



Calculating the Base Offense Level at §2K2.1(a)(4)(B)

Determining the base offense level (BOL) at 2K2.1(a)(4)(B) requires careful navigation of its subsections. This graphic will guide you through the process. You should also review §2K2.1, Application Notes 2 and 3 as they also provide definitions for this BOL determination (see below).

Step 1: *If the offense involved:*

(I) a semiautomatic firearm that is capable of accepting a large capacity magazine;



(II) a firearm that is described in 26 U.S.C. § 5845(a);

Step 2: *...and the defendant:*

(I) was a prohibited person at the time the defendant committed the instant offense;



(II) is convicted under 18 U.S.C. § 922(d);



(III) is convicted under 18 U.S.C. § 922(a)(6) or §924(a)(1)(A) – AND - the defendant committed the offense with knowledge, intent, or reason to believe that the offense would result in the transfer of a firearm or ammunition to a prohibited person.

Step 1 + Step 2

BOL 20

If conditions are met for both steps 1 and 2, the base offense level is 20.

