

# D.C. Sentencing Commission - Fast Facts

September 2021



## Unlawful Possession of a Firearm (FIP)

Between October 2018 and June 2021 there were a total of:

- 351 FIP counts sentenced
- 348 FIP cases sentenced
- 343 individuals sentenced for FIP

## FIP

### Definition

No person shall own or keep a firearm, or have a firearm in his or her possession or under his or her control, within the District of Columbia, if the person has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year

Mandatory Minimum: 1 year

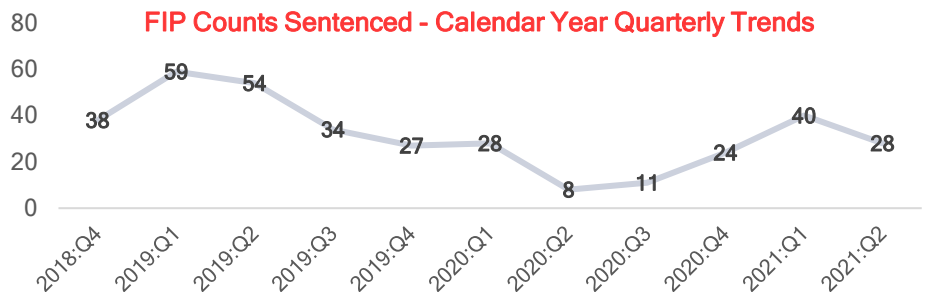
### Important Background

In July 2018 the Commission re-ranked Unlawful Possession of a Firearm from an Offense Severity Group (OSG) M7 offense to an OSG M8 offense. This change took effect for all pleas or verdicts entered on or after July 16, 2018. The present analysis evaluates sentencing trends for all FIP sentences that were imposed between CY 2018-Q4 and CY 2021-Q2, given that this timeframe represents approximately three complete years since the change was implemented.

### Sentencing Information

- FIP represented approximately 10% (351 counts) of all felony offenses (3,437) sentenced between October 2018 and June 2021
- Eight individuals were sentenced for multiple FIP counts during timeframe
  - Three were convicted of multiple counts in a single case, five were convicted in multiple cases
- FIP was the single felony offense sentenced in 70% of FIP cases
- The vast majority of FIP counts (331, 95%) received a prison sentence
  - The remaining 5% (20 counts/individuals) received probation or short split sentences - all were sentenced under the Youth Rehabilitation Act (YRA)
- The average prison sentence for FIP was 16 months, while the median sentence was 14 months
  - One in five FIP counts (21%) received the exact mandatory minimum sentence of 12 months
- 88% of FIP counts (311 counts) were resolved via a plea agreement
  - 53 counts were resolved via an 11(c)(1)(C) plea, which represented 17% of plea agreements, and 15% of all FIP counts sentenced
- The total number of FIP counts sentenced has fluctuated over the last 11 quarters, peaking in CY2019-Q1 with 59 counts and reaching a low of 8 counts in CY2020-Q2

### FIP Counts Sentenced - Calendar Year Quarterly Trends



\*\*2020 data is heavily impacted by the limited operations of D.C. Superior Court due to Covid19

- The proportion of FIP counts sentenced each quarter has been gradually increasing since CY2018-Q4.

### Criminal History and Compliance

- Due to the nature of the offense, all individuals sentenced for FIP have had a prior felony conviction
- Approximately 93% of individuals had a CH score of B, or higher
  - Group C was the dominant CH group, representing 41% of individuals
- Only 3.7% of FIP sentences (13 counts) were non-compliant. All individuals who received a non-compliant sentence had a CH score of C.
  - Twelve of these counts received the 12 month mandatory minimum sentence, which is below the Guidelines recommended 14 month sentence for individuals convicted of FIP that are in CH group C

### Offender Demographics

- On average, individuals sentenced for FIP were 29 years old at the time of the offense; the median age at offense was 27
- All individuals sentenced for FIP were male
- 98% of individuals sentenced for FIP were black

### FIP - Proportion of all Counts Sentenced Quarterly Trends

