

SUPREME COURT OF THE UNITED STATES

Scarborough v. United States

431 U.S. 563 (1977) · No. No. 75-1344 · Decided June 6, 1977

SUMMARY

The Supreme Court held that, under 18 U.S.C. App. § 1202(a)(1), proof that a firearm previously traveled in interstate commerce satisfies the required commerce nexus for a convicted felon's possession offense. The Court affirmed the conviction, concluding that Congress intended a minimal nexus requirement and did not require contemporaneous movement of the firearm or possession beginning after the felony conviction. Justice Stewart dissented, arguing that the rule of lenity required limiting the statute to firearms first possessed after conviction.

CASE DETAILS

COURT	Supreme Court of the United States
WRITING FOR THE COURT	Justice Marshall; Justice Rehnquist; Justice Stewart
JURISDICTION	Federal
DECIDED	June 6, 1977
DOCKET	No. 75-1344
DISPOSITION	affirmed
PROCEDURAL POSTURE	Petitioner sought Supreme Court review by certiorari after the United States Court of Appeals for the Fourth Circuit affirmed his federal conviction for possession of firearms by a convicted felon.
STANDARD OF REVIEW	De novo statutory interpretation and review of whether the evidence satisfied the statutory commerce-nexus requirement.
PRECEDENTIAL VALUE	United States Supreme Court published majority opinion; binding precedent interpreting former 18 U.S.C. App. § 1202(a)(1).
PARTIES	Scarborough v. United States

TOPICS

- statutory interpretation
- legislative history
- rule of lenity
- federalism
- criminal procedure

PRACTICE AREAS

- criminal law
- federal firearms law
- statutory interpretation
- constitutional law

QUESTIONS PRESENTED

1. Whether proof that a firearm previously traveled in interstate commerce, without proof that the defendant acquired or possessed it contemporaneously with interstate commerce, satisfies the commerce-nexus requirement of 18 U.S.C. App. § 1202(a)(1).
2. Whether the rule of lenity or concern for the federal-state balance required construing § 1202(a)(1) to reach only possession beginning after the defendant's felony conviction or having a contemporaneous connection with commerce.

HOLDINGS

1. Proof that the firearm possessed by a convicted felon previously traveled in interstate commerce is sufficient to establish the statutory commerce nexus under 18 U.S.C. App. § 1202(a)(1). The Government need not prove that the defendant purchased the firearm across state lines, carried it across state lines, acquired it after conviction, or possessed it contemporaneously with interstate commerce.
2. The rule of lenity and the canon against interpreting ambiguous statutes to alter the federal-state balance do not justify the petitioner's narrower interpretation because the statutory purpose and legislative history clearly support the Government's construction.

KEY QUOTATIONS

“However, we see no indication that Congress intended to require any more than the minimal nexus that the firearm have been, at some time, in interstate commerce.” (431 U.S. at 575)

“Congress sought to reach possessions broadly, with little concern for when the nexus with commerce occurred.” (431 U.S. at 577-578)

“Since the District Court and the Court of Appeals employed the proper standard, we affirm the conviction of petitioner.” (431 U.S. at 578)

FACTUAL BACKGROUND

In 1972, Scarborough pleaded guilty in Virginia state court to felony possession of narcotics with intent to distribute. In August 1973, officers executing a narcotics search warrant seized four firearms from his bedroom. The Government proved that each firearm had previously traveled in interstate commerce, but it did not prove that Scarborough acquired the firearms after his felony conviction. Scarborough was acquitted of receipt but convicted of possession under 18 U.S.C. App. § 1202(a)(1).

PROCEDURAL HISTORY

Scarborough was convicted by a jury in the United States District Court for the Eastern District of Virginia under 18 U.S.C. App. § 1202(a)(1). The district court granted a judgment of acquittal on the receipt charge but submitted the possession charge to the jury, which returned a guilty verdict. The Fourth Circuit affirmed, holding that prior interstate movement of the firearm satisfied the statute's commerce-nexus requirement. The Supreme Court granted certiorari because of a circuit split and affirmed.

DISPOSITION

affirmed

CASES CITED

- United States v. Bass, 404 U.S. 336 (1971)
- Rewis v. United States, 401 U.S. 808, 812 (1971)
- Barrett v. United States, 423 U.S. 212 (1976)
- United States v. American Bldg. Maintenance Industries, 422 U.S. 271, 280 (1975)
- NLRB v. Reliance Fuel Corp., 371 U.S. 224, 226 (1963)
- United States v. Bramblett, 348 U.S. 503, 510 (1955)
- United States v. Kelly, 519 F.2d 251, 253 n. 3 (8th Cir. 1975)
- United States v. Jones, 533 F.2d 1387 (6th Cir. 1976)
- United States v. Bumphus, 508 F.2d 1405 (10th Cir. 1975)
- United States v. Ressler, 536 F.2d 208 (7th Cir. 1976)
- United States v. Bell, 524 F.2d 202 (2d Cir. 1975)
- United States v. Steeves, 525 F.2d 33 (8th Cir. 1975)
- United States v. Malone, 538 F.2d 250 (9th Cir. 1976)
- United States v. Cassity, 509 F.2d 682 (9th Cir. 1974)
- United States v. Burns, 529 F.2d 114 (9th Cir. 1975)
- Ladner v. United States, 358 U.S. 169, 177-178 (1958)
- Bell v. United States, 349 U.S. 81, 83 (1955)
- United States v. Universal C. I. T. Credit Corp., 344 U.S. 218, 221-222 (1952)