



Quick Facts

— Felon in Possession of a Firearm —

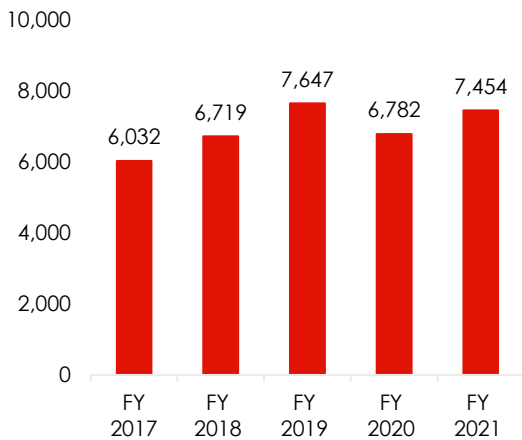
Fiscal Year 2021

▶ IN FY 2021, 57,287 CASES WERE REPORTED TO THE U.S. SENTENCING COMMISSION.

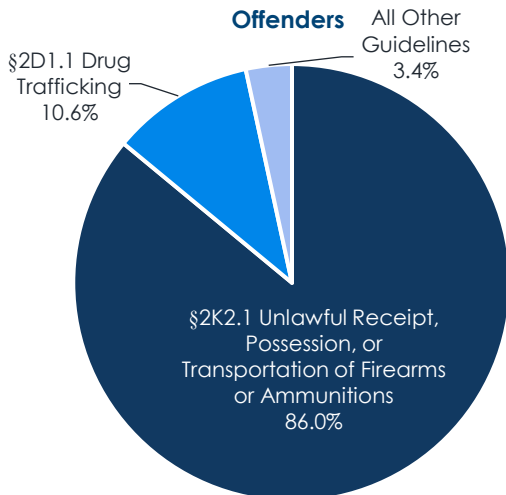
▶ 7,454 INVOLVED CONVICTIONS UNDER 18 U.S.C. § 922(g).¹

▶ 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 for Felon in Possession of a Firearm Offenders



Offender and Offense Characteristics

- 97.4% of felon in possession of a firearm offenders were men.
- 56.2% were Black, 24.2% were White, 16.2% were Hispanic, and 3.4% were Other races.
- Their average age was 34 years.
- 95.7% were United States citizens.
- 25.1% were in the highest Criminal History Category (Criminal History Category VI);
 - ◆ 8.0% were CHC I;
 - ◆ 8.9% were CHC II;
 - ◆ 22.1% were CHC III;
 - ◆ 20.6% were CHC IV;
 - ◆ 15.3% were CHC V.
- The top five districts for felon in possession of a firearm offenders were:
 - ◆ Eastern District of Missouri (469);
 - ◆ Northern District of Ohio (266);
 - ◆ Northern District of Texas (266);
 - ◆ Eastern District of North Carolina (260);
 - ◆ Western District of Texas (253);
- Districts with the highest proportion of felon in possession of a firearm cases were:
 - ◆ Middle District of Tennessee (48.5%);
 - ◆ Eastern District of Missouri (45.1%);
 - ◆ Northern District of Alabama (41.4%);
 - ◆ Middle District of Louisiana (40.8%);
 - ◆ Middle District of Alabama (40.2%).

Punishment

- 96.9% 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.
- 14.5% of felon in possession of a firearm offenders were convicted of one or more statutes with a mandatory minimum penalty:
 - ◆ 3.5% were sentenced under 18 U.S.C. § 924(e), the Armed Career Criminal Act (ACCA);²
 - ◆ 4.8% were convicted of violating 18 U.S.C. § 924(c);
 - ◆ 6.2% were convicted of another statute carrying a mandatory minimum penalty, most of which were drug offenses.



— **Felon in Possession of a Firearm** —

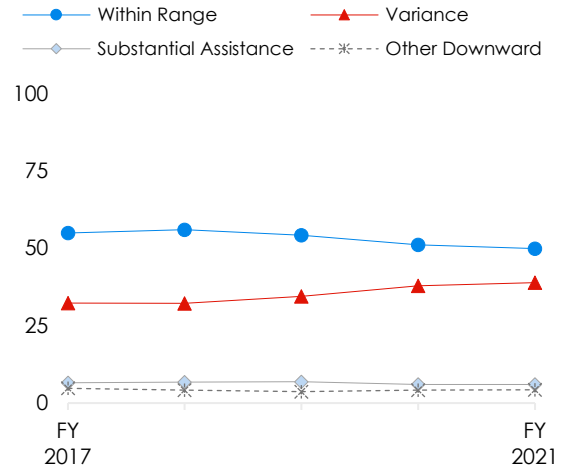
Punishment (continued)

- The average sentence for all felon in possession of a firearm offenders was 60 months.
 - The average sentence for offenders convicted of violating section 922(g) and sentenced under ACCA was 186 months.
 - The average sentence for offenders convicted of violating section 922(g) but not sentenced under ACCA was 55 months.

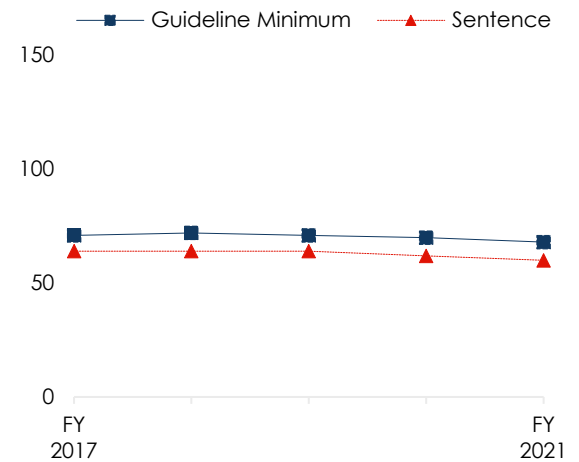
Sentences Relative to the Guideline Range

- Of the 61.1% of felon in possession of a firearm offenders sentenced under the *Guidelines Manual*:
 - 81.7% were sentenced within the guideline range.
 - 9.8% received a substantial assistance departure.
 - Their average sentence reduction was 44.6%.
 - 7.1% received some other downward departure.
 - Their average sentence reduction was 37.5%.
- 38.9% received a variance; of those offenders:
 - 89.5% received a downward variance.
 - Their average sentence reduction was 36.3%.
 - 10.5% received an upward variance.
 - Their average sentence increase was 48.8%.
- The average guideline minimum and average sentence imposed remained steady over the past five years.
 - The average guideline minimum decreased from 71 months in fiscal year 2017 to 68 months in fiscal year 2021.
 - The average sentence imposed decreased from 64 months in fiscal year 2017 to 60 months in fiscal year 2021.

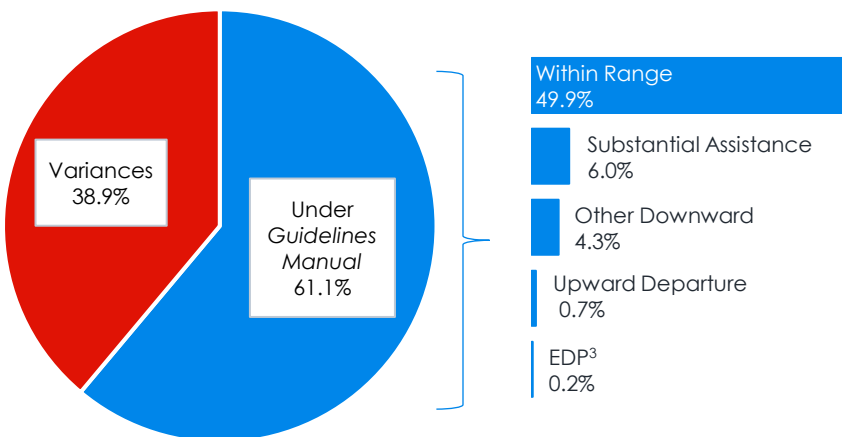
Sentence Relative to the Guideline Range (%)



Average Guideline Minimum and Average Sentence (months)



Sentence Imposed Relative to the Guideline Range FY 2021



¹ Cases with incomplete sentencing information were excluded from the analysis.

² 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.

³ "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.