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GANG-RELATED OFFENSES; PENALTIES

House Bill 4717
Sponsor: Rep. Paul Wojno
Committee: Judiciary

Complete to 5-8-97

A SUMMARY OF HOUSE BILL 4717 AS INTRODUCED 4-30-97

House Bill 4717 would amend the Michigan Penal Code to add a section establishing enhanced punishment for individuals who commit or attempt to commit "gang-related crimes." Gang-related offenses would be defined as crimes that are punishable by more than one year in prison or are designated as felonies and were committed or attempted in the course of the offender's association with a formal or informal group that is organized to commit crimes, encourages its members to commit crimes, or conceals the commission of crimes by its members.

The bill would require that an individual who had been convicted of committing or attempting to commit a gang-related offense be subject to imprisonment for not more than twice the term normally authorized for the violation where the crime would ordinarily be punished by imprisonment for a term less than life. If the crime were ordinarily punishable by imprisonment for life or any term of years, then the term of imprisonment would be the same. In addition, the offender would not be eligible for probation, suspension of sentence, or parole during his or her minimum term of imprisonment. Finally, the bill would allow the court to require the offender to pay a fine of not more than twice the fine otherwise provided for the crime or attempt thereof in question.

MCL 750.411r

Analyst: W. Flory

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