

▶ THERE WERE 71,003 CASES REPORTED TO THE UNITED STATES SENTENCING COMMISSION IN FISCAL YEAR 2015.

▶ OF THESE CASES, 4,984 INVOLVED CONVICTIONS UNDER 18 U.S.C. § 922(g).

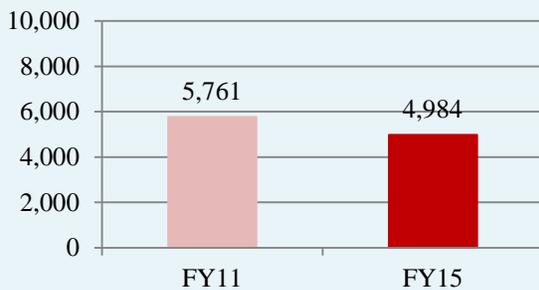
▶ 18 U.S.C. § 922(G) PROHIBITS CERTAIN PERSONS FROM SHIPPING, TRANSPORTING, POSSESSING, OR RECEIVING A FIREARM OR AMMUNITION WHILE SUBJECT TO A PROHIBITION FROM DOING SO, MOST COMMONLY BECAUSE OF A PRIOR CONVICTION FOR A FELONY OFFENSE.

Quick Facts



Felon in Possession of a Firearm¹

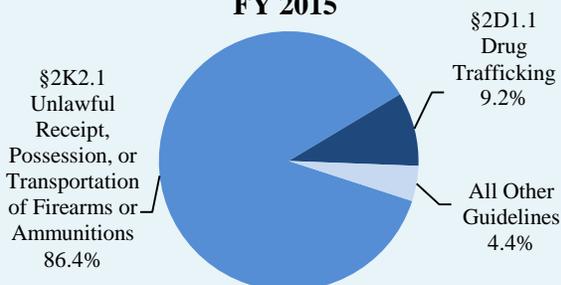
Number of Felon in Possession of a Firearm Offenders



Top Five Districts Felon in Possession of a Firearm FY 2015

Western District of Missouri (N=178)
Northern District of Texas (N=170)
Western District of Texas (N=170)
District of Puerto Rico (N=166)
Southern District of Florida (N=152)

Primary Sentencing Guideline Felon in Possession of a Firearm FY 2015



In fiscal year 2015, there were 4,984 offenders convicted under 18 U.S.C. § 922(g) accounting for 7.0% of all offenders sentenced under the guidelines. The number of offenders sentenced under this statute has steadily decreased over the last five years from 5,761 in fiscal year 2011 to 4,984 offenders in fiscal year 2015.

Offender and Offense Characteristics

- In fiscal year 2015, most offenders convicted of violating 18 U.S.C. § 922(g) were male (98.4%).
- Over half of these offenders were Black (51.0%), followed by White (26.1%), Hispanic (20.2%), and Other Races (2.7%).
- The average age of these offenders at sentencing was 34 years.
- The majority of these offenders were United States citizens (93.4%).
- About one-quarter (26.6%) 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:
 - ◆ 10.0% of these offenders were in Category I;
 - ◆ 10.0% were in Category II;
 - ◆ 20.1% were in Category III;
 - ◆ 19.6% were in Category IV; and
 - ◆ 13.6% were in Category V.
- Districts with the highest proportion of their overall caseload comprising section 922(g) offenses were:
 - ◆ Northern District of Alabama (31.7% of the overall caseload);
 - ◆ Middle District of North Carolina (28.8%);
 - ◆ Western District of Tennessee (27.2%);
 - ◆ Southern District of Alabama (25.5%); and
 - ◆ Northern District of Indiana (22.3%).

Punishment

- Most offenders convicted under 18 U.S.C. § 922(g) were sentenced to imprisonment (97.3%).
- Less than one-fifth (18.6%) of these offenders were convicted of one or more statutes carrying a mandatory minimum penalty:
 - ◆ 8.6% were sentenced under the Armed Career Criminal Act (ACCA) (18 U.S.C. § 924(e));²
 - ◆ another 5.0% were convicted of violating 18 U.S.C. § 924(c); and
 - ◆ another 5.0% 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. § 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.

² 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.

³ In 13.6% of all cases involving a conviction for section 922(g), the offender was also convicted of a non-firearms offense where the sentencing guideline applicable to the other offense was the primary guideline the court applied at sentencing.

Quick Facts

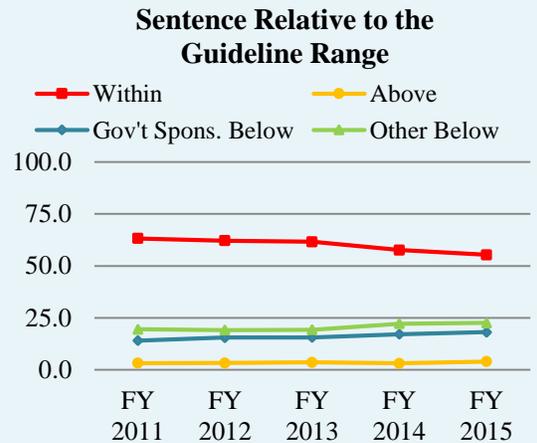
Felon in Possession of a Firearm¹

Punishment (continued)

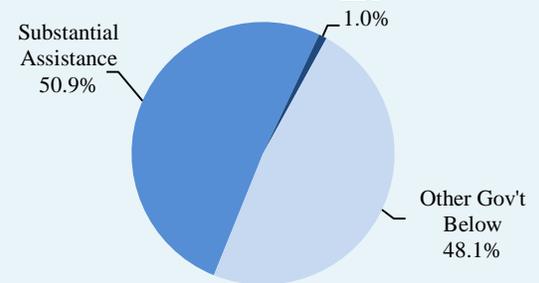
- ◆ The average sentence length for all section 922(g) offenders was 72 months; however, one-quarter of these offenders had an average sentence of 30 months or less while one-quarter had an average sentence of 90 months or more.
- ◆ The average sentence length for offenders convicted of violating only section 922(g) and who were sentenced under ACCA was 191 months.
- ◆ The average sentence length for offenders convicted of violating only section 922(g) but who were not sentenced under ACCA was 61 months.

Sentences Relative to the Guideline Range

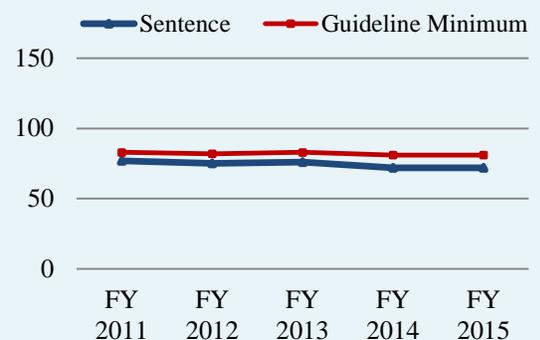
- For each of the past five years, more than half of offenders convicted of violating 18 U.S.C. § 922(g) were sentenced within the range. However, the rate of within range sentences has decreased from 63.2% in fiscal year 2011 to 55.3% in fiscal year 2015.
- The rate of government sponsored below range sentences has increased for section 922(g) offenses from 14.1% in fiscal year 2011 to 18.1% in fiscal year 2015. 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 25.1% in fiscal year 2015.
 - ◆ Substantial assistance departures were granted in 9.2% of all section 922(g) cases in fiscal year 2015. This represents 50.9% of all government sponsored below range sentences for these offenses.
 - ◇ In fiscal year 2015, these offenders received an average reduction of 44.4% in their sentences.
 - ◆ In fiscal year 2015, a smaller proportion (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 Program.
 - ◇ In fiscal year 2015, these offenders received an average reduction of 32.5% 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 19.5% in fiscal year 2011 to 22.6% in fiscal year 2015.
 - ◆ In fiscal year 2015, these offenders received an average reduction of 32.4% 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 83 to 81 months during that period;
 - ◆ The average sentence imposed decreased from 76 to 72 months.



Government Sponsored Below Range Sentences FY 2015



Average Sentence and Average Guideline Minimum (in months)



⁴ "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.

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