

▶ THERE WERE 67,742 CASES REPORTED TO THE UNITED STATES SENTENCING COMMISSION IN FISCAL YEAR 2016.

▶ OF THESE CASES, 5,391 INVOLVED CONVICTIONS UNDER 18 U.S.C. § 922(g).

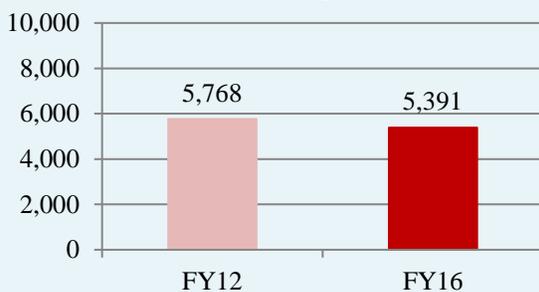
▶ 18 U.S.C. § 922(g) PROHIBITS CERTAIN PERSONS FROM SHIPPING, TRANSPORTING, POSSESSING, OR RECEIVING A FIREARM OR AMMUNITION WHILE SUBJECT TO A PROHIBITION FROM DOING SO, MOST COMMONLY BECAUSE OF A PRIOR CONVICTION FOR A FELONY OFFENSE.



Quick Facts

Felon in Possession of a Firearm

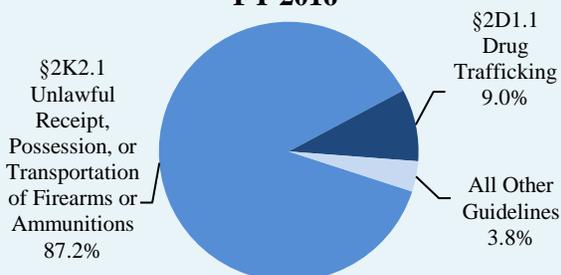
Number of Felon in Possession of a Firearm Offenders



Top Five Districts Felon in Possession of a Firearm FY 2016

Eastern District of Missouri (N=235)
Western District of Missouri (N=181)
Northern District of Texas (N=162)
Southern District of Florida (N=158)
Western District of Texas (N=154)

Primary Sentencing Guideline Felon in Possession of a Firearm FY 2016



In fiscal year 2016, there were 5,391 offenders convicted under 18 U.S.C. § 922(g) accounting for 8.0% of all offenders sentenced under the guidelines. The number of offenders sentenced under this statute had decreased from 5,768 in fiscal year 2012 to 4,984 in fiscal year 2015, but increased to 5,391 offenders in fiscal year 2016.

Offender and Offense Characteristics

- In fiscal year 2016, most offenders convicted of violating 18 U.S.C. § 922(g) were male (97.9%).
- Over half of these offenders were Black (53.7%), followed by White (24.5%), Hispanic (18.9%), and Other Races (2.9%).
- The average age of these offenders at sentencing was 34 years.
- The majority of these offenders were United States citizens (94.1%).
- About one-quarter (26.0%) of offenders convicted under section 922(g) were assigned to the highest criminal history category (Category VI). The proportion of these offenders in other Criminal History Categories was as follows:
 - ◆ 9.8% of these offenders were in Category I;
 - ◆ 9.3% were in Category II;
 - ◆ 20.1% were in Category III;
 - ◆ 20.5% were in Category IV; and
 - ◆ 14.3% were in Category V.
- Districts with the highest proportion of their overall caseload comprising section 922(g) offenses were:
 - ◆ Northern District of Indiana (35.5% of the overall caseload);
 - ◆ Eastern District of Missouri (32.5%);
 - ◆ Northern District of Alabama (30.7%);
 - ◆ Western District of Tennessee (27.4%); and
 - ◆ Middle District of North Carolina (26.5%).

Punishment

- Most offenders convicted under 18 U.S.C. § 922(g) were sentenced to imprisonment (97.3%).
- Less than one-fifth (15.9%) of these offenders were convicted of one or more statutes carrying a mandatory minimum penalty:
 - ◆ 5.6% were sentenced under the Armed Career Criminal Act (ACCA) (18 U.S.C. § 924(e));¹
 - ◆ another 4.8% were convicted of violating 18 U.S.C. § 924(c); and
 - ◆ another 5.5% were convicted of another statute carrying a mandatory minimum penalty (almost all of which were drug offenses).
- The average sentence imposed on section 922(g) offenders varied widely by whether a mandatory minimum penalty applied in the case.

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

Quick Facts

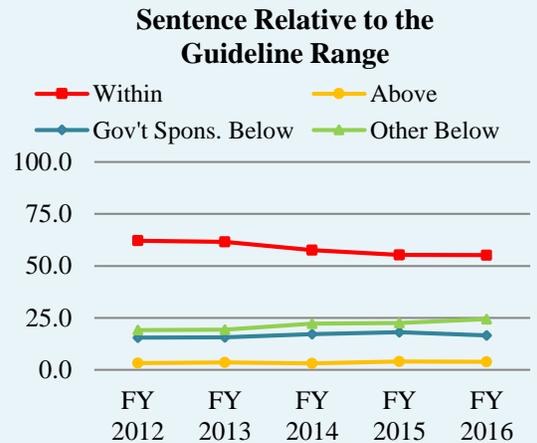
Felon in Possession of a Firearm

Punishment (continued)

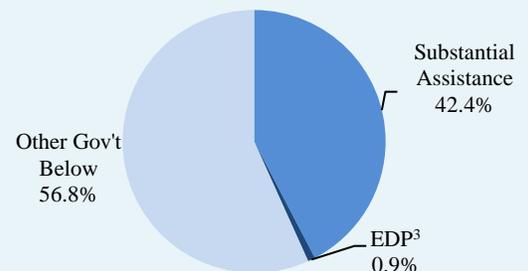
- ◆ The average sentence length for all section 922(g) offenders was 66 months; however, one-quarter of these offenders had an average sentence of 27 months or less while one-quarter had an average sentence of 84 months or more.
- ◆ The average sentence length for offenders convicted of violating only section 922(g) and who were sentenced under ACCA was 180 months.
- ◆ The average sentence length for offenders convicted of violating only section 922(g) but who were not sentenced under ACCA was 60 months.

Sentences Relative to the Guideline Range

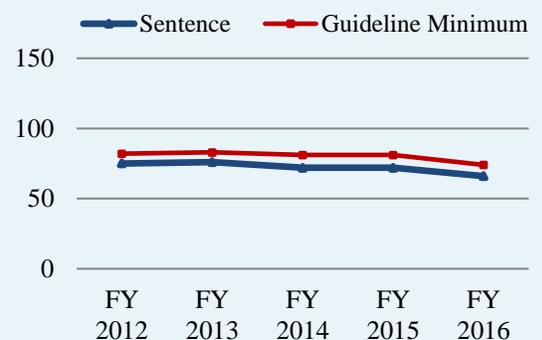
- For each of the past five years, more than half of offenders convicted of violating 18 U.S.C. § 922(g) were sentenced within the range. However, the rate of within range sentences has decreased from 62.1% in fiscal year 2012 to 55.2% in fiscal year 2016.
- The rate of government sponsored below range sentences has increased for section 922(g) offenses from 15.5% in fiscal year 2012 to 16.6% in fiscal year 2016. In cases where the offender was not convicted of an additional offense and was not sentenced under ACCA, the rate of government sponsored sentences was higher, at 29.0% in fiscal year 2016.
 - ◆ Substantial assistance departures were granted in 7.0% of all section 922(g) cases in fiscal year 2016. This represents 42.4% of all government sponsored below range sentences for these offenses.
 - ◇ In fiscal year 2016, these offenders received an average reduction of 43.9% in their sentences.
 - ◆ In fiscal year 2016, (8.7%) of offenders convicted of violating section 922(g) received a below range sentence sponsored by the government for reasons other than substantial assistance or participation in an Early Disposition Program³.
 - ◇ In fiscal year 2016, these offenders received an average reduction of 36.4% in their sentences.
- Over the last five years, the rate of non-government sponsored below range sentences for section 922(g) offenses has increased from 19.1% in fiscal year 2012 to 24.4% in fiscal year 2016.
 - ◆ In fiscal year 2016, these offenders received an average reduction of 33.7% in their sentences.
- The average guideline minimum for section 922(g) offenses has decreased for the past five years, and the average sentence imposed has similarly decreased.
 - ◆ The average guideline minimum decreased from 82 to 74 months during that period;
 - ◆ The average sentence imposed decreased from 75 to 66 months.



Government Sponsored Below Range Sentences FY 2016



Average Sentence and Average Guideline Minimum (in months)



³ "Early Disposition Program (or EDP) departures" represent cases in which 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.

