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## YOUTHFUL TRAINEE STATUS

House Bill 4587  
Sponsor: Rep. James McNutt  
Committee: Judiciary

Complete to 5-27-93

### A SUMMARY OF HOUSE BILL 4587 AS INTRODUCED 4-1-93

The Holmes Youthful Trainee Act offers a mechanism by which a youth charged with a crime when he or she was between seventeen and twenty years old may in effect be excused from having a criminal record. The act also may be used for juveniles over fifteen years old who have been "waived" from juvenile court to face adult charges in criminal court. The act may not be used when the offense in question is a traffic offense, a major drug offense, or a life offense. When a judge (with the permission of both youth and parent) opts to assign a youth to trainee status, criminal proceedings are suspended pending completion of a probationary period or a term at the Thumb Regional Correctional Facility (which is where youthful trainees committed to the Department of Corrections are sent), either of which may last up to three years (these dispositions apply to youths charged with offenses punishable by more than one year in state prison; the act is silent on what is to be done with other offenders on trainee status). The court may revoke trainee status at any time prior to the youth's release; revocation causes criminal proceedings to be reinstated. Under the act, a person who successfully completes trainee status will not be considered to have been convicted of a crime, and his or her record is closed to public inspection (although it remains available to courts, police, and the Departments of Corrections and Social Services).

The bill would amend the Holmes Youthful Trainee Act to limit its application to youths who pleaded guilty or were found guilty of criminal offenses. A trainee's records, now closed unless criminal proceedings are reinstated and he or she is convicted, would be closed unless the court entered a judgment of conviction. (In other words, the bill would place assignment as a youthful trainee in between adjudication and the entry of a judgment.)

MCL 762.11 et al.

House Bill 4587 (5-27-93)