



Quick Facts

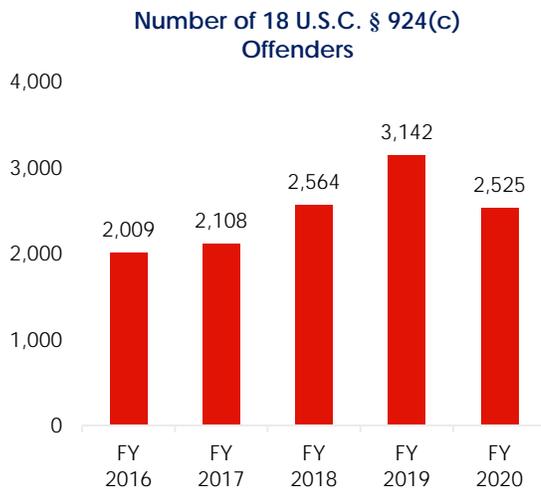
— 18 U.S.C. § 924(c) Firearms Offenses —

Fiscal Year 2020

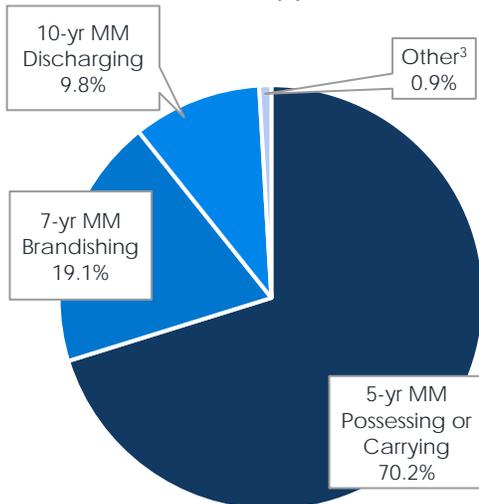
▶ In FY 2020, 64,565 cases were reported to the U.S. Sentencing Commission.

▶ 2,525 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.



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



Offender Characteristics and Sentencing

- 95.6% of section 924(c) offenders were men.
- 51.0% were Black, 23.4% were Hispanic, 22.8% were White, and 2.8% were Other races.
- Their average age was 33 years.
- 95.0% were United States citizens.
- 23.9% had little or no prior criminal history (Criminal History Category I);
 - ◆ 13.2% were CHC II;
 - ◆ 20.2% were CHC III;
 - ◆ 15.1% were CHC IV;
 - ◆ 9.1% were CHC V;
 - ◆ 18.5% were CHC VI.
- The top five districts for section 924(c) firearms offenders were:
 - ◆ District of Puerto Rico (200);
 - ◆ Eastern District of North Carolina (101);
 - ◆ Southern District of New York (100);
 - ◆ Western District of Missouri (94);
 - ◆ Eastern District of Missouri (82).
- 8.2% were career offenders (§4B1.1).
- 7.4% were convicted of multiple counts of section 924(c).

Punishment

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



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

Punishment (continued)

- 86.8% of section 924(c) offenders were also convicted of another offense:
 - ◆ 58.1% for drug trafficking, 22.6% for robbery, and 8.1% for another firearms offense.
- 35.5% 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

- 89.4% of offenders with a conviction only under section 924(c) were sentenced under the *Guidelines Manual*;⁵ of those offenders:
 - ◆ 7.1% received a substantial assistance departure.
 - ◇ Their average sentence reduction was 60.2%.

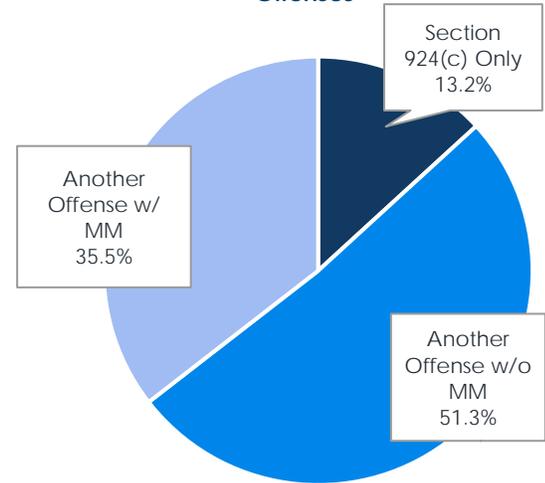
Section 924(c) Cases Involving Career Offender

- 42.8% of section 924(c) offenders determined to be career offenders were sentenced under the *Guidelines Manual*; of those offenders:
 - ◆ 45.5% received a substantial assistance departure.
 - ◇ Their average sentence reduction was 52.2%.
- 57.2% received a variance.
 - ◆ 97.1% received a downward variance.
 - ◇ Their average sentence reduction was 35.8%.

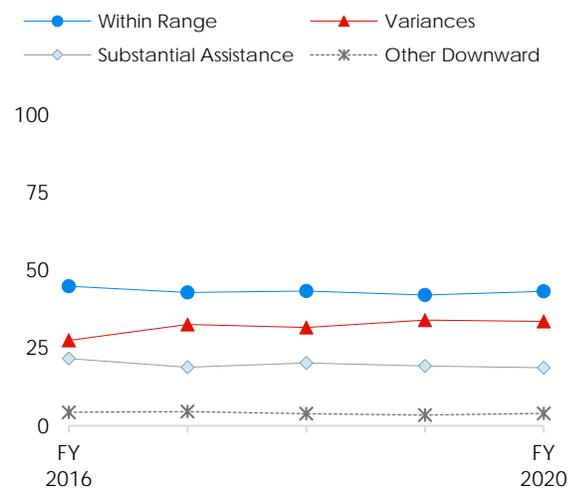
All Section 924(c) Cases

- The average guideline minimum and average sentence imposed for all section 924(c) offenders decreased over the past five years.
 - ◆ The average guideline minimum decreased from 202 months in fiscal year 2016 to 186 months in fiscal year 2020.
 - ◆ The average sentence imposed decreased from 151 months in fiscal year 2016 to 138 months in fiscal year 2020.

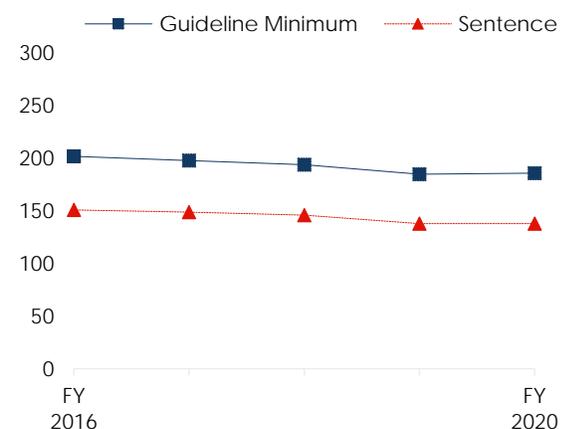
Distribution of 18 U.S.C. § 924(c) Offenders With and Without Additional Offenses



Sentence Relative to the Guideline Range (%)



Average Guideline Minimum and Average Sentence (months)



¹ Cases with incomplete sentencing information were excluded from the analysis. Cases that do not meet logical criteria were also excluded.

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 (0.6%), 30 years (0.1%), and life (0.2%).

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)(i).