Fiscal Year 2021

- In FY 2021, 57,287 cases were reported to the U.S. Sentencing Commission.
- 2,430 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.

Offender Characteristics and Sentencing

- 96.3% of section 924(c) offenders were men.
- 51.2% were Black, 24.0% were Hispanic, 21.8% were White, and 3.0% were Other races.
- Their average age was 33 years.
- 95.4% were United States citizens.
- 26.1% had little or no prior criminal history (Criminal History Category I):
  - 12.5% were CHC II;
  - 19.8% were CHC III;
  - 14.4% were CHC IV;
  - 9.6% were CHC V;
  - 17.6% were CHC VI.

- The top five districts for section 924(c) offenders were:
  - District of Puerto Rico (187);
  - Eastern District of North Carolina (119);
  - Eastern District of Missouri (84);
  - Southern District of New York (73);
  - Western District of Missouri (72).
- 7.8% were career offenders (§4B1.1).
- 7.1% were convicted of multiple counts of section 924(c).

Punishment

- 99.8% were sentenced to prison.
- The average sentence for all section 924(c) offenders was 136 months.
  - 81 months for offenders convicted only under section 924(c).
  - 131 months for offenders also convicted of an offense not carrying a mandatory minimum.
  - 192 months for offenders determined to be career offenders.
  - 256 months for offenders convicted of multiple counts of section 924(c).
Punishment (continued)

- 86.5% of section 924(c) offenders were also convicted of another offense; of those offenders:
  - 57.2% were convicted of drug trafficking, 25.2% of robbery, and 7.2% of another firearms offense.

- 32.5% 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**

- 89.8% of offenders with a conviction only under section 924(c) were sentenced under the Guidelines Manual; of those offenders:
  - 8.2% received a substantial assistance departure.
    - Their average sentence reduction was 47.4%.

**Section 924(c) Cases Involving Career Offender**

- 36.8% of section 924(c) offenders determined to be career offenders were sentenced under the Guidelines Manual; of those offenders:
  - 43.3% received a substantial assistance departure.
    - Their average sentence reduction was 46.9%.

- 63.2% received a variance.
  - All received a downward variance.
    - Their average sentence reduction was 41.3%.

**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 198 months in fiscal year 2017 to 182 months in fiscal year 2021.
  - The average sentence imposed decreased from 149 months in fiscal year 2017 to 136 months in fiscal year 2021.

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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 (0.3%) and 30 years (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)(ii).