



Quick Facts

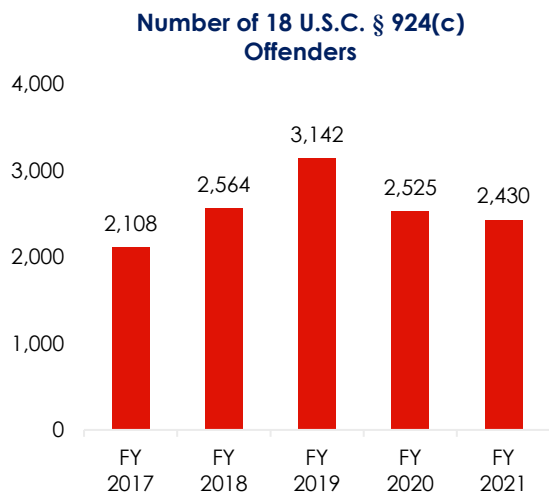
— 18 U.S.C. § 924(c) Firearms Offenses —

Fiscal Year 2021

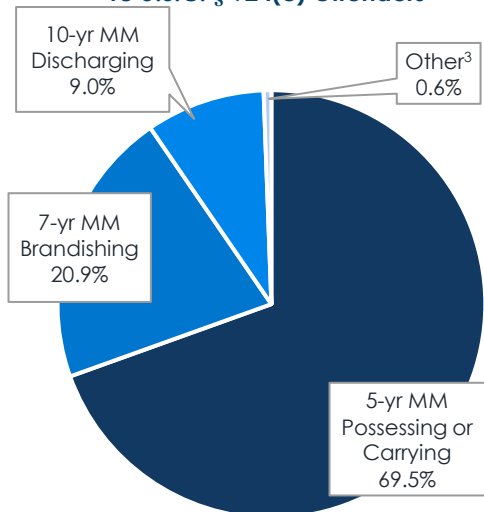
▶ In FY 2021, 57,287 cases were reported to the U.S. Sentencing Commission.

▶ 2,430 involved convictions under 18 U.S.C. § 924(c).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

- 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.⁴
- 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).



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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*⁵; of those offenders:
 - ◆ 8.2% received a substantial assistance departure.
 - ◇ Their average sentence reduction was 47.4%.

Section 924(c) Cases Involving Career Offender

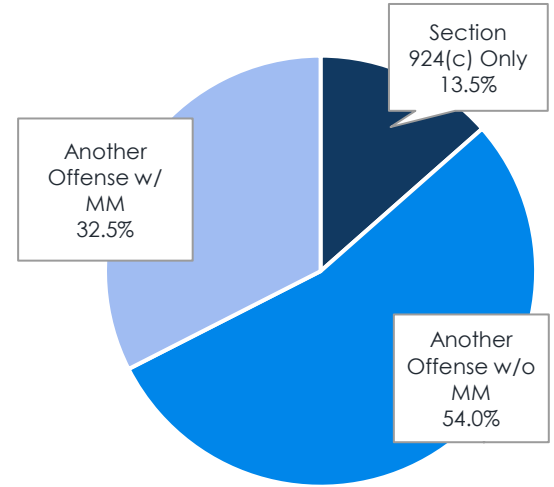
- 36.8% of section 924(c) offenders determined to be career offenders were sentenced under the *Guidelines Manual*; of those offenders:
 - ◆ 43.3% received a substantial assistance departure.
 - ◇ Their average sentence reduction was 46.9%.
- 63.2% received a variance.
 - ◆ All received a downward variance.
 - ◇ 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.

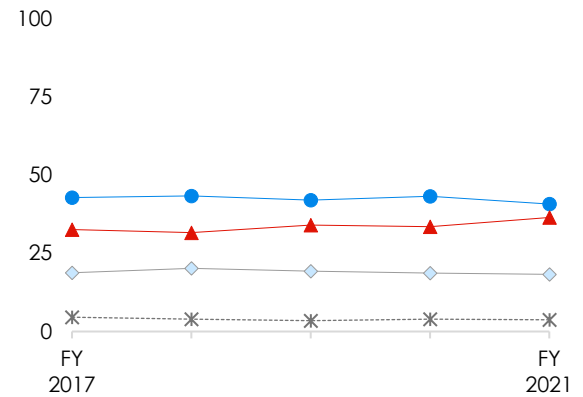
¹ Cases with incomplete sentencing information were excluded from the analysis.
² These values represent the highest mandatory minimum an offender was subject to under section 924(c).
³ The "Other" category includes offenders with a mandatory minimum of 25 years (0.3%) and 30 years (0.2%).
⁴ Offenses 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).

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



Sentence Relative to the Guideline Range (%)

● Within Range ▲ Variances
◆ Substantial Assistance *--* Other Downward



Average Guideline Minimum and Average Sentence (months)

■ Guideline Minimum ▲ Sentence

