



Recent Caseload Statistics for U.S. District Courts: Criminal Defendants Charged with Firearms or Explosives Offenses (2001-2023)

March 26, 2024

This Insight provides an overview and analysis of federal criminal defendants charged with offenses related to firearms or explosives in [U.S. district courts](#). Specifically, this Insight provides information related to (1) the percentage of defendants charged with such offenses in U.S. district courts during the period 2001-2023; (2) the percentage of defendants who were charged with a firearms or explosives offense, during the same period, by the type of offense charged; and (3) the percentage of defendants charged with a firearms or explosives offense in selected U.S. district courts in 2023.

The data discussed below are compiled and reported by the [Administrative Office of U.S. Courts](#). Data provided by other entities, such as the [Bureau of Justice](#), may be compiled and reported differently.

The data exclude defendants [transferred among district courts](#) and those charged in U.S. [territorial district courts](#). This Insight does not provide legal analysis of the offenses discussed.

Percentage of Defendants Charged with a Firearms or Explosives Offense (2001-2023)

During the 2001-2023 period, as shown by **Figure 1**, the overall national percentage of federal defendants charged with a firearms or explosive offense ranged from a low of 8.4% in 2010 to a high of 16.1% in 2020. During this period, the average percentage of defendants charged annually with a firearms or explosives offense was 11.4% (approximately one in nine).

Most recently, 15.1% of all defendants in 2023 were charged with a firearms or explosives offense—ranking as the fourth-highest percentage since 2001.

The increase in the percentage of federal defendants charged with such offenses from 2016 to 2017 (from 11.4% to 13.1%, representing the second-greatest increase since 2001) likely reflects [the impact of a March 8, 2017, memorandum](#) from then-Attorney General Jeff Sessions to Department of Justice prosecutors, directing them to prioritize firearms prosecutions.

The increase from 2019 to 2020 (from 13.4% to 16.1%, representing the greatest increase since 2001) likely reflects the impact of then-Attorney General William Barr's announcement in November 2019,

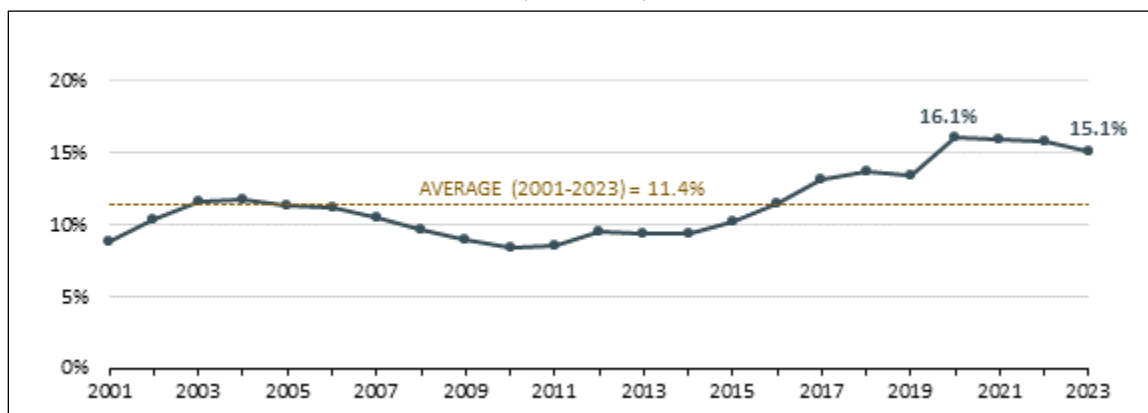
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following mass shootings earlier in the year, that prosecuting gun crimes would be a “critical part” of the Department of Justice’s “anti-violent crime strategy.” It may also reflect the department’s June 2019 formation of a [Domestic Violence Working Group](#) for the purpose, in part, of prioritizing the prosecution of gun-related offenses by those previously convicted of domestic violence.

Figure 1. Percentage of Federal Defendants Charged with a Firearms or Explosives Offense (2001-2023)



Source: Congressional Research Service compilation of data provided by the Administrative Office of U.S. Courts.

Percentage of Firearms or Explosives Defendants Charged by Type of Offense (2001-2023)

For defendants charged with firearms or explosives offenses, the Administrative Office of U.S. Courts (AO) provides a breakdown of the type of offenses for which defendants are charged. The offenses include

- the possession or receipt of a firearm or ammunition by a [prohibited person](#) (e.g., a felon);
- the use, carrying, or possession of a firearm [in relation to or in furtherance of a drug felony or a federal crime of violence](#);
- all other federal firearms offenses included in a catch-all “other” category (e.g., [to knowingly possess certain types of prohibited firearms or devices](#)); and
- offenses related to explosive materials (e.g., [manufacturing such materials without a license](#)).

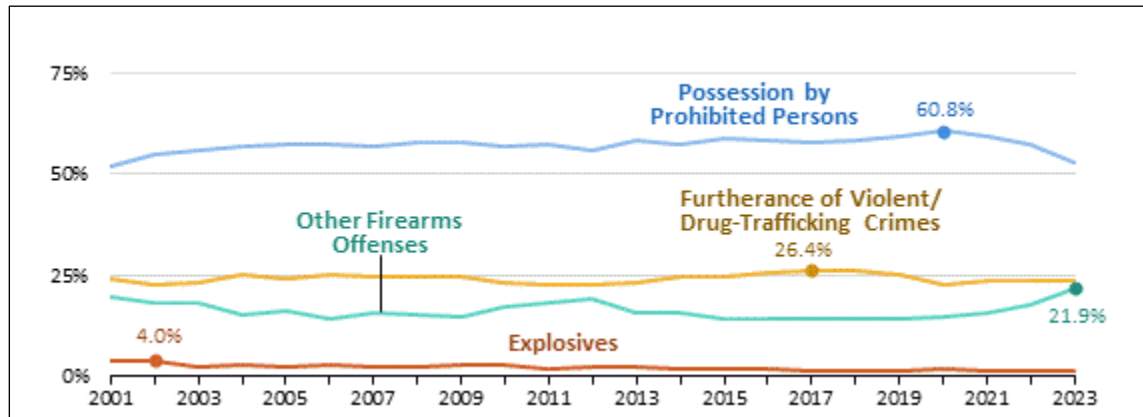
As shown by **Figure 2**, of those individuals charged with a firearms or explosives offense, the most common offense from 2001 to 2023 was the possession of a firearm by a prohibited person—representing over half of those charged with a firearms or explosives offense for each year during the period (ranging from a low 52.0% in 2001 to a high of 60.8% in 2020).

The second-most common offense during this period was the use of a firearm in furtherance of a violent or drug-trafficking crime (ranging from a low of 22.6% in 2012 to a high of 26.4% in 2017).

Firearms offenses in the “other” category hit a high of 21.9 % in 2023, which may reflect the impact of the Bipartisan Safer Communities Act (P.L. 117-159). For additional information about the act, see [CRS In Focus IF12190, Gun Control: Straw Purchases and Gun Trafficking Provisions in P.L. 117-159](#).

Offenses related to explosives peaked at 4.0% in 2002.

Figure 2. Percentage of Firearms or Explosives Defendants Charged by Type of Offense (2001-2023)



Source: Congressional Research Service compilation of data provided by the Administrative Office of U.S. Courts.

Notes: Percentages reflect highest percentages for each category during the 2001-2023 period.

Defendants Charged with a Firearms or Explosives Offense by U.S. District Court (2023)

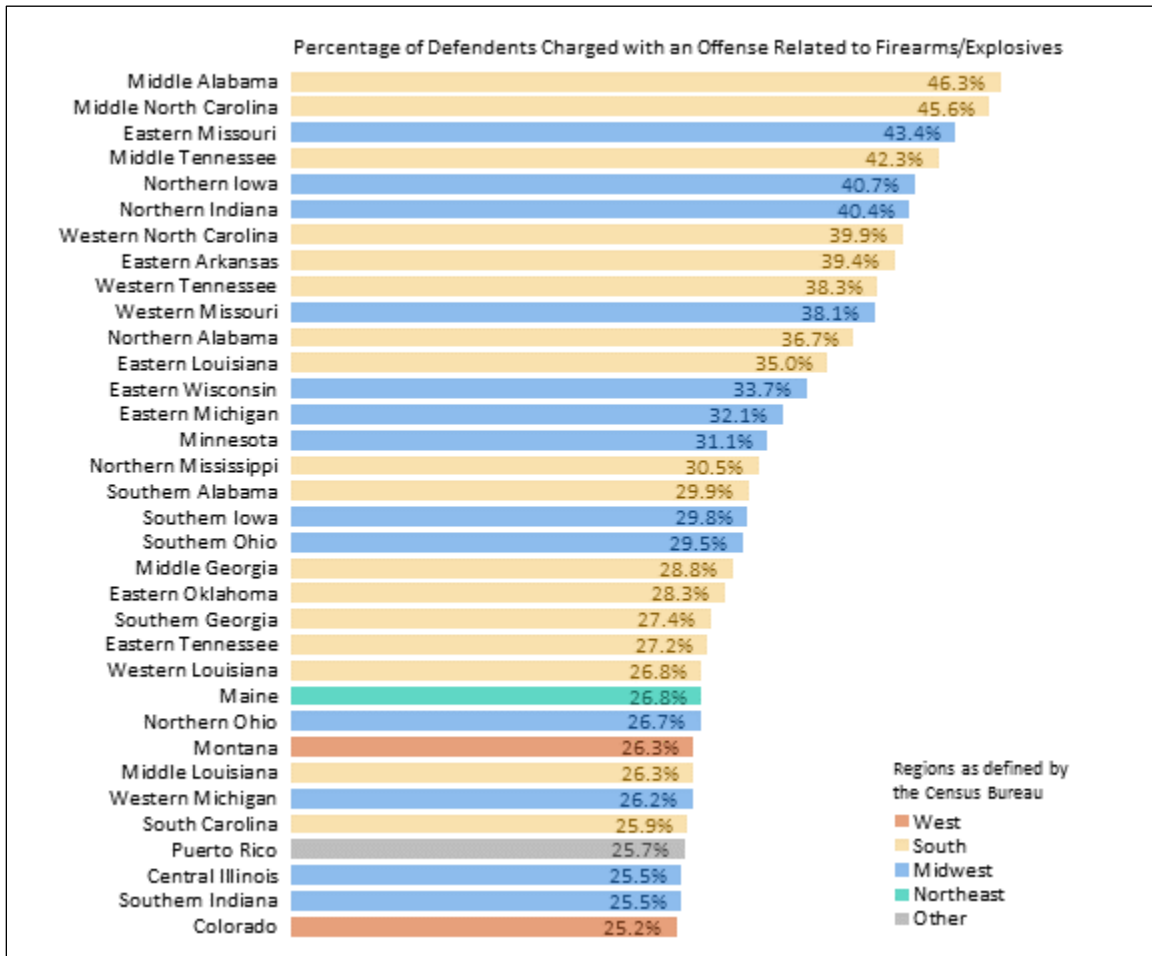
In 2023, across 91 U.S. district courts, the percentage of federal defendants charged with an offense related to firearms or explosives ranged from a low of 1.2% ([Southern District of California](#)) to a high of 46.3% ([Middle District of Alabama](#)).

Figure 3 identifies the U.S. district courts where at least one in four (25.0%) of federal defendants were charged with a firearms or explosives offense in 2023. Of the 34 courts for which at least 25.0% of defendants were charged with such offenses, 17 (50.0%) are located in the South and 13 (38.2%) in the Midwest. The remaining four include district courts for Colorado, Maine, Montana, and Puerto Rico.

Overall, in 2023, 18 of 20 (90.0%) district courts located in the Midwest, 30 of 39 (76.9%) in the South, 11 of 17 (64.7%) in the West, and 8 of 14 (57.1%) in the Northeast had a greater percentage of defendants charged with a firearms or explosives offense than the percentage, nationally, of all federal defendants charged with such offenses (15.1%).

While not shown in the figure, the *number* of defendants charged with a firearms or explosives offense in 2023 ranged from a low of 5 ([District of Rhode Island](#)) to a high of 441 ([Eastern District of Missouri](#)). Across all 91 U.S. district courts, the average number of defendants charged with a firearms or explosives offense was 109 (while the median number was 86).

Figure 3. Percentage of All Defendants Charged with a Firearms or Explosives Offense (2023)



Source: Congressional Research Service compilation of data provided by the Administrative Office of U.S. Courts.

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