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AGGRAVATED STALKING: NO BOND FOR PPO VIOLATION

House Bill 5279

Sponsor: Rep. Gary Woronchak

Committee: Criminal Justice

Complete to 10-21-01

A SUMMARY OF HOUSE BILL 5279 AS INTRODUCED 10-17-01

Under current law, a person who has been arrested for violating a personal protection order (PPO) issued for domestic violence or stalking must be arraigned within 24 hours and a hearing must be set within 72 hours of the arrest. In addition, the court must set a reasonable bond pending the hearing of the alleged violation of the PPO.

House Bill 5279 would amend the Code of Criminal Procedure to prohibit the court from setting bond for a person arrested for violating a PPO issued for domestic violence or stalking if the person had previously been convicted of aggravated stalking under the Michigan Penal Code (750.411i) unless the court first found, by clear and convincing evidence, that the person who was arrested posed no danger to others.

MCL 764.15b and 770.9a

House Bill 5279 (10-21-01)

Analyst: S. Stutzky

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.