

Act No. 63
Public Acts of 1994
Approved by the Governor
April 10, 1994
Filed with the Secretary of State
April 11, 1994

**STATE OF MICHIGAN
87TH LEGISLATURE
REGULAR SESSION OF 1994**

Introduced by Senators Welborn and Bouchard

ENROLLED SENATE BILL No. 587

AN ACT to amend section 15c of chapter IV of Act No 175 of the Public Acts of 1927 entitled as amended An act to revise consolidate and codify the laws relating to criminal procedure and to define the jurisdiction powers and duties of courts judges and other officers of the court under the provisions of this act to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations to provide for the examination of persons accused of criminal offenses to regulate the procedure relative to grand juries indictments informations and proceedings before trial to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases to provide a uniform system of probation throughout this state and the appointment of probation officers to prescribe the powers duties and compensation of probation officers to provide penalties for the violation of the duties of probation officers to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime to provide for fees of officers witnesses and others in criminal and ordinance violation cases to set forth miscellaneous provisions as to criminal procedure in certain cases to provide penalties for the violation of certain provisions of this act and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act as added by Act No 222 of the Public Acts of 1985 being section 764 15c of the Michigan Compiled Laws and to repeal certain parts of the act

The People of the State of Michigan enact

Section 1 Section 15c of chapter IV of Act No 175 of the Public Acts of 1927 as added by Act No 222 of the Public Acts of 1985 being section 764 15c of the Michigan Compiled Laws is amended to read as follows

CHAPTER IV

Sec 15c (1) After investigating or intervening in a domestic dispute as described in section 15a or 15b of this chapter a peace officer shall provide the victim with a copy of the notice in this section. The notice shall be written and shall include all of the following

- (a) The name and telephone number of the responding police agency
- (b) The name and badge number of the responding peace officer
- (c) The following statement

You may obtain a copy of the police incident report for your case by contacting this law enforcement agency at the telephone number provided

The domestic violence shelter program and other resources in your area are (include local information)

Information about emergency shelter, counseling services, and the legal rights of domestic violence victims is available from these resources

Your legal rights include the right to go to court and file a petition requesting an injunctive order to protect you or other members of your household from domestic abuse which could include the following

- (a) An order restraining or enjoining the abuser from entering onto premises
- (b) An order restraining or enjoining the abuser from assaulting, beating, molesting, or wounding you
- (c) An order restraining or enjoining the abuser from threatening to kill or physically injure you or another person
- (d) An order restraining or enjoining the abuser from removing minor children from you, except as otherwise authorized by a custody or visitation order issued by a court of competent jurisdiction

- (e) An order restraining or enjoining the abuser from engaging in stalking behavior

(2) The peace officer shall prepare a domestic violence report after investigating or intervening in a domestic dispute or an incident involving domestic violence as described in subsection (1). The report shall contain, but is not limited to, containing all of the following

- (a) The address, date, and time of the occurrence or incident being investigated
- (b) The victim's name, address, home and work telephone numbers, race, sex, and date of birth
- (c) The suspect's name, address, home and work telephone numbers, race, sex, date of birth, and information describing the suspect and whether an injunction or restraining order covering the suspect exists
- (d) The name, address, home and work telephone numbers, race, sex, and date of birth of any witness, including a child of the victim or suspect, and the relationship of the witness to the suspect or victim
- (e) The following information about the occurrence or incident being investigated:
 - (i) The name of the person that called the law enforcement agency
 - (ii) The relationship of the victim and suspect
 - (iii) Whether alcohol or controlled substance use was involved in the occurrence or incident, and by whom
 - (iv) A brief narrative describing the dispute or incident and the circumstances that led to it
 - (v) Whether and how many times the suspect physically assaulted the victim and a description of any weapon or object used
 - (vi) A description of all injuries sustained by the victim and an explanation of how the injuries were sustained
 - (vii) If the victim sought medical attention, information concerning where and how the victim was transported, whether the victim was admitted to a hospital or clinic for treatment, and the name and telephone number of the attending physician
 - (viii) A description of any property damage reported by the victim or evident at the scene
- (f) A description of any previous domestic disputes or incidents involving domestic violence between the victim and the suspect

(g) The date and time of the report and the name, badge number, and signature of the peace officer completing the report

(3) The law enforcement agency shall retain the completed domestic violence report in its files. The law enforcement agency shall also file a copy of the completed domestic violence report with the prosecuting attorney within 48 hours after the dispute or incident is reported to the law enforcement agency

Section 2 Sections 19, 20, 21, and 22 of chapter VI of Act No. 175 of the Public Acts of 1927, being sections 766.19, 766.20, 766.21, and 766.22 of the Michigan Compiled Laws, are repealed

Section 3 This amendatory act shall take effect July 1, 1994

This act is ordered to take immediate effect

Secretary of the Senate

Co Clerk of the House of Representatives

Approved

Governor