First Degree vs. Second Degree Murder: A Legal Explanation
By Jeff Gagie

While degree-of-murder definitions and explanations vary slightly from state to state, they are similar around the country. In Michigan, three main types of murder charges exist: first degree, second degree, and felony. Here is an outline of how the law defines and punishes those convicted of each type:

1. [First-degree murder](http://en.wikipedia.org/wiki/Murder): The murderer both premeditates and deliberates the victim’s death. This means that the murder was planned in advance and that the murderer thought through the consequences of taking the victim’s life. The penalty for first-degree murder is life in prison with no chance of parole.
2. Felony murder: This is any intended murder committed during the commission or attempted commission of a felony crime. As with first-degree murder, those found guilty spend their lives in prison.
3. Second-degree murder: This occurs when the murderer did not premeditate and deliberate the victim’s death. Second-degree murders are typically intentional but not planned or considered beforehand. Those convicted receive prison sentences with parole possible.

Michigan law also defines manslaughter and homicide murders, which include mitigating circumstances.

About Jeff Gagie

As a lawyer, Jeff Gagie has represented clients in several dozen court cases. He has defended numerous clients charged with first-degree murder. After 18 years in law, however, Gagie has turned his attention to the not-for-profit sector, where he believes his work will allow him to positively impact more lives.