

Legislative Analysis



VICTIMS OF ABUSE OR SEX CRIMES: PROTECT IDENTITY OF MINORS

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House Bill 4261

Sponsor: Rep. Tom McMillin

Committee: Judiciary

Complete to 1-18-12

A SUMMARY OF HOUSE BILL 4261 AS INTRODUCED 2-16-11

The bill would allow public entities to not disclose under the Freedom of Information Act information in police reports that identify victims of child abuse and sexual assaults who are under 18 years of age.

The Freedom of Information Act allows a public body to exempt from disclosure certain information and documents; for example, information of a personal nature if public disclosure of that information would constitute a clearly unwarranted invasion of an individual's privacy.

House Bill 4261 would amend the act (MCL 15.243) to also allow—but not require—a public body to exempt from disclosure certain information contained in a record pertaining to a crime of child abuse, criminal sexual conduct, sexual assault or molestation, or a similar crime, if one or more victims are under 18 years of age. The protected information would include the name and address of any victim; the names and addresses of a victim's immediate family members or a victim's relatives who have the same surname as that victim (other than the name and address of the accused); and any other information that would tend to reveal the identity of any victim, including any reference to a victim's familial or other relationship to the accused.

FISCAL IMPACT:

This bill would have no significant fiscal impact on state or local governments. By reducing the amount of information subject to Freedom of Information Act requests, the number of requests made could decrease by an indeterminate amount. The fiscal impact of eliminating these requests would likely be minimal.

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