



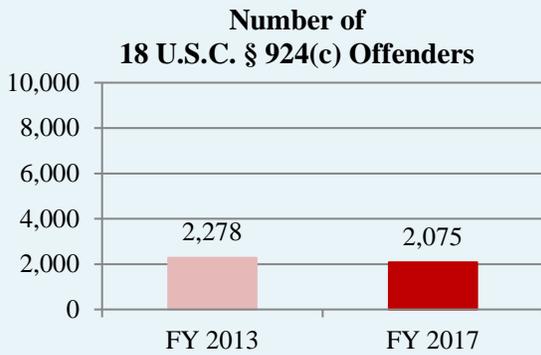
Quick Facts

▶ THERE WERE 66,873 CASES REPORTED TO THE UNITED STATES SENTENCING COMMISSION IN FISCAL YEAR 2017.

▶ OF THESE CASES, 2,075 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

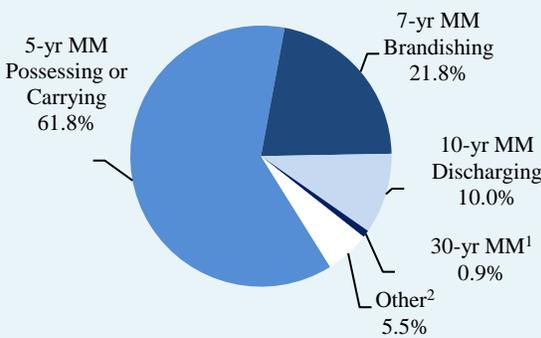


In fiscal year 2017, there were 2,075 offenders convicted under 18 U.S.C. § 924(c) accounting for 3.1% of all offenders sentenced under the guidelines. The number of offenders convicted of multiple counts of section 924(c) has decreased from 152 offenders in fiscal year 2013 (6.7% of all section 924(c) offenders) to 124 in fiscal year 2017 (6.0% of all section 924(c) offenders).

Offender and Offense Characteristics

- In fiscal year 2017, most offenders convicted under 18 U.S.C. § 924(c) were men (97.6%).
- The majority were Black (54.2%) followed by Hispanic (25.4%), White (18.1%), and Other Races (2.4%).
- The average age of these offenders at sentencing was 32 years.
- The majority of section 924(c) offenders were United States citizens (92.6%).
- The most common Criminal History Category for these offenders was Category I (27.1%). The proportion of these offenders in other Criminal History Categories was as follows:
 - ◆ 12.8% of these offenders were in Category II;
 - ◆ 22.4% were in Category III;
 - ◆ 12.5% were in Category IV;
 - ◆ 8.1% were in Category V; and
 - ◆ 17.1% were in Category VI.
- Career offenders (§4B1.1) were 7.9% 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 (13.7% of the overall caseload);
 - ◆ Eastern District of Wisconsin (12.5%);
 - ◆ Eastern District of North Carolina (11.8%);
 - ◆ Southern District of New York (10.8%); and
 - ◆ Middle District of Alabama (10.3%).

Mandatory Minimum Penalties for 18 U.S.C. § 924(c) Offenders FY 2017



Punishment

- Almost all offenders convicted under 18 U.S.C. § 924(c) were sentenced to imprisonment (99.9%).³
- The majority of offenders (86.0%) convicted under 18 U.S.C. § 924(c) were also convicted of another offense. The most common of these other offenses were drug trafficking (49.1%), robbery (30.8%), and another firearms offense (7.0%).
 - ◆ Over one-quarter (27.5%) 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.

Top Five Districts 18 U.S.C. § 924(c) Offenders FY 2017

Southern District of New York (N=147)
District of Puerto Rico (N=128)
Eastern District of North Carolina (N=77)
Southern District of Florida (N=73)
Western District of Missouri (N=58)

¹ The "30-year" category includes offenders with a single conviction (33.3%) or with multiple convictions (66.7%).

² The "Other" category includes offenders with a single conviction (2.6%) or with multiple convictions (97.4%).

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 from 153 in fiscal year 2016 to 124 in fiscal year 2017.
- 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 133 months;
 - ◆ The average length of sentence for section 924(c) offenders who were determined to be career offenders was 237 months; and
 - ◆ The average length of sentence for offenders convicted of multiple counts of section 924(c) was 356 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 within range guideline sentence.⁴ In fiscal year 2017, 79.9% of section 924(c) only offenders were sentenced to the guideline sentence.
 - ◆ 9.7% of section 924(c) offenders were sentenced below the guideline sentence in fiscal year 2017 pursuant to a substantial assistance departure;
 - ◆ 10.0% of section 924(c) offenders were sentenced above the guideline sentence.

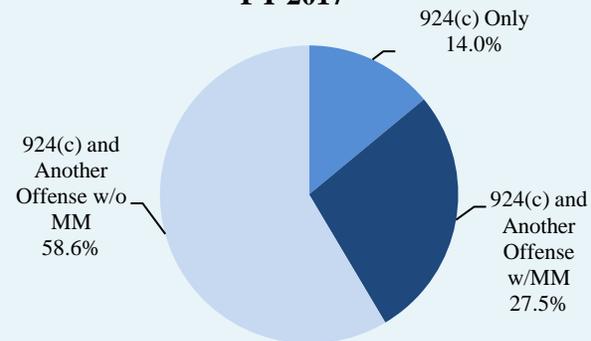
Section 924(c) Cases Involving Career Offenders

- 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 29.6% in fiscal year 2013 to 21.8% in fiscal year 2017.
- In fiscal year 2017, 40.4% of these offenders received a sentence below the applicable guideline sentence because the government sponsored the below range sentence.
 - ◆ Substantial assistance departures accounted for 12.8% of all section 924(c) career offender cases in fiscal year 2017.
 - ◇ The average reduction for these offenders was 52.4%.
- A non-government sponsored below range sentence was imposed on 37.2% of section 924(c) career offenders in fiscal year 2017.
 - ◆ The average reduction for these offenders was 30.0%.

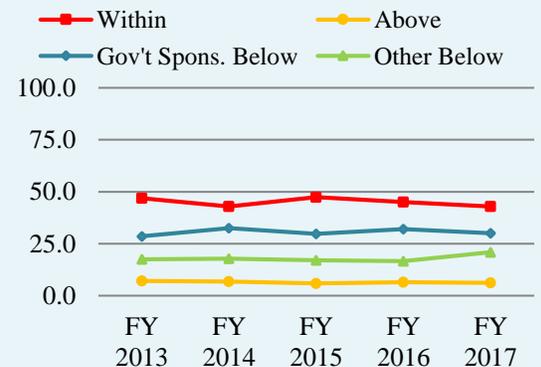
All Section 924(c) Offenses

- Both the average guideline minimum and average sentence has decreased over the last five years.
 - ◆ The average guideline minimum decreased from 208 to 198 months;
 - ◆ The average sentence imposed decreased from 155 to 149 months.

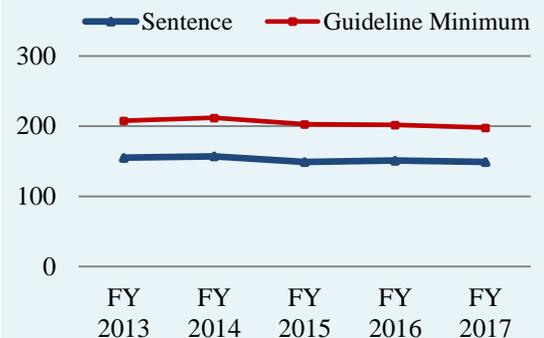
Distribution of Section 924(c) Offenders With and Without Additional Offenses FY 2017



Sentence Relative to the Guideline Range



Average Sentence and Average Guideline Minimum (in 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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