



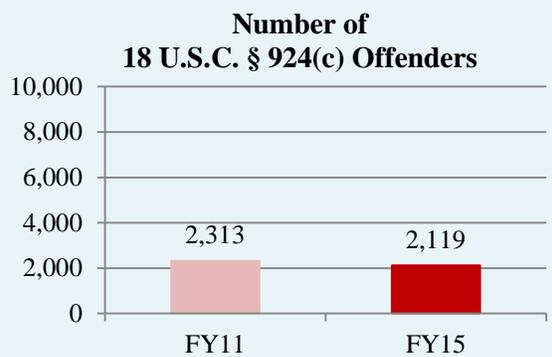
Quick Facts

▶ THERE WERE 71,003 CASES REPORTED TO THE UNITED STATES SENTENCING COMMISSION IN FISCAL YEAR 2015.

▶ OF THESE CASES, 2,119 INVOLVED CONVICTIONS UNDER 18 U.S.C. § 924(c).

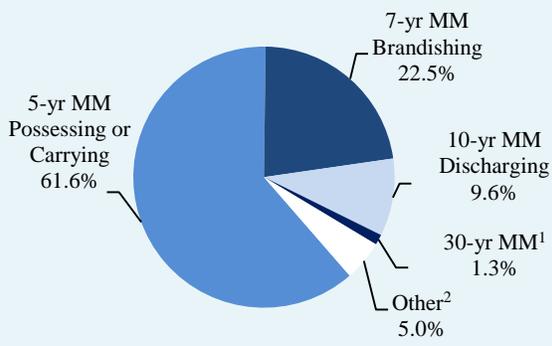
▶ OFFENSES UNDER 18 U.S.C. § 924(c) INVOLVE THE USE OR CARRYING OF A FIREARM DURING AND IN RELATION TO A CRIME OF VIOLENCE OR DRUG TRAFFICKING CRIME, OR THE POSSESSION OF A FIREARM IN FURTHERANCE OF THOSE CRIMES.

Section 924(c) Firearms Offenses



In fiscal year 2015, there were 2,119 offenders convicted under 18 U.S.C. § 924(c) accounting for 3.0% of all offenders sentenced under the guidelines. The number of offenders convicted of multiple counts of section 924(c) has decreased from 174 offenders in fiscal year 2011 (7.5% of all section 924(c) offenders) to 119 in fiscal year 2015 (5.6% of all section 924(c) offenders).

Mandatory Minimum Penalties for 18 U.S.C. § 924(c) Offenders FY 2015



Offender and Offense Characteristics

- In fiscal year 2015, most offenders convicted under 18 U.S.C. § 924(c) were male (97.4%).
- The majority were Black (50.3%), followed by Hispanic (30.9%), White (16.5%), and Other Races (2.3%).
- The average age of these offenders at sentencing was 32 years.
- The majority of section 924(c) offenders were United States citizens (92.2%).
- The most common Criminal History Category for these offenders was Category I (31.0%). The proportion of these offenders in other Criminal History Categories was as follows:
 - ◆ 13.0% of these offenders were in Category II;
 - ◆ 19.0% were in Category III;
 - ◆ 12.3% were in Category IV;
 - ◆ 5.9% were in Category V; and
 - ◆ 18.8% were in Category VI.
- Career offenders (§4B1.1) were 10.5% 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 (19.4% of the overall caseload);
 - ◇ This is an increase from 2014, when 924(c) offenses were 11.5% of the caseload.
 - ◆ Eastern District of North Carolina (13.3%);
 - ◆ Eastern District of Pennsylvania (10.7%);
 - ◆ Southern District of New York (10.2%); and
 - ◆ Middle District of North Carolina (8.8%).

Top Five Districts 18 U.S.C. § 924(c) Offenders FY 2015

District of Puerto Rico (N=269)
Southern District of New York (N=153)
Southern District of Florida (N=80)
Eastern District of North Carolina (N=78)
Eastern District of Pennsylvania (N=74)

Punishment

- Almost all offenders convicted under 18 U.S.C. § 924(c) were sentenced to imprisonment (99.8%).³
- The majority of offenders (84.7%) convicted under 18 U.S.C. § 924(c) were also convicted of another offense. The most common of these other offenses were drug trafficking (40.8%), robbery (33.8%), and another firearms offense (7.6%).
 - ◆ Nearly one-third (31.6%) 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.

¹ The "30-year" category includes offenders with a single conviction (25.0%) or with multiple convictions (75.0%).
² The "Other" category includes offenders with a single conviction (6.7%) or with multiple convictions (93.3%).
³ Offenses under section 924(c) carry one of several mandatory minimum penalties depending on the circumstances of the offense.

Quick Facts

Section 924(c) Firearms Offenses

Punishment (continued)

- The number of offenders convicted of multiple counts of section 924(c) decreased significantly from 178 in fiscal year 2014 to 119 in fiscal year 2015.
- The average length of sentence for offenders convicted under 18 U.S.C. § 924(c) was 149 months.
 - ◆ The average length of sentence for offenders convicted under only section 924(c) was 73 months.
 - ◆ The average length of sentence for offenders convicted under both section 924(c) and another offense not carrying a mandatory minimum penalty was 137 months.
 - ◆ The average length of sentence for section 924(c) offenders who were determined to be career offenders was 216 months.
 - ◆ The average length of sentence for offenders convicted of multiple counts of section 924(c) was 314 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.⁴ In fiscal year 2015, 78.2% of section 924(c) only offenders were sentenced to the guideline sentence.
 - ◆ 7.6% of section 924(c) offenders were sentenced below the guideline sentence in fiscal year 2015 pursuant to a substantial assistance departure.
 - ◆ 13.9% of section 924(c) 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 34.2% in fiscal year 2011 to 22.0% in fiscal year 2015.
- In fiscal year 2015, 48.4% of these offenders received a sentence below the applicable guideline range because the government sponsored the below range sentence.
 - ◆ Substantial assistance departures accounted for 24.7% of all section 924(c) career offender cases in fiscal year 2015.
 - ◇ The average reduction for these offenders was 56.2%.
- A non-government sponsored below range sentence was imposed on 28.2% of section 924(c) career offenders in fiscal year 2015.
 - ◆ The average reduction for these offenders was 29.8%.

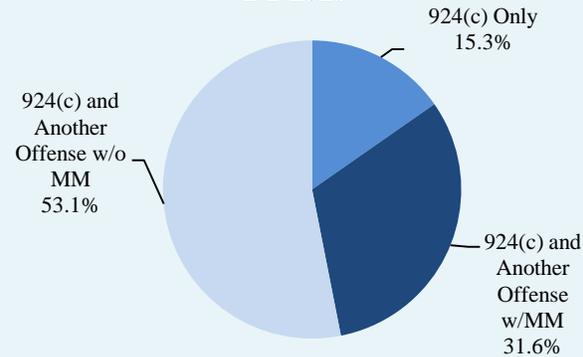
All Section 924(c) Offenses

- Both the average guideline minimum and average sentence have remained relatively constant over the last five years.
 - ◆ The average guideline minimum decreased from 208 to 203 months during that period;
 - ◆ The average sentence imposed decreased from 165 to 149 months.

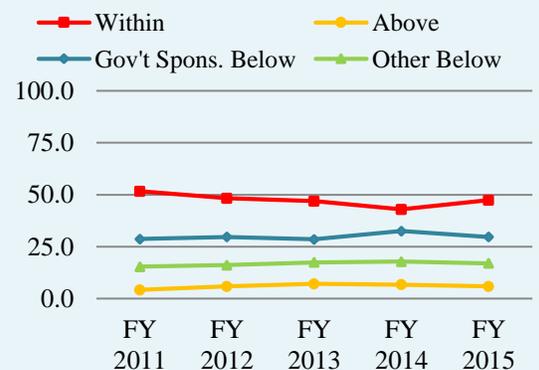
⁴The guideline sentence for a section 924(c) offense is the minimum term of imprisonment required by that statute. USSG §2K2.4. Punishments under section 924(c) run consecutively to any other term of imprisonment. 18 U.S.C. § 924(c)(1)(D)(ii).

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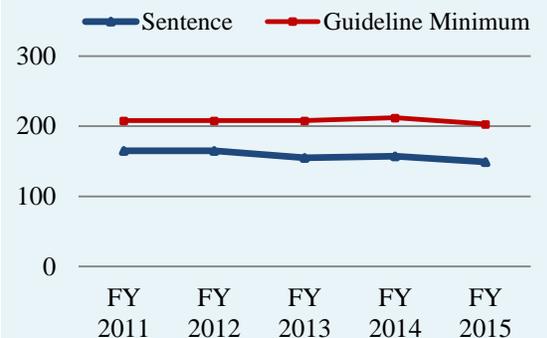
Distribution of Section 924(c) Offenders With and Without Additional Offenses FY 2015



Sentence Relative to the Guideline Range



Average Sentence and Average Guideline Minimum (in months)



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