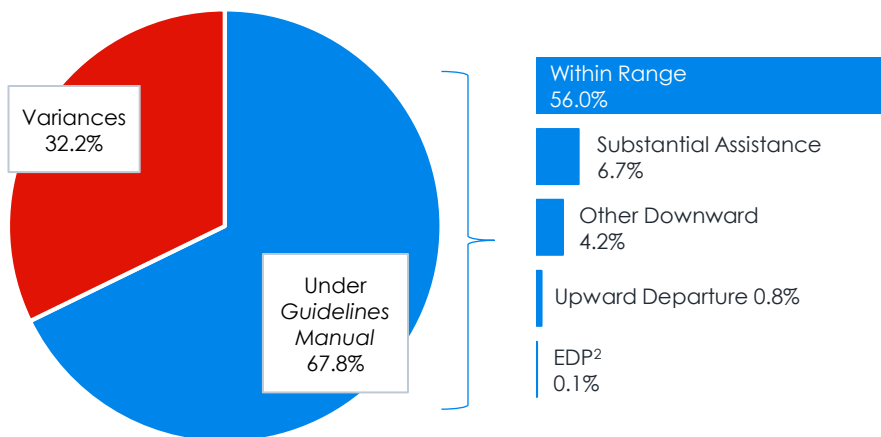
Sentence Relative to the Guideline Range (%)



Average Guideline Minimum and Average Sentence (months)



Sentence Imposed Relative to the Guideline Range FY 2018



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.