



Quick Facts

— 18 U.S.C. § 924(c) Firearms Offenses —

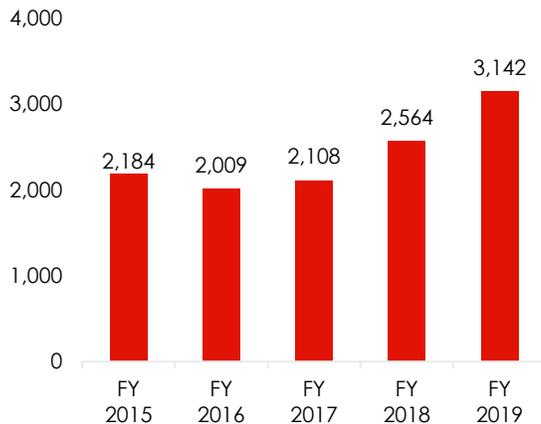
Fiscal Year 2019

▶ IN FY 2019, 76,538 CASES WERE REPORTED TO THE U.S. SENTENCING COMMISSION.

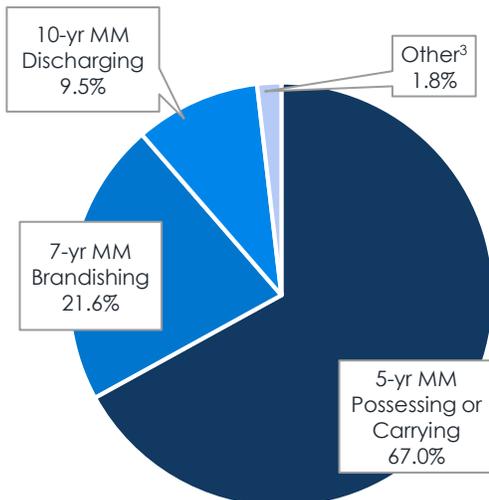
▶ 3,142 INVOLVED CONVICTIONS UNDER 18 U.S.C. § 924(c).¹

▶ 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.

Number of 18 U.S.C. § 924(c) Offenders



Mandatory Minimum Penalties for 18 U.S.C. § 924(c) Offenders²



Offenders and Sentencing

- 96.5% of section 924(c) offenders were men.
- 52.6% were Black, 21.1% were White, 23.7% were Hispanic, and 2.6% were Other races.
- Their average age was 33 years.
- 95.2% were United States citizens.
- 24.6% had little or no prior criminal history (Criminal History Category I).
 - ◆ 13.3% were CHC II;
 - ◆ 20.2% were CHC III;
 - ◆ 14.3% were CHC IV;
 - ◆ 8.9% were CHC V;
 - ◆ 18.7% were CHC VI.
- The top five districts for 924(c) firearms offenders were:
 - ◆ District of Puerto Rico (259);
 - ◆ Southern District of New York (174);
 - ◆ Eastern District of North Carolina (126);
 - ◆ District of South Carolina (110);
 - ◆ Southern District of Florida (88).
- 9.3% were career offenders (§4B1.1).
- 5.7% were convicted of multiple counts of section 924(c) in fiscal year 2019.

Punishment

- All but one section 924(c) offender was sentenced to prison.⁴
- The average sentence was 138 months.
 - ◆ 76 months for offenders convicted only under section 924(c).
 - ◆ 138 months for offenders also convicted of an offense not carrying a mandatory minimum.
 - ◆ 203 months for offenders determined to be career offenders.
 - ◆ 280 months for offenders convicted under multiple counts of section 924(c).



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Punishment (continued)

- 86.7% of section 924(c) offenders were also convicted of another offense:
 - ◆ 53.8% for drug trafficking, 27.1% for robbery, and 8.7% for another firearms offense.
- 31.2% of all section 924(c) offenders were convicted of another offense carrying a mandatory minimum. In most cases, the other offense was a drug trafficking crime.

Sentences Relative to the Guideline Range

Section 924(c) Only Offenders

- 90.6% of offenders with a conviction only under section 924(c) were sentenced under the *Guidelines Manual*⁵; of those offenders:
 - ◆ 10.4% received a substantial assistance departure.
 - ◇ Their average sentence reduction was 43.0%.

Section 924(c) Cases Involving Career Offender

- 42.0% of section 924(c) offenders determined to be career offenders were sentenced under the *Guidelines Manual*; of those offenders:
 - ◆ 41.7% received a substantial assistance departure.
 - ◇ Their average sentence reduction was 48.1%.
- 58.0% received a variance.
 - ◆ 98.0% received a below range variance.
 - ◇ Their average sentence reduction was 39.0%.

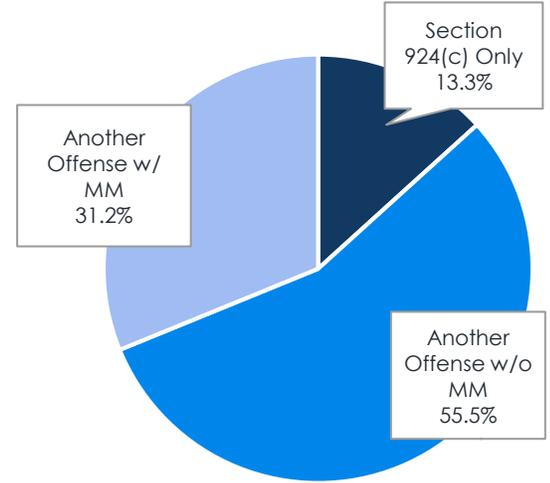
All Section 924(c) Cases

- The average guideline minimum and sentence for all section 924(c) offenders has declined over the past five years.
 - ◆ The average guideline minimum decreased from 203 months in fiscal year 2015 to 185 months in fiscal year 2019.
 - ◆ The average sentence decreased from 149 months in fiscal year 2015 to 138 months in fiscal year 2019.

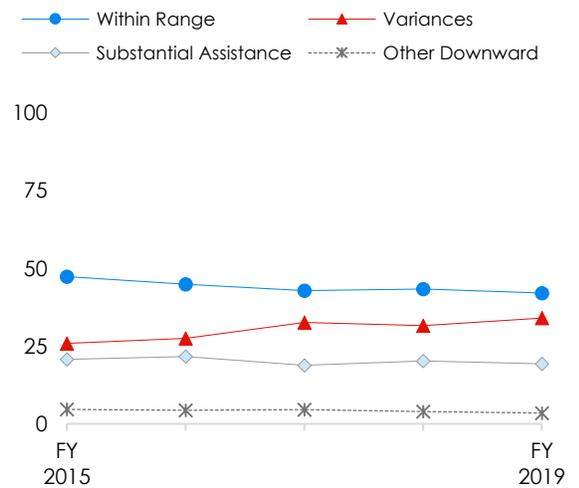
¹ Cases with incomplete sentencing information were excluded from the analysis.
² These values represent the highest mandatory minimum an offender was subject to under section 924(c).
³ The "Other" category includes offenders with a mandatory minimum of 25 years (1.5%), 30 years (0.2%), and life (0.1%).
⁴ Offenses under section 924(c) carry one of several mandatory minimum penalties depending on the circumstances of the offense.
⁵ The guideline sentence for a section 924(c) offense is the minimum term of imprisonment required by statute. USSG §2K2.4. Punishments under section 924(c) run consecutive to any other term of imprisonment. 18 U.S.C. § 924(c)(1)(D)(ii).

SOURCE: United States Sentencing Commission, FY 2015 through FY 2019 Datafiles, USSCFY15-USSCFY19.

Distribution of 18 U.S.C. § 924(c) Offenders With and Without Additional Offenses



Sentence Relative to the Guideline Range (%)



Average Guideline Minimum and Average Sentence (months)

