



**Title:** Firearm Regulation for Persons Convicted of Violent Offenses

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- 1 **WHEREAS**, Title 18 U.S. Code Section 3553 “Imposition of a Sentence” defines “violent offense” as “a crime of  
2 violence, as defined in [Title 18, Part I, Chapter 1,] Section 16 [Crime of Violence Defined], that is punishable by  
3 imprisonment,” and
- 4 **WHEREAS**, a “crime of violence” under the U.S. Code of Public Law of the 98th Congress under Title 18, Part I,  
5 Chapter 1, Section 16, Subsection (a) is defined as “an offense that has as an element the use, attempted use, or  
6 threatened use of physical force against the person or property of another,” and
- 7 **WHEREAS**, the Gun Control Act of 1988 only prohibits the sale to, and possession of firearms by, a person indicted  
8 or convicted of misdemeanors punishable by more than two years of imprisonment, and
- 9 **WHEREAS**, per Section 28.422 of Michigan Compiled Laws, Michigan does not state or enforce the limitations of  
10 firearm sales to persons charged with or convicted of a violent offense misdemeanor with any length of  
11 imprisonment, and
- 12 **WHEREAS**, “handgun possession is prohibited for people who have committed a violent misdemeanor punishable by  
13 less than 1 year of imprisonment” in five states including California, Hawaii, New York, Connecticut, and Maryland  
14 since 2016, and
- 15 **WHEREAS**, aggravated assaults accounted for 68.2% of violent crimes reported to law enforcement in 2019, and
- 16 **WHEREAS**, California saw a “37% lower gun death rate than the national average” as of June 2022 since enacting  
17 firearm safety laws, and
- 18 **WHEREAS**, Hawaii had the lowest gun death rate at 2.5 deaths per capita in 2019 following its history of strict  
19 firearm legislation, and
- 20 **WHEREAS**, 15 states have adopted a similar policy which bans the purchase of firearms for those convicted of a  
21 violent misdemeanor, and
- 22 **WHEREAS**, states like California and Hawaii have subsequently rescinded firearm possession for periods of 10  
23 years up to indefinite suspension of possession, respectively, and
- 24 **WHEREAS**, adoption of this and similar policies by other states have correlated in an 18% reduction in total homicide  
25 rates, and

26 **WHEREAS**, the American Academy of Family Physicians has a position paper which includes data supporting  
 27 firearm restrictions in purchasing and possession in the cases of domestic violence, now, therefore, be it

28 **RESOLVED**, that Michigan Academy of Family Physicians advocate for legislation enacting restriction on the  
 29 purchase of new firearms in Michigan by people with assault, violent assault and battery, or other violent  
 30 misdemeanor convictions for 10 years following conviction; and be it further

31 **RESOLVED**, that Michigan Academy of Family Physicians advocate for legislation enacting a rescindment of any  
 32 and all firearm possession by people with assault, violent assault and battery, or other violent misdemeanor  
 33 convictions for 10 years following conviction; and be it further

34 **RESOLVED**, that the Michigan Delegation to the American Academy of Family Physicians (AAFP) Congress of  
 35 Delegates ask the AAFP to share model legislation with chapters in order to enhance advocacy efforts aimed at  
 36 reducing gun violence.<sup>i</sup>

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1. RESOLUTION 13-23, MSMS House of Delegates, 2023, Title: Persons Charged with or Convicted of Violent Offense Subject to Firearm Regulation; Introduced by: Ashton Lewandowski, for the Medical Student Section; Original Authors: Adefolarin Alade, Patrick Ancheta, Heba Basha, Dayaan Ghani, Madison Polay, and Laura Carravallah, MD
  2. 18 U.S. Code - 3553 - Imposition of a sentence. (n.d.). LII / Legal Information Institute. <https://www.law.cornell.edu/uscode/text/18/3553>
  3. Crime of Violence Defined. 18 USC-16 (1984): <https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title18-section16&num=0&edition=prelim>
  4. Giffords: Courage to Fight Gun Violence. (2022, October 17). Firearm Prohibitions. Giffords. <https://giffords.org/lawcenter/gun-laws/policy-areas/who-can-have-a-gun/firearm-prohibitions/>
  4. Michigan Legislature. (n.d.). Section 28.422 License to purchase, carry, possess, or transport pistol; issuance; qualifications; applications; sale of pistol; exemptions; transfer of ownership to heir or devisee; nonresident; active duty status; forging application as felony; implementation during business hours [Policy]. [http://www.legislature.mi.gov/\(S\(nif3xehjr4lpb35oxpotebz3\)\)/mileg.aspx?page=GetObject&objectname=mcl-28-422](http://www.legislature.mi.gov/(S(nif3xehjr4lpb35oxpotebz3))/mileg.aspx?page=GetObject&objectname=mcl-28-422)
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  8. Gun Violence by State 2023. (n.d.). <https://worldpopulationreview.com/state-rankings/gun-violence-by-state>
  9. AAFP Position Paper, "Gun Violence, Prevention of". <https://www.aafp.org/about/policies/all/gun-violence.html>