

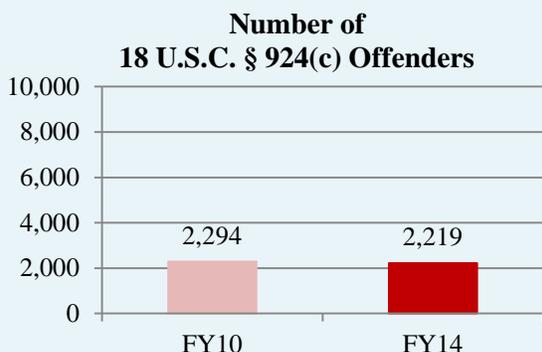


# Quick Facts

▶ THERE WERE 75,836 CASES REPORTED TO THE UNITED STATES SENTENCING COMMISSION IN FISCAL YEAR 2014.

▶ OF THESE CASES, 2,219 INVOLVED CONVICTIONS UNDER 18 U.S.C. § 924(c).<sup>1</sup>

## Section 924(c) Firearms Offenses<sup>1</sup>

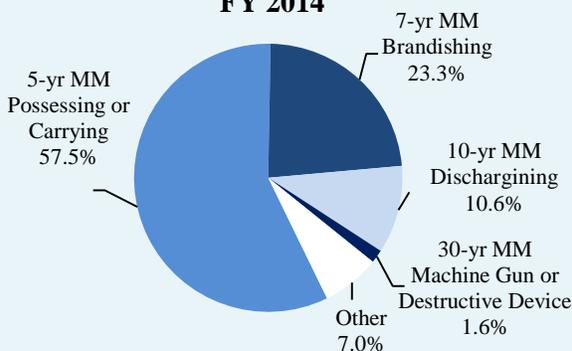


In fiscal year 2014, there were 2,219 offenders convicted under 18 U.S.C. § 924(c) accounting for 2.9% of all offenders sentenced under the guidelines. The number of offenders convicted of multiple counts of section 924(c) has increased over the last five years from 147 in fiscal year 2010 to 178 in fiscal year 2014.

### Offender and Offense Characteristics

- In fiscal year 2014, most offenders convicted under 18 U.S.C. § 924(c) were male (97.6%).
- The majority were Black (53.9%), followed by Hispanic (25.1%), White (17.9%), and Other Races (3.1%).
- The average age of these offenders at sentencing was 31 years.
- The majority of section 924(c) offenders were U.S. citizens (91.6%).
- The most common Criminal History Category for these offenders was Category I (32.7%). The proportion of these offenders in other Criminal History Categories was as follows:
  - ◆ 13.8% of these offenders were in Category II;
  - ◆ 18.6% were in Category III;
  - ◆ 11.0% were in Category IV;
  - ◆ 6.0% were in Category V; and
  - ◆ 17.9% were in Category VI.
- Career offenders (§4B1.1) were 12.5% of all section 924(c) offenders.
- Districts with the highest proportion of their overall caseload comprising section 924(c) offenses were:
  - ◆ District of Puerto Rico (11.5% of the overall caseload);
  - ◆ Eastern District of North Carolina (11.2%);
  - ◆ Middle District of North Carolina (10.1%);
  - ◆ Northern District of Georgia (10.0%); and
  - ◆ Eastern District of Wisconsin (9.7%).

### Mandatory Minimum Penalties for 18 U.S.C. § 924(c) Offenders FY 2014



### Top Five Districts 18 U.S.C. § 924(c) Offenders FY 2014

District of Puerto Rico (N=167)
Southern District of New York (N=127)
Eastern District of Virginia (N=84)
Southern District of Florida (N=81)
Eastern District of North Carolina (N=78)

### Punishment

- Almost all offenders convicted under 18 U.S.C. § 924(c) were sentenced to imprisonment (94.7%).<sup>2</sup>
- The majority of offenders (82.8%) convicted under 18 U.S.C. § 924(c) were also convicted of another offense. The most common of these other offenses were drug trafficking (43.6%), robbery (34.8%), and another firearms offense (7.2%).
  - ◆ Over one-quarter (28.6%) of all section 924(c) offenders were convicted of another offense carrying a mandatory minimum penalty. In most cases, the other offense was a drug trafficking crime.

<sup>1</sup> Offenses under 18 U.S.C. § 924(c) involve the use or carrying of a firearm during and in relation to a crime of violence or drug trafficking crime, or the possession of a firearm in furtherance of those crimes.

<sup>2</sup> Offenses under section 924(c) carry one of several mandatory minimum penalties depending on the circumstances of the offense.

<sup>3</sup> The guideline sentence for a section 924(c) offense is the minimum term of imprisonment required by that statute. USSG §2K2.4. Punishments under section 924(c) run consecutively to any other term of imprisonment. 18 U.S.C. § 924(c)(1)(D)(ii).

# Quick Facts

## Section 924(c) Firearms Offenses

### Punishment (continued)

- The number of offenders convicted of multiple counts of section 924(c) has increased from 147 offenders in fiscal year 2010 (6.4% of all section 924(c) offenders) to 178 in fiscal year 2014 (8.0% of all section 924(c) offenders).
- The average length of sentence for offenders convicted under 18 U.S.C. § 924(c) was 157 months.
  - ◆ The average length of sentence for offenders convicted under only section 924(c) was 77 months.
  - ◆ The average length of sentence for offenders convicted under both section 924(c) and another offense not carrying a mandatory minimum penalty was 177 months.
  - ◆ The average length of sentence for section 924(c) offenders who were determined to be career offenders was 243 months.
  - ◆ The average length of sentence for offenders convicted of multiple counts of section 924(c) was 332 months.

### Sentences Relative to the Guideline Range

#### Section 924(c) Only Offenses

- In each of the past five years, most offenders convicted only of an offense under section 924(c) were sentenced to the guideline sentence.<sup>3</sup> In fiscal year 2014, 75.0% percent of section 924(c) only offenders were sentenced to the guideline sentence.
  - ◆ 9.6% of section 924(c) offenders were sentenced below the guideline sentence in fiscal year 2012 pursuant to a substantial assistance departure.
  - ◆ 15.4% of these offenders were sentenced above the guideline sentence.

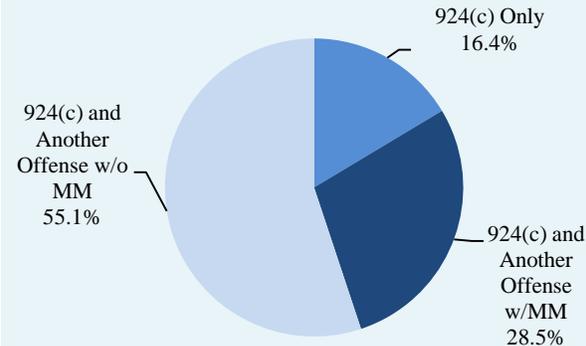
#### Section 924(c) Cases Involving Career Offenders

- In cases where the offender was convicted under section 924(c) and was also determined to be a career offender, the within guideline range rate has decreased from 38.6% in fiscal year 2010 to 32.4% in fiscal year 2014.
- In fiscal year 2014, 41.7% of these offenders received a sentence below the applicable guideline range because the government sponsored the below range sentence.
  - ◆ Substantial assistance departures accounted for 19.0% of all section 924(c) career offender cases in fiscal year 2014.
    - ◇ The average reduction for these offenders was 46.6%.
- A non-government sponsored below range sentence was imposed on 24.3% of section 924(c) career offenders in fiscal year 2014.
  - ◆ The average reduction for these offenders was 29.4%.

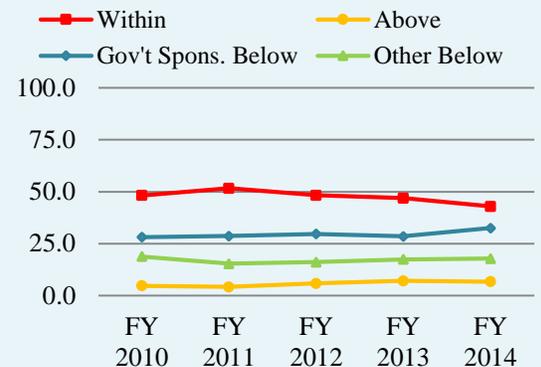
#### All Section 924(c) Offenses

- Both the average guideline minimum and average sentence have remained relatively constant over the last five years.
  - ◆ The average guideline minimum increased from 209 to 212 months during that period;
  - ◆ The average sentence imposed decreased from 164 to 157 months.

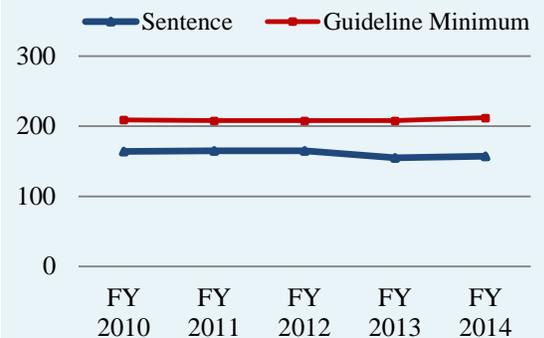
### Distribution of Section 924(c) Offenders With and Without Additional Offenses FY 2014



### Sentence Relative to the Guideline Range



### Average Sentence and Average Guideline Minimum (in months)



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