



# Quick Facts

## — Felon in Possession of a Firearm —

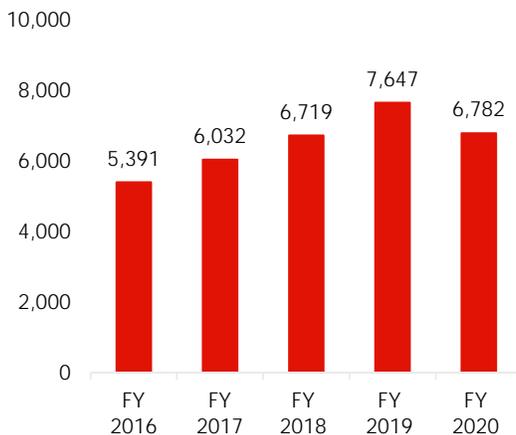
### Fiscal Year 2020

▶ IN FY 2020, 64,565 CASES WERE REPORTED TO THE U.S. SENTENCING COMMISSION.

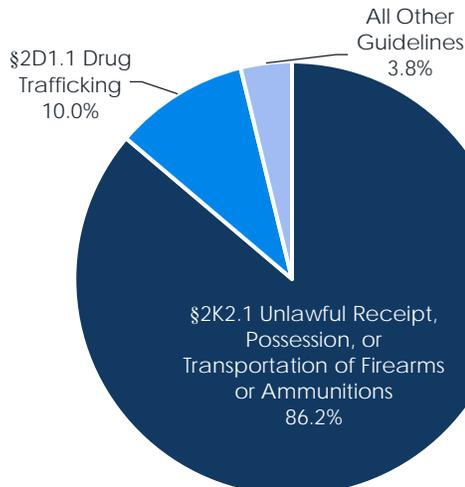
▶ 6,782 INVOLVED CONVICTIONS UNDER 18 U.S.C. § 922(g).<sup>1</sup>

▶ 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

- 97.6% of felon in possession of a firearm offenders were men.
- 55.8% were Black, 25.4% were White, 15.7% were Hispanic, and 3.1% were Other races.
- Their average age was 35 years.
- 95.6% were United States citizens.
- 24.8% were in the highest Criminal History Category (Criminal History Category VI);
  - ◆ 9.0% were CHC I;
  - ◆ 8.6% were CHC II;
  - ◆ 22.1% were CHC III;
  - ◆ 20.8% were CHC IV;
  - ◆ 14.7% were CHC V.
- The top five districts for felon in possession of a firearm offenders were:
  - ◆ Eastern District of Missouri (380);
  - ◆ Western District of Missouri (219);
  - ◆ Western District of Texas (213);
  - ◆ Eastern District of North Carolina (190);
  - ◆ Northern District of Texas (190).
- Districts with the highest proportion of felon in possession of a firearm cases were:
  - ◆ Middle District of Tennessee (45.4%);
  - ◆ Northern District of Alabama (44.0%);
  - ◆ Eastern District of Missouri (42.5%);
  - ◆ Middle District of North Carolina (41.3%);
  - ◆ District of Alaska (39.2%).

### Punishment

- 96.7% 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.
- 15.2% of felon in possession of a firearm offenders were convicted of one or more statutes with a mandatory minimum penalty:
  - ◆ 3.8% were sentenced under 18 U.S.C. § 924(e), the Armed Career Criminal Act (ACCA);<sup>2</sup>
  - ◆ 5.6% were convicted of violating 18 U.S.C. § 924(c);
  - ◆ 5.8% were convicted of another statute carrying a mandatory minimum penalty, most of which were drug offenses.



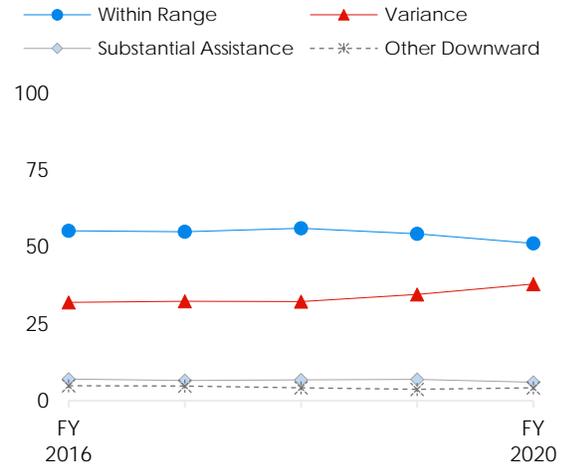
## Punishment (continued)

- The average sentence for all felon in possession of a firearm offenders was 62 months.
  - The average sentence for offenders convicted of violating only section 922(g) and sentenced under ACCA was 194 months.
  - The average sentence for offenders convicted of violating only section 922(g) but not sentenced under ACCA was 56 months.

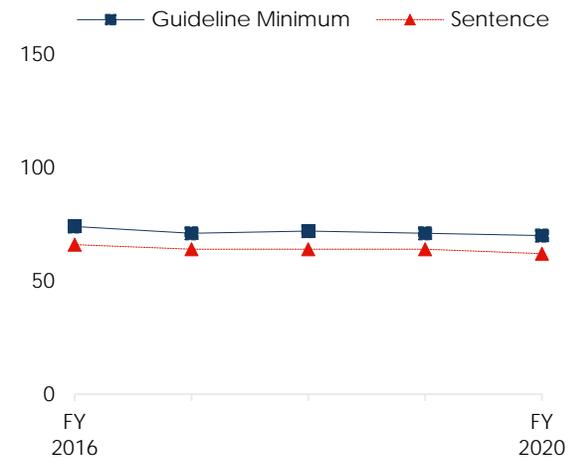
## Sentences Relative to the Guideline Range

- Of the 62.1% of felon in possession of a firearm offenders sentenced under the *Guidelines Manual*:
  - 82.2% were sentenced within the guideline range.
  - 9.7% received a substantial assistance departure.
    - Their average sentence reduction was 46.4%.
  - 6.8% received some other downward departure.
    - Their average sentence reduction was 38.3%.
- 37.9% received a variance; of those offenders:
  - 90.2% received a downward variance.
    - Their average sentence reduction was 36.7%.
  - 9.8% received an upward variance.
    - Their average sentence increase was 50.2%.
- The average guideline minimum and average sentence imposed for felon in possession of a firearm offenses remained steady over the past five years.
  - The average guideline minimum decreased from 74 months in fiscal year 2016 to 70 months in fiscal year 2020.
  - The average sentence imposed decreased from 66 months in fiscal year 2016 to 62 months in fiscal year 2020.

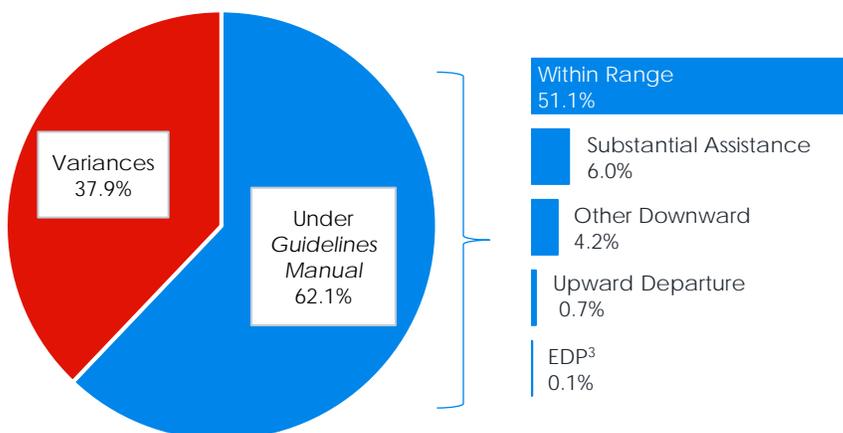
Sentence Relative to the Guideline Range (%)



Average Guideline Minimum and Average Sentence (months)



## Sentence Imposed Relative to the Guideline Range FY 2020



<sup>1</sup> Cases with incomplete sentencing information were excluded from the analysis.

<sup>2</sup> 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.

<sup>3</sup> "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.