

Executive Summary

Michigan's felony firearm law, which imposes a mandatory prison sentence for possession of a gun during commission of a felony, is a major driver of Michigan's prison population and the racial disparities within it. Ten thousand people in Michigan prisons had at least one sentence for a felony firearm offense as of 2018, and the vast majority of those convicted of felony firearm are Black men.

To quantify the impact and cost of the felony firearm law, which was passed in 1976, Safe & Just Michigan obtained a dataset from the Michigan Department of Corrections (MDOC) in October 2018 through the Freedom of Information Act (FOIA) that included all data in the department's Offender Tracking Information System (OTIS). OTIS contains detailed information on all people in MDOC custody or under MDOC supervision, such as active and inactive sentences and parole eligibility dates.

From the OTIS data, we created a dataset that included only people who were incarcerated in the state on the date that the data was collected (October 2018), and isolated incarcerated persons who had felony firearm sentences. We then examined several key characteristics within this group, such as age, race, sex, the county where they were convicted, and any other sentences they may have been serving time for.

Findings reveal several important things in relation to an ongoing discussion about reforming the felony firearm statute:

- **Black males are overwhelmingly the people sentenced for felony firearm offenses.**
- **Courts in Wayne County convicted more than half the people incarcerated for felony firearm offenses.**
- **Nearly 400 people incarcerated for a felony firearm conviction in Michigan in October 2018 were in prison only on a felony firearm charge.**
- **More than three-quarters of respondents polled support the repeal of mandatory sentencing, according to research conducted for Safe & Just Michigan.**



In 2018, Michigan incarcerated more than 10,000 people on felony firearm charges. The law isn't used uniformly across the state. Some counties apply felony firearm charges far more frequently than others. Wayne County accounts for more than half of all felony firearm sentences, and Black men are disproportionately affected.

Recently introduced House Bills 5993-94 are a step in the right direction to end the issues caused by the felony firearm statute. The proposed changes to the statute could save millions of dollars annually, according to estimates. However, these bills won't go far enough toward reversing the explosive growth Michigan has seen in prison growth and corrections spending. We need further changes than the ones proposed in these bills.