



Quick Facts

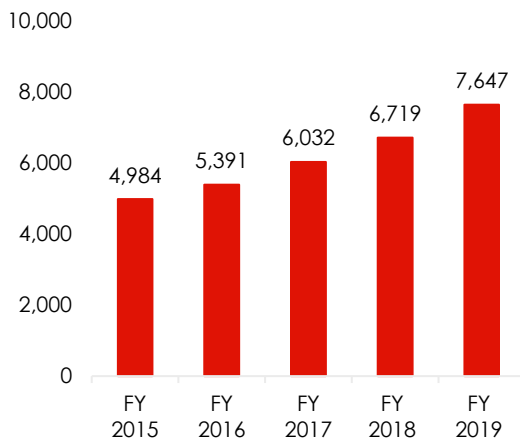
— Felon in Possession of a Firearm —

▶ In FY 2019, 76,538 cases were reported to the U.S. Sentencing Commission.

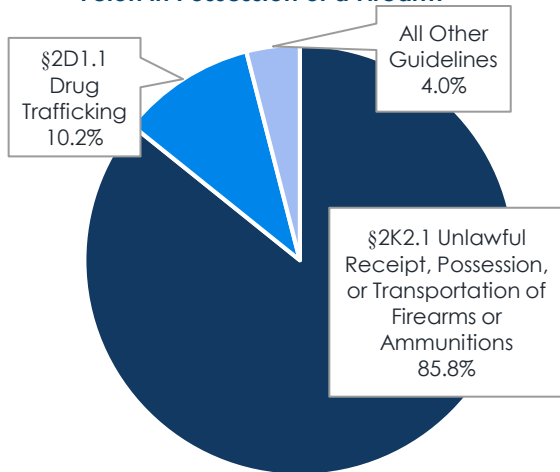
▶ 7,647 involved convictions under 18 U.S.C. § 922(g).

▶ 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.
- 55.4% were Black, 24.8% were White, 17.1% were Hispanic, and 2.7% were Other races.
- Their average age was 34 years.
- 94.6% were United States citizens.
- 24.7% were in the highest Criminal History Category (Criminal History Category VI):
 - ◆ 9.1% were CHC I;
 - ◆ 9.2% were CHC II;
 - ◆ 21.3% were CHC III;
 - ◆ 20.8% 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 (467);
 - ◆ District of South Carolina (229);
 - ◆ Western District of Missouri (220);
 - ◆ Eastern District of North Carolina (216);
 - ◆ Northern District of Texas (216).
- Districts with the highest proportion of felon in possession of a firearm cases were:
 - ◆ Northern District of Alabama (43.1%);
 - ◆ Eastern District of Missouri (40.2%);
 - ◆ Middle District of North Carolina (33.8%);
 - ◆ Southern District of Alabama (33.1%);
 - ◆ District of Alaska (31.4%).

Punishment

- 97.4% 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.
- 15.6% of felon in possession of a firearm offenders were convicted of one or more statutes with a mandatory minimum penalty:
 - ◆ 4.0% were sentenced under 18 U.S.C. § 924(e), the Armed Career Criminal Act (ACCA);¹
 - ◆ 6.0% were convicted of violating 18 U.S.C. § 924(c);
 - ◆ 5.6% were convicted of another statute carrying a mandatory minimum penalty, most of which were drug offenses.



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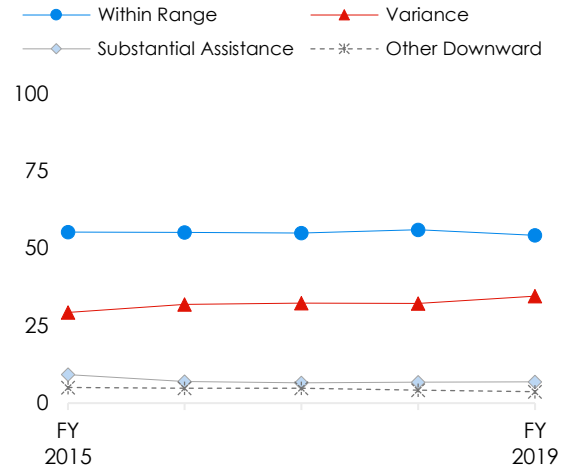
Punishment (continued)

- 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 188 months.
 - ◆ The average sentence for offenders convicted of violating only section 922(g) but not sentenced under ACCA was 58 months.

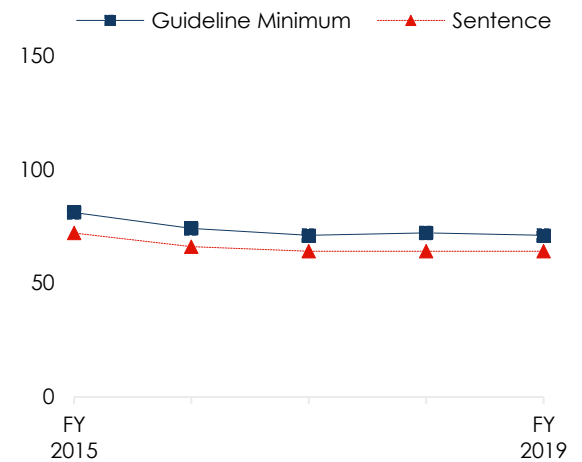
Sentences Relative to the Guideline Range

- 65.5% of felon in possession of a firearm offenders were sentenced under the *Guidelines Manual*; of those offenders:
 - ◆ 82.8% were sentenced within the guideline range.
 - ◆ 10.5% received a substantial assistance departure.
 - ◇ Their average sentence reduction was 44.3%.
 - ◆ 5.6% received some other downward departure.
 - ◇ Their average sentence reduction was 34.9%.
- 34.6% received a variance; of those offenders:
 - ◆ 89.7% received a below range variance.
 - ◇ Their average sentence reduction was 34.3%.
 - ◆ 10.3% received an above range variance.
 - ◇ Their average sentence increase was 52.4%
- 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 71 months in fiscal year 2019, down from 81 months in fiscal year 2015.
 - ◆ The average sentence was 64 months in fiscal year 2019, down from 72 months in fiscal year 2015.

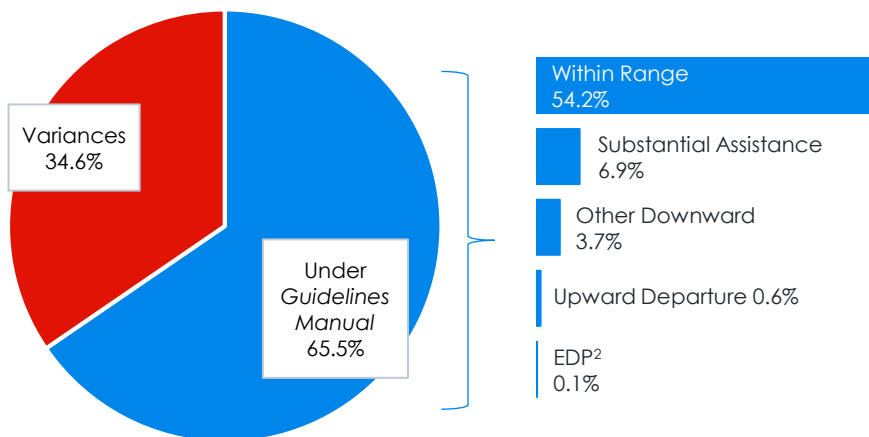
Sentence Relative to the Guideline Range (%)



Average Guideline Minimum and Average Sentence (months)



Sentence Imposed Relative to the Guideline Range FY 2019



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.